

S. CON. RES. 18

CONCURRENT RESOLUTION

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

3 **SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET**
4 **FOR FISCAL YEAR 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
8 fiscal years 2005 and 2007 through 2010 as authorized
9 by section 301 of the Congressional Budget Act of 1974
10 (2 U.S.C. 632).

11 (b) TABLE OF CONTENTS.—The table of contents for
12 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.

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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.
- Sec. 310. Reserve fund for the bipartisan medicaid commission.
- Sec. 311. Deficit-neutral reserve fund for patriotic employers of national guardsmen and reservists.
- Sec. 312. Deficit-neutral reserve fund for the Family Opportunity Act.
- Sec. 313. Deficit-neutral reserve fund for the restoration of SCHIP funds.
- Sec. 314. Reserve for funding of Hope credit.
- Sec. 315. Deficit-neutral reserve fund for influenza vaccine shortage prevention.
- Sec. 316. Reserve fund for extension of treatment of combat pay for earned income and child tax credits.

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.
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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.
- Sec. 510. Sense of the Senate regarding social security restructuring.
- Sec. 511. Sense of the Senate that failing to address social security will result in massive debt, deep benefit cuts and tax increases.
- Sec. 512. Sense of the Senate regarding the State Criminal Alien Assistance Program.
- Sec. 513. Sense of the Senate regarding funding for subsonic and hypersonic aeronautics research by the National Aeronautics and Space Administration.
- Sec. 514. Sense of the Senate concerning children with HIV/AIDS.
- Sec. 515. Sense of the Senate regarding the acquisition of the next generation destroyer (DDX).

- Sec. 516. Sense of the Senate on reducing the tax on social security benefits.
 Sec. 517. Sense of the Senate on the crime victims fund.
 Sec. 518. Sense of the Senate supporting funding for HIDTAS.
 Sec. 519. Sense of the Senate regarding the need for a comprehensive, coordinated, and integrated national ocean policy.
 Sec. 520. United States response to global HIV/AIDS, tuberculosis, and malaria.
 Sec. 521. Offset for increases in funding for the Cops Methamphetamine Enforcement and Clean Up Program.
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 Sec. 523. Sense of the Senate regarding tax relief to encourage charitable giving.
 Sec. 524. Sense of the Senate regarding water infrastructure.
 Sec. 525. Sense of the Senate regarding funding of administrative costs of Social Security Administration.
 Sec. 526. Sense of the Senate concerning comparative effectiveness studies.
 Sec. 527. Sense of the Senate regarding the Advanced Technology Program.
 Sec. 528. Sense of the Senate with respect to pension reform.

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: \$1,588,646,000,000.

11 Fiscal year 2007: \$1,705,690,000,000.

12 Fiscal year 2008: \$1,811,285,000,000.

13 Fiscal year 2009: \$1,917,240,000,000.

14 Fiscal year 2010: \$2,034,260,000,000.

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

1 Fiscal year 2005: — \$116,000,000.
 2 Fiscal year 2006: — \$19,016,000,000.
 3 Fiscal year 2007: — \$13,581,000,000.
 4 Fiscal year 2008: — \$24,900,000,000.
 5 Fiscal year 2009: — \$38,975,000,000.
 6 Fiscal year 2010: — \$32,108,000,000.

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

10 Fiscal year 2005: \$2,074,959,000,000.
 11 Fiscal year 2006: \$2,141,801,000,000.
 12 Fiscal year 2007: \$2,210,608,000,000.
 13 Fiscal year 2008: \$2,329,249,000,000.
 14 Fiscal year 2009: \$2,453,065,000,000.
 15 Fiscal year 2010: \$2,551,318,000,000.

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

19 Fiscal year 2005: \$2,055,994,000,000.
 20 Fiscal year 2006: \$2,145,684,000,000.
 21 Fiscal year 2007: \$2,229,291,000,000.
 22 Fiscal year 2008: \$2,315,553,000,000.
 23 Fiscal year 2009: \$2,418,787,000,000.
 24 Fiscal year 2010: \$2,526,493,000,000.

