

109th CONGRESS
1ST SESSION

H. Con. Res. 95

CONFERENCE REPORT

[TO ACCOMPANY H. CON. RES. 95]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the concurrent resolution (H. Con. Res. 95), establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

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

(a) DECLARATION.—The Congress declares that the concurrent resolution on the budget for fiscal year 2006 is

hereby established and that the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010 are set forth.

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

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

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.

Sec. 102. Social security.

Sec. 103. Major functional categories.

TITLE II—RECONCILIATION AND REPORT SUBMISSIONS

Sec. 201. Reconciliation in the House of Representatives.

Sec. 202. Reconciliation in the Senate.

TITLE III—RESERVE FUNDS

Sec. 301. Adjustment for surface transportation.

Sec. 302. Reserve fund for the Family Opportunity Act.

Sec. 303. Reserve fund for the Federal Pell Grant Program.

Sec. 304. Reserve fund for the uninsured.

Sec. 305. Reserve fund for the disposal of underutilized Federal real property.

Sec. 306. Reserve fund for health information technology and pay-for-performance.

Sec. 307. Reserve fund for Asbestos Injury Trust Fund.

Sec. 308. Reserve fund for energy legislation.

Sec. 309. Reserve fund for the safe importation of prescription drugs.

Sec. 310. Reserve fund for the restoration of SCHIP funds.

TITLE IV—BUDGET ENFORCEMENT

Sec. 401. Restrictions on advance appropriations.

Sec. 402. Emergency legislation.

Sec. 403. Extension of senate 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. Compliance with section 13301 of the Budget Enforcement Act of 1990.

Sec. 409. Exercise of rulemaking powers.

Sec. 410. Treatment of allocations in the House.

Sec. 411. Special procedures to achieve savings in mandatory spending through FY2014.

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 tribal colleges and universities.

Sec. 505. Sense of the Senate regarding social security restructuring.

Sec. 506. Sense of the Senate regarding funding for subsonic and hypersonic aeronautics research by the National Aeronautics and Space Administration.

Sec. 507. Sense of the Senate regarding the acquisition of the next generation destroyer (DDX).

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2005 through 2010:

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

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

Fiscal year 2005: \$1,483,658,000,000.

Fiscal year 2006: \$1,589,892,000,000.

Fiscal year 2007: \$1,693,246,000,000.

Fiscal year 2008: \$1,824,274,000,000.

Fiscal year 2009: \$1,928,678,000,000.

Fiscal year 2010: \$2,043,916,000,000.

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

Fiscal year 2005: \$366,000,000.

Fiscal year 2006: \$17,758,000,000.

Fiscal year 2007: \$26,006,000,000.

Fiscal year 2008: \$11,935,000,000.

Fiscal year 2009: \$27,553,000,000.

Fiscal year 2010: \$22,466,000,000.

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

Fiscal year 2005: \$2,078,456,000,000.

Fiscal year 2006: \$2,144,384,000,000.

Fiscal year 2007: \$2,211,308,000,000.

Fiscal year 2008: \$2,324,327,000,000.

Fiscal year 2009: \$2,428,613,000,000.

Fiscal year 2010: \$2,524,958,000,000.

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

Fiscal year 2005: \$2,056,006,000,000.

Fiscal year 2006: \$2,161,420,000,000.

Fiscal year 2007: \$2,215,361,000,000.

Fiscal year 2008: \$2,305,908,000,000.

Fiscal year 2009: \$2,411,288,000,000.

Fiscal year 2010: \$2,514,745,000,000.

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

Fiscal year 2005: \$572,348,000,000.

Fiscal year 2006: \$571,528,000,000.

Fiscal year 2007: \$522,115,000,000.

Fiscal year 2008: \$481,634,000,000.

Fiscal year 2009: \$482,610,000,000.

Fiscal year 2010: \$470,829,000,000.

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

Fiscal year 2005: \$7,962,000,000,000.

Fiscal year 2006: \$8,645,000,000,000.

Fiscal year 2007: \$9,284,000,000,000.

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

Fiscal year 2009: \$10,500,000,000,000.

Fiscal year 2010: \$11,105,000,000,000.

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

Fiscal year 2005: \$4,689,000,000,000.

Fiscal year 2006: \$5,082,000,000,000.

Fiscal year 2007: \$5,409,000,000,000.

Fiscal year 2008: \$5,677,000,000,000.

Fiscal year 2009: \$5,927,000,000,000.

Fiscal year 2010: \$6,150,000,000,000.

SEC. 102. SOCIAL SECURITY.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) *SOCIAL SECURITY ADMINISTRATIVE EXPENSES.*—

In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2005:

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

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

Fiscal year 2006:

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

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

Fiscal year 2007:

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

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

Fiscal year 2008:

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

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

Fiscal year 2009:

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

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

Fiscal year 2010:

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

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

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2005 through 2010 for each major functional category are:

*(1) National Defense (050):**Fiscal year 2005:*

*(A) New budget authority,
\$423,446,000,000.*

(B) Outlays, \$465,709,000,000.

Fiscal year 2006:

*(A) New budget authority,
\$441,562,000,000.*

(B) Outlays, \$447,020,000,000.

Fiscal year 2007:

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

(B) Outlays, \$448,508,000,000.

Fiscal year 2008:

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

(B) Outlays, \$467,840,000,000.

Fiscal year 2009:

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

(B) Outlays, \$488,307,000,000.

Fiscal year 2010:

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

(B) *Outlays, \$505,531,000,000.*

(2) *International Affairs (150):*

Fiscal year 2005:

(A) *New budget authority,*
\$28,413,000,000.

(B) *Outlays, \$31,620,000,000.*

Fiscal year 2006:

(A) *New budget authority,*
\$30,913,000,000.

(B) *Outlays, \$32,692,000,000.*

Fiscal year 2007:

(A) *New budget authority,*
\$34,338,000,000.

(B) *Outlays, \$31,804,000,000.*

Fiscal year 2008:

(A) *New budget authority,*
\$34,700,000,000.

(B) *Outlays, \$31,322,000,000.*

Fiscal year 2009:

(A) *New budget authority,*
\$34,739,000,000.

(B) *Outlays, \$31,313,000,000.*

Fiscal year 2010:

(A) *New budget authority,*
\$34,430,000,000.

(B) *Outlays, \$31,033,000,000.*

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

Fiscal year 2005:

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

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

Fiscal year 2006:

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

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

Fiscal year 2007:

(A) *New budget authority,*
\$25,171,000,000.

(B) *Outlays, \$24,610,000,000.*

Fiscal year 2008:

(A) *New budget authority,*
\$25,545,000,000.

(B) *Outlays, \$24,922,000,000.*

Fiscal year 2009:

(A) *New budget authority,*
\$25,851,000,000.

(B) *Outlays*, \$25,242,000,000.

Fiscal year 2010:

(A) *New budget authority*,
\$26,162,000,000.

(B) *Outlays*, \$25,565,000,000.

(4) *Energy (270):*

Fiscal year 2005:

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

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

Fiscal year 2006:

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

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

Fiscal year 2007:

(A) *New budget authority*,
\$2,837,000,000.

(B) *Outlays*, \$1,687,000,000.

Fiscal year 2008:

(A) *New budget authority*,
\$2,920,000,000.

(B) *Outlays*, \$1,026,000,000.

Fiscal year 2009:

(A) *New budget authority*,
\$2,531,000,000.

(B) *Outlays*, \$1,127,000,000.

Fiscal year 2010:

(A) *New budget authority*,
\$2,229,000,000.

(B) *Outlays*, \$1,018,000,000.

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

Fiscal year 2005:

(A) *New budget authority*,
\$32,504,000,000.

(B) *Outlays*, \$31,163,000,000.

Fiscal year 2006:

(A) *New budget authority*,
\$30,021,000,000.

(B) *Outlays*, \$32,016,000,000.

Fiscal year 2007:

(A) *New budget authority*,
\$30,389,000,000.

(B) *Outlays*, \$31,622,000,000.

Fiscal year 2008:

(A) *New budget authority*,
\$30,458,000,000.

(B) *Outlays*, \$31,938,000,000.

Fiscal year 2009:

(A) *New budget authority*,
\$31,212,000,000.

(B) *Outlays*, \$32,182,000,000.

Fiscal year 2010:

(A) *New budget authority*,
\$30,754,000,000.

(B) *Outlays*, \$31,763,000,000.

(6) *Agriculture (350):*

Fiscal year 2005:

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

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

Fiscal year 2006:

(A) *New budget authority*,
\$29,420,000,000.

(B) *Outlays*, \$28,476,000,000.

Fiscal year 2007:

(A) *New budget authority*,
\$27,130,000,000.

(B) *Outlays*, \$25,948,000,000.

Fiscal year 2008:

(A) *New budget authority*,
\$25,274,000,000.

(B) *Outlays*, \$24,225,000,000.

Fiscal year 2009:

(A) *New budget authority*,
\$25,631,000,000.

(B) *Outlays*, \$24,738,000,000.

Fiscal year 2010:

(A) *New budget authority*,
\$25,357,000,000.

(B) *Outlays*, \$24,627,000,000.

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

Fiscal year 2005:

(A) *New budget authority*,
\$16,804,000,000.

(B) *Outlays*, \$11,302,000,000.

Fiscal year 2006:

(A) *New budget authority*,
\$10,772,000,000.

(B) *Outlays*, \$5,562,000,000.

Fiscal year 2007:

(A) *New budget authority*,
\$10,074,000,000.

(B) *Outlays*, \$4,929,000,000.

Fiscal year 2008:

(A) *New budget authority*,
\$10,040,000,000.

(B) *Outlays*, \$4,250,000,000.

Fiscal year 2009:

(A) *New budget authority*,
\$10,667,000,000.

(B) *Outlays*, \$3,768,000,000.

Fiscal year 2010:

(A) *New budget authority*,
\$14,565,000,000.

(B) *Outlays*, \$6,393,000,000.

(8) *Transportation (400):*

Fiscal year 2005:

(A) *New budget authority*,
\$75,833,000,000.

(B) *Outlays*, \$67,639,000,000.

Fiscal year 2006:

(A) *New budget authority*,
\$73,034,000,000.

(B) *Outlays*, \$70,137,000,000.

Fiscal year 2007:

(A) *New budget authority*,
\$74,515,000,000.

(B) *Outlays*, \$72,092,000,000.

Fiscal year 2008:

(A) *New budget authority*,
\$76,482,000,000.

(B) *Outlays*, \$73,893,000,000.

Fiscal year 2009:

(A) *New budget authority*,
\$66,268,000,000.

(B) *Outlays*, \$75,235,000,000.

Fiscal year 2010:

(A) *New budget authority*,
\$67,611,000,000.

(B) *Outlays*, \$77,107,000,000.

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

Fiscal year 2005:

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

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

Fiscal year 2006:

(A) *New budget authority*,
\$14,493,000,000.

(B) *Outlays*, \$18,323,000,000.

Fiscal year 2007:

(A) *New budget authority*,
\$14,510,000,000.

(B) *Outlays*, \$17,180,000,000.

Fiscal year 2008:

(A) *New budget authority*,
\$14,597,000,000.

(B) *Outlays*, \$15,779,000,000.

Fiscal year 2009:

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

(B) *Outlays, \$14,706,000,000.*

Fiscal year 2010:

(A) *New budget authority,*
\$14,755,000,000.

(B) *Outlays, \$14,402,000,000.*

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

Fiscal year 2005:

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

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

Fiscal year 2006:

(A) *New budget authority,*
\$97,364,000,000.

(B) *Outlays, \$91,463,000,000.*

Fiscal year 2007:

(A) *New budget authority,*
\$90,395,000,000.

(B) *Outlays, \$91,045,000,000.*

Fiscal year 2008:

(A) *New budget authority,*
\$90,450,000,000.

(B) *Outlays, \$89,335,000,000.*

Fiscal year 2009:

(A) *New budget authority,*
\$90,665,000,000.

(B) *Outlays, \$88,826,000,000.*

Fiscal year 2010:

(A) *New budget authority,*
\$90,124,000,000.

(B) *Outlays, \$88,646,000,000.*

(11) *Health (550):*

Fiscal year 2005:

(A) *New budget authority,*
\$257,498,000,000.

(B) *Outlays, \$252,798,000,000.*

Fiscal year 2006:

(A) *New budget authority,*
\$262,269,000,000.

(B) *Outlays, \$262,628,000,000.*

Fiscal year 2007:

(A) *New budget authority,*
\$275,200,000,000.

(B) *Outlays, \$274,781,000,000.*

Fiscal year 2008:

(A) *New budget authority,*
\$294,954,000,000.

(B) *Outlays, \$293,755,000,000.*

Fiscal year 2009:

(A) *New budget authority,*
\$317,026,000,000.

(B) *Outlays, \$313,539,000,000.*

Fiscal year 2010:

(A) *New budget authority,*
\$336,407,000,000.