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

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

4 Fiscal year 2006: —\$557,038,000,000.

5 Fiscal year 2007: —\$523,601,000,000.

6 Fiscal year 2008: —\$504,268,000,000.

7 Fiscal year 2009: —\$501,547,000,000.

8 Fiscal year 2010: —\$492,233,000,000.

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

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

12 Fiscal year 2006: \$8,637,186,000,000.

13 Fiscal year 2007: \$9,288,652,000,000.

14 Fiscal year 2008: \$9,931,410,000,000.

15 Fiscal year 2009: \$10,574,984,000,000.

16 Fiscal year 2010: \$11,210,426,000,000.

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

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

20 Fiscal year 2006: \$5,067,403,000,000.

21 Fiscal year 2007: \$5,395,305,000,000.

22 Fiscal year 2008: \$5,686,105,000,000.

23 Fiscal year 2009: \$5,955,749,000,000.

24 Fiscal year 2010: \$6,199,346,000,000.

1 **SEC. 102. SOCIAL SECURITY.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 Fiscal year 2005:

8 (A) New budget authority,
9 \$4,426,000,000.

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

11 Fiscal year 2006:

12 (A) New budget authority,
13 \$4,576,000,000.

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

15 Fiscal year 2007:

16 (A) New budget authority,
17 \$4,710,000,000.

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

19 Fiscal year 2008:

20 (A) New budget authority,
21 \$4,853,000,000.

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

23 Fiscal year 2009:

24 (A) New budget authority,
25 \$5,001,000,000.

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

2 Fiscal year 2010:

3 (A) New budget authority,

4 \$5,152,000,000.

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

6 **SEC. 103. MAJOR FUNCTIONAL CATEGORIES.**

7 Congress determines and declares that the appro-
8 priate levels of new budget authority and budget outlays
9 for fiscal years 2005 through 2010 for each major func-
10 tional category are:

11 (1) National Defense (050):

12 Fiscal year 2005:

13 (A) New budget authority,

14 \$498,761,000,000.

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

16 Fiscal year 2006:

17 (A) New budget authority,

18 \$491,562,000,000.

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

20 Fiscal year 2007:

21 (A) New budget authority,

22 \$465,260,000,000.

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

24 Fiscal year 2008:

1 (A) New budget authority,
2 \$483,730,000,000.

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

4 Fiscal year 2009:

5 (A) New budget authority,
6 \$503,763,000,000.

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

8 Fiscal year 2010:

9 (A) New budget authority,
10 \$513,904,000,000.

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

12 (2) International Affairs (150):

13 Fiscal year 2005:

14 (A) New budget authority,
15 \$34,707,000,000.

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

17 Fiscal year 2006:

18 (A) New budget authority,
19 \$32,884,600,000.

20 (B) Outlays, \$35,388,000,000.

21 Fiscal year 2007:

22 (A) New budget authority,
23 \$36,580,000,000.

24 (B) Outlays, \$34,555,600,000.

25 Fiscal year 2008:

1 (A) New budget authority,
2 \$37,131,000,000.

3 (B) Outlays, \$33,972,000,000.

4 Fiscal year 2009:

5 (A) New budget authority,
6 \$37,171,000,000.

7 (B) Outlays, \$33,847,000,000.

8 Fiscal year 2010:

9 (A) New budget authority,
10 \$36,862,000,000.

11 (B) Outlays, \$33,436,000,000.

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

13 Fiscal year 2005:

14 (A) New budget authority,
15 \$24,413,000,000.

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

17 Fiscal year 2006:

18 (A) New budget authority,
19 \$24,735,000,000.

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

21 Fiscal year 2007:

22 (A) New budget authority,
23 \$25,294,000,000.

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

25 Fiscal year 2008:

1 (A) New budget authority,
2 \$25,796,000,000.

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

4 Fiscal year 2009:

5 (A) New budget authority,
6 \$26,102,000,000.

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

8 Fiscal year 2010:

9 (A) New budget authority,
10 \$26,413,000,000.

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

12 (4) Energy (270):

13 Fiscal year 2005:

14 (A) New budget authority,
15 \$2,564,000,000.

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

17 Fiscal year 2006:

18 (A) New budget authority,
19 \$3,247,000,000.

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

21 Fiscal year 2007:

22 (A) New budget authority,
23 \$2,859,000,000.