(B) *Outlays, \$335,458,000,000.*

(12) *Medicare (570):*

Fiscal year 2005:

(A) *New budget authority,*
\$292,587,000,000.

(B) *Outlays, \$293,587,000,000.*

Fiscal year 2006:

(A) *New budget authority,*
\$331,181,000,000.

(B) *Outlays, \$330,944,000,000.*

Fiscal year 2007:

(A) *New budget authority,*
\$371,875,000,000.

(B) *Outlays, \$372,167,000,000.*

Fiscal year 2008:

(A) *New budget authority,*
\$395,312,000,000.

(B) *Outlays, \$395,364,000,000.*

Fiscal year 2009:

(A) *New budget authority,*
\$420,234,000,000.

(B) *Outlays, \$419,828,000,000.*

Fiscal year 2010:

(A) *New budget authority,*
\$448,111,000,000.

(B) *Outlays, \$448,442,000,000.*

(13) *Income Security (600):*

Fiscal year 2005:

(A) *New budget authority,*
\$339,658,000,000.

(B) *Outlays, \$347,855,000,000.*

Fiscal year 2006:

(A) *New budget authority,*
\$347,606,000,000.

(B) *Outlays, \$354,415,000,000.*

Fiscal year 2007:

(A) *New budget authority,*
\$352,843,000,000.

(B) *Outlays, \$359,969,000,000.*

Fiscal year 2008:

(A) *New budget authority,*
\$365,782,000,000.

(B) *Outlays, \$371,374,000,000.*

Fiscal year 2009:

(A) *New budget authority,*
\$374,984,000,000.

(B) *Outlays, \$379,241,000,000.*

Fiscal year 2010:

(A) *New budget authority,*
\$384,088,000,000.

(B) *Outlays, \$387,610,000,000.*

(14) *Social Security (650):*

Fiscal year 2005:

(A) *New budget authority,*
\$15,849,000,000.

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

Fiscal year 2006:

(A) *New budget authority,*
\$15,991,000,000.

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

Fiscal year 2007:

(A) *New budget authority,*
\$17,804,000,000.

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

Fiscal year 2008:

(A) *New budget authority,*
\$19,868,000,000.

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

Fiscal year 2009:

(A) *New budget authority,*
\$21,843,000,000.

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

Fiscal year 2010:

(A) *New budget authority,*
\$24,129,000,000.

(B) *Outlays, \$24,129,000,000.*

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

Fiscal year 2005:

(A) *New budget authority,*
\$69,448,000,000.

(B) *Outlays, \$68,873,000,000.*

Fiscal year 2006:

(A) *New budget authority,*
\$68,994,000,000.

(B) *Outlays, \$68,365,000,000.*

Fiscal year 2007:

(A) *New budget authority,*
\$66,434,000,000.

(B) *Outlays, \$66,168,000,000.*

Fiscal year 2008:

(A) *New budget authority,*
\$69,561,000,000.

(B) *Outlays, \$69,387,000,000.*

Fiscal year 2009:

(A) *New budget authority,*
\$70,074,000,000.

(B) *Outlays, \$69,791,000,000.*

Fiscal year 2010:

(A) *New budget authority,*
\$70,172,000,000.

(B) *Outlays, \$69,900,000,000.*

(16) *Administration of Justice (750):*

Fiscal year 2005:

(A) *New budget authority,*
\$39,731,000,000.

(B) *Outlays, \$39,440,000,000.*

Fiscal year 2006:

(A) *New budget authority,*
\$40,984,000,000.

(B) *Outlays, \$42,382,000,000.*

Fiscal year 2007:

(A) *New budget authority,*
\$41,531,000,000.

(B) *Outlays, \$42,593,000,000.*

Fiscal year 2008:

(A) *New budget authority,*
\$42,172,000,000.

(B) *Outlays, \$42,791,000,000.*

Fiscal year 2009:

(A) *New budget authority,*
\$42,743,000,000.

(B) *Outlays, \$42,920,000,000.*

Fiscal year 2010:

(A) *New budget authority,*
\$43,001,000,000.

(B) *Outlays, \$42,944,000,000.*

(17) *General Government (800):*

Fiscal year 2005:

(A) *New budget authority,*
\$16,765,000,000.

(B) *Outlays, \$17,673,000,000.*

Fiscal year 2006:

(A) *New budget authority,*
\$17,909,000,000.

(B) *Outlays, \$18,398,000,000.*

Fiscal year 2007:

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

(B) *Outlays, \$17,758,000,000.*

Fiscal year 2008:

(A) *New budget authority,*
\$17,285,000,000.

(B) *Outlays, \$17,289,000,000.*

Fiscal year 2009:

(A) *New budget authority,*
\$17,140,000,000.

(B) *Outlays, \$16,956,000,000.*

Fiscal year 2010:

(A) *New budget authority,*
\$16,733,000,000.

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

(18) *Net Interest (900):*

Fiscal year 2005:

(A) *New budget authority,*
\$267,982,000,000.

(B) *Outlays, \$267,982,000,000.*

Fiscal year 2006:

(A) *New budget authority,*
\$310,774,000,000.

(B) *Outlays, \$310,774,000,000.*

Fiscal year 2007:

(A) *New budget authority,*
\$360,512,000,000.

(B) *Outlays, \$360,512,000,000.*

Fiscal year 2008:

(A) *New budget authority,*
\$398,347,000,000.

(B) *Outlays, \$398,347,000,000.*

Fiscal year 2009:

(A) *New budget authority,*
\$427,735,000,000.

(B) *Outlays, \$427,735,000,000.*

Fiscal year 2010:

(A) *New budget authority,*
\$455,167,000,000.

(B) *Outlays, \$455,167,000,000.*

(19) *Allowances (920):*

Fiscal year 2005:

(A) *New budget authority,*
\$81,881,000,000.

(B) *Outlays, \$32,121,000,000.*

Fiscal year 2006:

(A) *New budget authority,*
\$48,477,000,000.

(B) *Outlays, \$60,905,000,000.*

Fiscal year 2007:

(A) *New budget authority,*
− \$4,076,000,000

(B) *Outlays, \$18,572,000,000.*

Fiscal year 2008:

(A) *New budget authority,*
− \$7,670,000,000.

(B) *Outlays, − \$505,000,000.*

Fiscal year 2009:

(A) *New budget authority,*
 – \$8,352,000,000.

(B) *Outlays,* – \$5,758,000,000.

Fiscal year 2010:

(A) *New budget authority,*
 – \$9,294,000,000.

(B) *Outlays,* – \$8,748,000,000.

(20) *Undistributed Offsetting Receipts (950):*

Fiscal year 2005:

(A) *New budget authority,*
 – \$54,104,000,000.

(B) *Outlays,* – \$54,104,000,000.

Fiscal year 2006:

(A) *New budget authority,*
 – \$55,362,000,000.

(B) *Outlays,* – \$55,362,000,000.

Fiscal year 2007:

(A) *New budget authority,*
 – \$63,263,000,000.

(B) *Outlays,* – \$64,388,000,000.

Fiscal year 2008:

(A) *New budget authority,*
 – \$65,480,000,000.

(B) *Outlays,* – \$66,292,000,000.

Fiscal year 2009:

(A) *New budget authority,*
 — \$60,876,000,000.

(B) *Outlays,* — \$60,251,000,000.

Fiscal year 2010:

(A) *New budget authority,*
 — \$63,447,000,000.

(B) *Outlays,* — \$62,822,000,000.

TITLE II—RECONCILIATION AND REPORT SUBMISSIONS

SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENT- ATIVES.

(a) *SUBMISSIONS TO SLOW THE GROWTH IN MANDATORY SPENDING.*—(1) *Not later than September 16, 2005, the House committees named in paragraph (2) shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.*

(2) *INSTRUCTIONS.*—

(A) *COMMITTEE ON AGRICULTURE.*—*The House Committee on Agriculture shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by*

\$173,000,000 in outlays for fiscal year 2006 and \$3,000,000,000 in outlays for the period of fiscal years 2006 through 2010.

(B) COMMITTEE ON EDUCATION AND THE WORKFORCE.—The House Committee on Education and the Workforce shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$992,000,000 in outlays for fiscal years 2005 and 2006 and \$12,651,000,000 in outlays for the period of fiscal years 2005 through 2010.

(C) COMMITTEE ON ENERGY AND COMMERCE.—The House Committee on Energy and Commerce shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$2,000,000 in outlays for fiscal year 2006 and \$14,734,000,000 in outlays for the period of fiscal years 2006 through 2010.

(D) COMMITTEE ON FINANCIAL SERVICES.—The House Committee on Financial Services shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$30,000,000 in outlays for fiscal year 2006 and \$470,000,000 in outlays for the period of fiscal years 2006 through 2010.

(E) COMMITTEE ON THE JUDICIARY.—The House Committee on the Judiciary shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$60,000,000 in outlays for fiscal year 2006 and \$300,000,000 in outlays for the period of fiscal years 2006 through 2010.

(F) COMMITTEE ON RESOURCES.—The House Committee on Resources shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$2,400,000,000 in outlays for the period of fiscal years 2006 through 2010.

(G) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—The House Committee on Transportation and Infrastructure shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$12,000,000 in outlays for fiscal year 2006 and \$103,000,000 in outlays for the period of fiscal years 2006 through 2010.

(H) COMMITTEE ON WAYS AND MEANS.—The House Committee on Ways and Means shall report changes in laws within its jurisdiction sufficient to reduce the deficit by \$250,000,000 for fiscal year 2006

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

(b) SUBMISSION PROVIDING FOR CHANGES IN REVENUE.—The House Committee on Ways and Means shall report to the House a reconciliation bill not later than September 23, 2005, that consists of changes in laws within its jurisdiction sufficient to reduce revenues by not more than \$11,000,000,000 for fiscal year 2006 and by not more than \$70,000,000,000 for the period of fiscal years 2006 through 2010.

(c) INCREASE IN STATUTORY DEBT LIMIT.—The Committee on Ways and Means shall report to the House a reconciliation bill not later than September 30, 2005, that consists solely of changes in laws within its jurisdiction to increase the statutory debt limit by \$781,000,000,000.

(d)(1) Upon the submission to the Committee on the Budget of the House of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(b) of the Congressional Budget Act of 1974, the chairman of that committee may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(2) Upon the submission to the House of a conference report recommending a reconciliation bill or resolution in

which a committee has complied with its reconciliation instructions solely by virtue of this section, the chairman of the Committee on the Budget of the House may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(3) Allocations and aggregates revised pursuant to this subsection shall be considered to be allocations and aggregates established by the concurrent resolution on the budget pursuant to section 301 of such Act.

SEC. 202. RECONCILIATION IN THE SENATE.

(a) SPENDING RECONCILIATION INSTRUCTIONS.—In the Senate, by September 16, 2005, the committees named in this section shall submit their recommendations to the Committee on the Budget. After receiving those recommendations, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

(1) COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.—The Senate Committee on Agriculture, Nutrition, and Forestry shall report changes in laws within its jurisdiction sufficient to reduce outlays by \$173,000,000 in fiscal year 2006, and \$3,000,000,000 for the period of fiscal years 2006 through 2010.

(2) *COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS.*—*The Senate Committee on Banking, Housing, and Urban Affairs shall report changes in laws within its jurisdiction sufficient to reduce outlays by \$30,000,000 in fiscal year 2006, and \$470,000,000 for the period of fiscal years 2006 through 2010.*

(3) *COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.*—*The Senate Committee on Commerce, Science, and Transportation shall report changes in laws within its jurisdiction sufficient to reduce outlays by \$10,000,000 in fiscal year 2006, and \$4,810,000,000 for the period of fiscal years 2006 through 2010.*

(4) *COMMITTEE ON ENERGY AND NATURAL RESOURCES.*—*The Senate Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce outlays by \$2,400,000,000 for the period of fiscal years 2006 through 2010.*

(5) *COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.*—*The Senate Committee on Environment and Public Works shall report changes in laws within its jurisdiction sufficient to reduce outlays by \$4,000,000*

in fiscal year 2006, and \$27,000,000 for the period of fiscal years 2006 through 2010.

(6) COMMITTEE ON FINANCE.—The Senate Committee on Finance shall report changes in laws within its jurisdiction sufficient to reduce outlays by \$10,000,000,000 for the period of fiscal years 2006 through 2010.

(7) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Senate Committee on Health, Education, Labor, and Pensions shall report changes in laws within its jurisdiction sufficient to reduce outlays by \$1,242,000,000 in fiscal years 2005 and 2006, and \$13,651,000,000 for the period of fiscal years 2005 through 2010.

(8) COMMITTEE ON THE JUDICIARY.—The Senate Committee on the Judiciary shall report changes in laws within its jurisdiction sufficient to reduce outlays by \$60,000,000 in fiscal year 2006, and \$300,000,000 for the period of fiscal years 2006 through 2010.

(b) REVENUE RECONCILIATION INSTRUCTIONS.—The Committee on Finance shall report to the Senate a reconciliation bill not later than September 23, 2005 that consists of changes in laws within its jurisdiction sufficient to reduce the total level of revenues by not more than:

\$11,000,000,000 for fiscal year 2006, and \$70,000,000,000 for the period of fiscal years 2006 through 2010.

(c) *INCREASE IN STATUTORY DEBT LIMIT.*—The Committee on Finance shall report to the Senate a reconciliation bill not later than September 30, 2005, that consists solely of changes in laws within its jurisdiction to increase the statutory debt limit by \$781,000,000,000.

TITLE III—RESERVE FUNDS

SEC. 301. ADJUSTMENT FOR SURFACE TRANSPORTATION.

(a) *IN GENERAL.*—If the Committee on Transportation and Infrastructure of the House or the Committee on Environment and Public Works, the Committee on Banking, Housing, and Urban Affairs, or the Committee on Commerce, Science, and Transportation of the Senate reports a bill or joint resolution, or an amendment is offered thereto or a conference report is submitted thereon, that provides new budget authority for the budget accounts or portions thereof, for programs, projects, and activities for highways, highway safety, and transit in excess of—

(1) for fiscal year 2005, \$46,094,000,000; or

(2) for fiscal year 2006, \$47,008,000,000; or

(3) for fiscal years 2005 through 2009, \$230,769,000,000;

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

aggregates and increase the allocation of new budget authority to such committees in amounts equal to the program increases proposed by the committee or committees of jurisdiction for fiscal years 2005 and 2006 and for the period of fiscal years 2005 through 2009. Adjustments shall be made only to the extent such excess is offset by a reduction in mandatory outlays from the highway trust fund or an increase in receipts that are appropriated to such fund for the applicable fiscal year caused by such legislation. In the Senate, any increase in receipts shall be reported by the Committee on Finance.

(b) ADJUSTMENT FOR OUTLAYS.—In the House and the Senate, for fiscal year 2006, and, as necessary, in subsequent fiscal years, if a bill or joint resolution is reported, or if an amendment is offered thereto or a conference report is submitted thereon, that changes obligation limitations such that the total limitations are in excess of \$44,193,000,000 for fiscal year 2006, for programs, projects, and activities for highways, highway safety, and transit, and if legislation has been enacted that satisfies the conditions set forth in subsection (a) for such fiscal year, the appropriate chairman of the Committee on the Budget may increase the allocation of outlays and appropriate aggregates for such fiscal year, and, as necessary, in subsequent fiscal years, for the committees reporting

such measures, by the amount of outlays that corresponds to such excess obligation limitations, but not to exceed the amount of such excess that was offset in 2006 pursuant to subsection (a). After the adjustment has been made, the Senate Committee on Appropriations shall report new section 302(b) allocations consistent with this section.

SEC. 302. RESERVE FUND FOR THE FAMILY OPPORTUNITY ACT.

If the Committee on Energy and Commerce of the House or the Committee on Finance of the Senate reports a bill or joint resolution or an amendment is offered there-to or a conference report is submitted thereon, that provides families of disabled children with the opportunity to purchase coverage under the medicaid coverage for such children (the Family Opportunity Act), and provided that, in the Senate, the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the appropriate chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates to the extent that such legislation would not increase the deficit for fiscal year 2006 and for the period of fiscal years 2006 through 2010.

SEC. 303. RESERVE FUND FOR THE FEDERAL PELL GRANT PROGRAM.

If the appropriate committee of the House or Senate reports a bill or joint resolution, or an amendment is offered thereto or a conference report is submitted thereon, that eliminates the accumulated shortfall of budget authority resulting from insufficient appropriations of discretionary new budget authority previously enacted for the Federal Pell Grant Program for awards made through the award year 2005–2006, provided that, in the Senate the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, or in the House the measure would not increase the deficit, the appropriate chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates by the amount provided by that measure for that purpose, but not to exceed \$4,300,000,000 in new budget authority for the fiscal year 2006.

SEC. 304. RESERVE FUND FOR THE UNINSURED.

If the Committee on Finance or the Committee on Health, Education, Labor, and Pensions of the Senate or the Committee on Energy and Commerce of the House reports a bill or joint resolution, or an amendment is offered thereto or a conference report is submitted thereon, that—

- (1) addresses health care costs, coverage, or care for the uninsured;*

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

(B) increases the number of people with health insurance, provided that such increase is not obtained primarily as a result of increasing premiums for the currently insured; and

(3) increases access to coverage through mechanisms that decrease the growth of health care costs, and may include tax- and market-based measures (such as tax credits, deductibility, regulatory reforms, consumer-directed initiatives, and other measures targeted to key segments of the uninsured, such as individuals without employer-sponsored coverage and college students and recent graduates),

provided that, in the Senate, the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates to the extent that such legislation would not increase the deficit for fiscal year 2006 and for the period of fiscal years 2006 through 2010.

SEC. 305. RESERVE FUND FOR THE DISPOSAL OF UNDER-UTILIZED FEDERAL REAL PROPERTY.

If the Committee on Government Reform of the House reports a bill or joint resolution, or an amendment is of-

ferred thereto or a conference report is submitted thereon, that enhances the Government's real property disposal authority and generates discretionary savings, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates by the amount provided by that measure for that purpose, but not to exceed \$50,000,000 in new budget authority and outlays flowing therefrom for fiscal year 2006, and \$50,000,000 in new budget authority and outlays flowing therefrom for the period of fiscal years 2006 through 2010.

SEC. 306. RESERVE FUND FOR HEALTH INFORMATION TECHNOLOGY AND PAY-FOR-PERFORMANCE.

In the Senate, if the Committee on Finance or the Committee on Health, Education, Labor, and Pensions reports a bill or joint resolution, or if an amendment is offered thereto or if a conference report is submitted thereon, that—

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

(2) provides for performance-based payments that are based on accepted clinical performance measures that improve the quality in health care;

provided that the committee is within its allocation as provided under section 302(a) of the Congressional Budget

Act of 1974, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates to the extent that such legislation would not increase the deficit for the period of fiscal years 2006 through 2010.

SEC. 307. RESERVE FUND FOR ASBESTOS INJURY TRUST FUND.

In the Senate, if the Committee on Judiciary reports legislation, or if an amendment is offered thereto or a conference report is submitted thereon, that—

(1) provides monetary compensation to impaired victims of asbestos-related disease who can establish that asbestos exposure is a substantial contributing factor in causing their condition;

(2) does not provide monetary compensation to the unimpaired claimants or those suffering from a disease who cannot establish that asbestos exposure was a substantial contributing factor in causing their condition; and

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

assuming the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and

aggregates to the extent that such legislation would not increase the deficit for the period of fiscal years 2006 through 2056.

SEC. 308. RESERVE FUND FOR ENERGY LEGISLATION.

If a bill or joint resolution is reported, or an amendment is offered thereto or a conference report is submitted thereon, within the jurisdiction of the Committee on Energy and Natural Resources of the Senate, that provides for a national energy policy, provided that the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates by the amount provided by that measure for that purpose, but not to exceed \$100,000,000 in new budget authority for fiscal year 2006 and the outlays flowing from that budget authority and \$2,000,000,000 in new budget authority for the period of fiscal years 2006 through 2010 and the outlays flowing from that budget authority.

**SEC. 309. RESERVE FUND FOR THE SAFE IMPORTATION OF
PRESCRIPTION DRUGS.**

If the Committee on Health, Education, Labor, and Pensions of the Senate reports a bill or joint resolution, or an amendment is offered thereto or a conference report is submitted thereon, that permits the safe importation of

prescription drugs approved by the Food and Drug Administration from specified countries with strong safety laws, and provided that the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates to the extent that such legislation would not increase the deficit for fiscal year 2006 and for the period of fiscal years 2006 through 2010.

SEC. 310. RESERVE FUND FOR THE RESTORATION OF SCHIP FUNDS.

If the Committee on Finance of the Senate reports a bill or joint resolution, or an amendment is offered thereto or a conference report is submitted thereon, that provides for the restoration of unexpended funds under the State Children's Health Insurance Program that reverted to the Treasury on October 1, 2004, and that may provide for the redistribution of such funds for outreach and enrollment as well as for coverage initiatives and provided that the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates to the extent that such legislation would not increase the deficit for

fiscal year 2006 and for the period of fiscal years 2006 through 2010.

TITLE IV—BUDGET ENFORCEMENT

SEC. 401. RESTRICTIONS ON ADVANCE APPROPRIATIONS.

(a) IN THE HOUSE.—(1)(A) In the House, except as provided in paragraph (2), an advance appropriation may not be reported in a bill or joint resolution making a general appropriation or continuing appropriation, and may not be in order as an amendment thereto.

(B) Managers on the part of the House may not agree to a Senate amendment that would violate subparagraph (A) unless specific authority to agree to the amendment first is given by the House by a separate vote with respect thereto.

(2) In the House, an advance appropriation may be provided for fiscal year 2007 or 2008 for programs, projects, activities or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$23,158,000,000 in new budget authority.

(3) In this subsection, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making general appropriations or any

new budget authority provided in a bill or joint resolution continuing appropriations for fiscal year 2006 that first becomes available for any fiscal year after 2006.

(b) IN THE SENATE.—(1) Except as provided in paragraph (2), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(2) An advance appropriation may be provided for the fiscal years 2007 and 2008 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$23,158,000,000 in new budget authority in each year.

(3)(A) In the Senate, paragraph (1) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. 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 paragraph (1).

(B) A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(C) If a point of order is sustained under paragraph (1) against a conference report in the Senate, the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

(4) In this subsection, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2006 that first becomes available for any fiscal year after 2006, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2007, that first becomes available for any fiscal year after 2007.

SEC. 402. EMERGENCY LEGISLATION.

(a) IN THE HOUSE.—

(1) EXEMPTION OF OVERSEAS CONTINGENCY OPERATIONS.—(A) In the House, if any bill or joint resolution is reported, or an amendment is offered thereto or a conference report is filed thereon, that makes supplemental appropriations for fiscal year 2005 or fiscal year 2006 for contingency operations related to the global war on terrorism, then the new budget authority, new entitlement authority, outlays, and receipts resulting therefrom shall not count for purposes of sections 302, 303, 311, as appropriate, and 401 of

the Congressional Budget Act of 1974 for the provisions of such measure that are designated pursuant to this subsection as making appropriations for such contingency operations.

(B) Amounts included in this resolution for the purpose set forth in subparagraph (A) shall be considered to be current law for purposes of the preparation of the current level of budget authority and outlays and the appropriate levels shall be adjusted upon the enactment of such bill.

(2) EXEMPTION OF EMERGENCY PROVISIONS.—In the House, if a bill or joint resolution is reported, or an amendment is offered thereto or a conference report is filed thereon, that designates a provision as an emergency requirement pursuant to this subsection, then the new budget authority, new entitlement authority, outlays, and receipts resulting therefrom shall not count for purposes of sections 302, 303, 311, as appropriate, and 401 of the Congressional Budget Act of 1974.

(3) DESIGNATIONS.—In the House, if a provision of legislation is designated as an emergency requirement under this subsection, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner

in which the provision meets the criteria in subsection (c). If such legislation is to be considered by the House without being reported, then the committee shall cause the explanation to be published in the Congressional Record in advance of floor consideration.

(b) IN THE SENATE.—

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

(2) EXEMPTION OF EMERGENCY PROVISIONS.—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this subsection, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974 and section 404 of this resolution (relating to discretionary spending limits in the Senate) and section 505 of the Concurrent Resolution on the Budget for

Fiscal Year 2004, H. Con. Res. 95 (relating to the paygo requirement in the Senate).

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

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

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

(6) *WAIVER AND APPEAL.*—*Paragraph (5) may be waived or suspended in the Senate only by an af-*

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

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

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

(9) CONFERENCE REPORTS.—If a point of order is sustained under paragraph (5) against a conference report, the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

(10) *EXCEPTION FOR DEFENSE SPENDING.*—
Paragraph (5) shall not apply against an emergency designation for a provision making discretionary appropriations under the defense function (050).

(11) *EXEMPTION OF OVERSEAS CONTINGENT OPERATIONS.*—

(A) *IN GENERAL.*—*In the Senate, if a bill, joint resolution, amendment, or a conference report makes supplemental appropriations for fiscal year 2006 for overseas contingency operations related to the global war on terrorism, then the new budget authority, new entitlement authority, and outlays resulting from the provisions of such measure that are designated pursuant to this subsection as making appropriations for such contingency operations—*

(i) shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974; and

(ii) shall not count for the purpose of section 404 of this resolution (relating to discretionary spending limits in the Senate) and section 505 of the Concurrent Resolution on the Budget for Fiscal Year 2004, H.

Con. Res. 95 (relating to the pay-go requirement).

(B) LIMITATION.—The amounts that are not counted for purposes of this subsection shall not exceed \$50,000,000,000 in new budget authority and outlays associated with the budget authority.

(c) CRITERIA.—

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

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

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

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

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

(E) not permanent, temporary in nature.

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

SEC. 403. EXTENSION OF SENATE ENFORCEMENT.

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

(b) *IN GENERAL.*—

(1) *UNFUNDED MANDATES.*—Section 425(a)(1) and (2) of the Congressional Budget Act of 1974 shall be subject to the waiver and appeal requirements of subsections (c)(2) and (d)(3) of section 904 of the Congressional Budget Act of 1974.

(2) *CONSIDERATION OF BUDGET LEGISLATION.*—Section 303 of the Congressional Budget Act of 1974 shall be subject to the waiver and appeal requirements of subsections (c)(2) and (d)(3) of section 904 of the Congressional Budget Act of 1974. For the purpose of Section 303, the year covered by the resolution shall be construed as the upcoming fiscal year only.

(3) *APPLICATION TO RECONCILIATION.*—This subsection shall not apply to any legislation reported pursuant to reconciliation directions contained in a concurrent resolution on the budget.

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

SEC. 404. DISCRETIONARY SPENDING LIMITS IN THE SENATE.

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

(1) *for fiscal year 2006, \$842,265,000,000 in new budget authority and \$916,081,000,000 in outlays for the discretionary category;*

(2) *for fiscal year 2007, \$866,038,000,000 in new budget authority for the discretionary category; and*

(3) *for fiscal year 2008, \$887,005,000,000 in new budget authority for the discretionary category; as adjusted in conformance with the adjustment procedures in subsection (d).*

(b) *ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.*—

(1) *CONTINUING DISABILITY REVIEWS.*—*If a bill or joint resolution is reported making appropriations for fiscal year 2006 that appropriates \$412,000,000 for continuing disability reviews for the Social Security Administration, and provides an additional appropriation of \$189,000,000 for continuing disability reviews for the Social Security Administration, then the allocation to the Senate Committee on Appropriations shall be increased by \$189,000,000 in budget au-*

thority and outlays flowing from the budget authority for fiscal year 2006.

(2) *INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—If a bill or joint resolution is reported making appropriations for fiscal year 2006 that appropriates \$6,447,000,000 for enhanced tax enforcement to address the “Federal tax gap” for the Internal Revenue Service, and provides an additional appropriation of \$446,000,000 for enhanced tax enforcement to address the “Federal tax gap” for the Internal Revenue Service, then the allocation to the Senate Committee on Appropriations shall be increased by \$446,000,000 in budget authority and outlays flowing from the budget authority for fiscal year 2006.*

(3) *HEALTH CARE FRAUD AND ABUSE CONTROL PROGRAM.—If a bill or joint resolution is reported making appropriations for fiscal year 2006 that appropriates \$80,000,000 to the health care fraud and abuse control program at the Department of Health and Human Services, then the allocation to the Senate Committee on Appropriations shall be increased by \$80,000,000 in budget authority and outlays flowing from the budget authority for fiscal year 2006.*

(4) *UNEMPLOYMENT INSURANCE IMPROPER PAYMENTS.—If a bill or joint resolution is reported mak-*

ing appropriations for fiscal year 2006 that appropriates \$10,000,000 for unemployment insurance improper payments reviews for the Department of Labor, and provides an additional appropriation of \$40,000,000 for unemployment insurance improper payments reviews for the Department of Labor, then the allocation to the Senate Committee on Appropriations shall be increased by \$40,000,000 in budget authority and outlays flowing from the budget authority for fiscal year 2006.

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

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

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

(3) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant

and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(d) PROCEDURE FOR ADJUSTMENTS.—

(1) IN GENERAL.—

(A) CHAIRMAN.—After the reporting of a bill or joint resolution, or the offering of an amendment thereto or the submission of a conference report thereon, the chairman of the Committee on the Budget may make the adjustments set forth in subparagraph (B) for the amount of new budget authority in that measure (if that measure meets the requirements set forth in paragraph (2)) and the outlays flowing from that budget authority.

(B) MATTERS TO BE ADJUSTED.—The adjustments referred to in subparagraph (A) are to be made to—

(i) the discretionary spending limits, if any, set forth in the appropriate concurrent resolution on the budget;

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

(iii) the budgetary aggregates as set forth in the appropriate concurrent resolution on the budget.

(2) AMOUNTS OF ADJUSTMENTS.—The adjustment referred to in paragraph (1) shall be an amount provided for the fiscal year 2006 pursuant to subsection (b).

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

SEC. 405. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

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

(1) apply while that measure is under consideration;

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

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

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

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

(1) *the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the appropriate Committee on the Budget; and*

(2) *such chairman may make any other necessary adjustments to such levels, including adjustments necessary, and in the House separate allocations, to reflect the timing of responses to reconciliation directives pursuant to sections 201 and 202 of this resolution.*

SEC. 406. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

(a) *IN GENERAL.—Upon the enactment of a bill or joint resolution providing for a change in concepts or defi-*

nititions, the appropriate chairman of the Committee on the Budget shall make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

(b) PELL GRANTS.—

(1) BUDGET AUTHORITY.—If appropriations of discretionary new budget authority enacted for the Federal Pell Grant Program are insufficient to cover the full cost of Pell Grants in the upcoming award year, adjusted for any cumulative funding surplus or shortfall from prior years, the budget authority counted against the bill for the Pell Grant Program shall be equal to the adjusted full cost.

(2) APPLICATION.—This subsection shall apply only to new Pell Grant awards approved in legislation for award year 2006–2007 and subsequent award years and shall not apply to the cumulative shortfall through award year 2005–2006.

(3) ESTIMATES.—The estimate of the budget authority associated with the full cost of Pell Grants shall be based on the maximum award and any changes in eligibility requirements, using current economic and technical assumptions and as determined pursuant to scorekeeping guidelines, if any.

SEC. 407. LIMITATION ON LONG-TERM SPENDING PROPOSALS.

(a) *CONGRESSIONAL BUDGET OFFICE ANALYSIS OF PROPOSALS.*—The Director of the Congressional Budget Office shall, to the extent practicable, prepare for each bill or joint resolution reported from committee (except measures within the jurisdiction of the Committee on Appropriations), or amendments thereto or conference reports thereon, an estimate of whether the measure would cause, relative to current law, a net increase in direct spending in excess of \$5 billion in any of the four 10-year periods beginning in fiscal year 2016 through fiscal year 2055.

(b) *POINT OF ORDER.*—In the Senate, it shall not be in order to consider any bill, joint resolution, amendment, motion, or conference report that would cause a net increase in direct spending in excess of \$5 billion in any of the four 10-year periods beginning in 2016 through 2055.

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

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

(e) *DETERMINATIONS OF BUDGET LEVELS.*—For purposes of this section, the levels of net direct spending shall

be determined on the basis of estimates provided by the Committee on the Budget of the Senate.

(f) APPLICATION TO RECONCILIATION.—This section shall not apply to any legislation reported pursuant to reconciliation directions contained in a concurrent resolution on the budget.

(g) SUNSET.—This section shall expire on September 30, 2010.

SEC. 408. COMPLIANCE WITH SECTION 13301 OF THE BUDGET ENFORCEMENT ACT OF 1990.

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

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

SEC. 409. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate and the House, respectively, and as such they shall be considered as part of the rules of each House, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change those rules (so far as they relate to that house) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 410. TREATMENT OF ALLOCATIONS IN THE HOUSE.

(a) IN GENERAL.—In the House, the Committee on Appropriations may make a separate suballocation for appropriations for the legislative branch for the first fiscal year of this resolution. Such suballocation shall be deemed to be made under section 302(b) of the Congressional Budget Act of 1974 and shall be treated as such a suballocation for all purposes under section 302 of such Act.

(b) DISPLAY OF COMMITTEE ALLOCATIONS.—An allocation to a committee under section 302(a) of the Congressional Budget Act of 1974 may display an amount to reflect a committee's instruction under the reconciliation process, but it shall not constitute an allocation within the

meaning of section 302 of such Act. Changes in levels of direct spending achieved in a reconciliation bill submitted pursuant to title II of this resolution shall not be included in current levels of new budget authority and outlays for purposes of enforcing an allocation under 302(a) of such Act.

SEC. 411. SPECIAL PROCEDURES TO ACHIEVE SAVINGS IN MANDATORY SPENDING THROUGH FY2014.

(a) SENSE OF CONGRESS.—The Congress finds that—

(1) the share of the budget consumed by mandatory spending has been growing since the mid-1970s, and now is about 54 percent;

(2) this portion of the budget is continuing to grow, crowding out other priorities and threatening overall budget control;

(3) mandatory spending is intrinsically difficult to control;

(4) these programs are subject to a variety of factors outside the control of Congress, such as demographics, economic conditions, and medical prices;

(5) Congress should make an effort at least every other year, to review mandatory spending;

(6) the reconciliation process set forth in the Congressional Budget Act of 1974 is a viable tool to reduce the rate of growth in mandatory spending; and

(7) concurrent resolutions on the budget for fiscal years 2007 through 2010 should include reconciliation instructions to committees, every other year, pursuant to section 310(a) of the Congressional Budget Act of 1974 to achieve significant savings in mandatory spending.

TITLE V—SENSE OF THE SENATE

SEC. 501. SENSE OF THE SENATE REGARDING UNAUTHORIZED APPROPRIATIONS.

It is the sense of the Senate that Congress should—

(1) preclude consideration of any bill, joint resolution, motion, amendment, or conference report that would provide an appropriation, in whole or in part, for programs not specifically authorized by law or Treaty stipulation, or the amount of which exceeds the amount specifically authorized by law or Treaty stipulation, or that would provide a limited tax benefit as defined by the Line Item Veto Act of 1996 (Public Law 104–130); and

(2) determine a method for effectively containing the extraordinary growth in unauthorized earmarks.

SEC. 502. SENSE OF THE SENATE REGARDING A COMMISSION TO REVIEW THE PERFORMANCE OF PROGRAMS.

It is the sense of the Senate that a commission should be established to review Federal agencies, and programs within such agencies, including an assessment of programs on an accrual basis, and legislation to implement those recommendations, with the express purpose of providing Congress with recommendations, to realign or eliminate Government agencies and programs that are wasteful, duplicative, inefficient, outdated, irrelevant, or have failed to accomplish their intended purpose.

SEC. 503. SENSE OF THE SENATE REGARDING TRICARE.

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

SEC. 504. SENSE OF THE SENATE REGARDING TRIBAL COLLEGES AND UNIVERSITIES.

It is the sense of the Senate that—

(1) this resolution recognizes the funding challenges faced by tribal colleges, and universities and assumes that equitable consideration will be provided to them through funding of the Tribally Controlled College or University Assistance Act, the Equity in

Educational Land Grant Status Act, title III of the Higher Education Act of 1965, and the National Science Foundation, Department of Defense, and Housing and Urban Development Tribal College and University Programs; and

(2) such equitable consideration reflects the intent of Congress to continue to work toward statutory Federal funding authorization goals for tribal colleges and universities.

SEC. 505. SENSE OF THE SENATE REGARDING SOCIAL SECURITY RESTRUCTURING.

It is the sense of the Senate that—

(1) the President, the Congress, and the American people including seniors, workers, women, minorities, and disabled persons should work together at the earliest opportunity to enact legislation to achieve a solvent and permanently sustainable Social Security system;

(2) Social Security reform must—

(A) protect current and near retirees from any changes to Social Security benefits;

(B) reduce the pressure on future taxpayers and on other budgetary priorities;

(C) provide benefit levels that adequately reflect individual contributions to the Social Security system; and

(D) preserve and strengthen the safety net for vulnerable populations including the disabled and survivors.

SEC. 506. SENSE OF THE SENATE REGARDING FUNDING FOR SUBSONIC AND HYPERSONIC AERONAUTICS RESEARCH BY THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

It is the sense of the Senate that—

(1) *the level of funding provided for the Aeronautics Mission Directorate within the National Aeronautics and Space Administration should be increased by \$1,582,700,000 between fiscal year 2006 and fiscal year 2010; and*

(2) *the increases provided should be applied to the Vehicle Systems portion of the Aeronautics Mission Directorate budget for use in subsonic and hypersonic aeronautical research.*

SEC. 507. SENSE OF THE SENATE REGARDING THE ACQUISITION OF THE NEXT GENERATION DESTROYER (DDX).

(a) *SENSE OF THE SENATE.—It is the sense of the Senate that—*

(1) *it is ill-advised for the Department of Defense to pursue a winner-take-all strategy for the acquisition of destroyers under the next generation destroyer (DDX) program; and*

(2) *the amounts identified in this resolution assume that the Department of Defense will not acquire any destroyer under the next generation destroyer program through a winner-take-all strategy.*

(b) *WINNER-TAKE-ALL STRATEGY DEFINED.—In this section, the term “winner-take-all strategy”, with respect to the acquisition of destroyers under the next generation destroyer program, means the acquisition (including design and construction) of such destroyers through a single shipyard.*

1 And the Senate agree to the same.