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

25 Fiscal year 2008:

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

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

4 Fiscal year 2009:

5 (A) New budget authority,
6 \$2,534,000,000.

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

8 Fiscal year 2010:

9 (A) New budget authority,
10 \$2,232,000,000.

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

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

13 Fiscal year 2005:

14 (A) New budget authority,
15 \$32,527,000,000.

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

17 Fiscal year 2006:

18 (A) New budget authority,
19 \$30,005,000,000.

20 (B) Outlays, \$31,973,000,000.

21 Fiscal year 2007:

22 (A) New budget authority,
23 \$30,373,000,000.

24 (B) Outlays, \$31,556,000,000.

25 Fiscal year 2008:

1 (A) New budget authority,
2 \$30,446,000,000.

3 (B) Outlays, \$31,846,000,000.

4 Fiscal year 2009:

5 (A) New budget authority,
6 \$31,115,000,000.

7 (B) Outlays, \$32,051,000,000.

8 Fiscal year 2010:

9 (A) New budget authority,
10 \$30,609,000,000.

11 (B) Outlays, \$31,604,000,000.

12 (6) Agriculture (350):

13 Fiscal year 2005:

14 (A) New budget authority,
15 \$30,151,000,000.

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

17 Fiscal year 2006:

18 (A) New budget authority,
19 \$29,087,000,000.

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

21 Fiscal year 2007:

22 (A) New budget authority,
23 \$26,245,000,000.

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

25 Fiscal year 2008:

1 (A) New budget authority,
2 \$24,492,000,000.

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

4 Fiscal year 2009:

5 (A) New budget authority,
6 \$24,845,000,000.

7 (B) Outlays, \$23,950,000,000.

8 Fiscal year 2010:

9 (A) New budget authority,
10 \$24,584,000,000.

11 (B) Outlays, \$23,854,000,000.

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

13 Fiscal year 2005:

14 (A) New budget authority,
15 \$16,804,000,000.

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

17 Fiscal year 2006:

18 (A) New budget authority,
19 \$10,363,000,000.

20 (B) Outlays, \$5,117,000,000.

21 Fiscal year 2007:

22 (A) New budget authority,
23 \$9,866,000,000.

24 (B) Outlays, \$4,764,000,000.

25 Fiscal year 2008:

1 (A) New budget authority,
2 \$9,815,000,000.

3 (B) Outlays, \$4,067,000,000.

4 Fiscal year 2009:

5 (A) New budget authority,
6 \$10,413,000,000.

7 (B) Outlays, \$4,122,000,000.

8 Fiscal year 2010:

9 (A) New budget authority,
10 \$14,270,000,000.

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

12 (8) Transportation (400):

13 Fiscal year 2005:

14 (A) New budget authority,
15 \$72,506,000,000.

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

17 Fiscal year 2006:

18 (A) New budget authority,
19 \$69,683,000,000.

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

21 Fiscal year 2007:

22 (A) New budget authority,
23 \$71,030,000,000.

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

25 Fiscal year 2008:

1 (A) New budget authority,
2 \$74,489,000,000.

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

4 Fiscal year 2009:

5 (A) New budget authority,
6 \$81,524,000,000.

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

8 Fiscal year 2010:

9 (A) New budget authority,
10 \$82,867,000,000.

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

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

13 Fiscal year 2005:

14 (A) New budget authority,
15 \$23,007,000,000.

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

17 Fiscal year 2006:

18 (A) New budget authority,
19 \$15,208,000,000.

20 (B) Outlays, \$18,425,080,000.

21 Fiscal year 2007:

22 (A) New budget authority,
23 \$13,118,000,000.

24 (B) Outlays, \$17,416,280,000.

25 Fiscal year 2008:

1 (A) New budget authority,
2 \$13,272,000,000.
3 (B) Outlays, \$15,545,680,000.
4 Fiscal year 2009:
5 (A) New budget authority,
6 \$13,410,000,000.
7 (B) Outlays, \$13,815,560,000.
8 Fiscal year 2010:
9 (A) New budget authority,
10 \$13,430,000,000.
11 (B) Outlays, \$13,197,700,000.
12 (10) Education, Training, Employment, and Social
13 Services (500):
14 Fiscal year 2005:
15 (A) New budget authority,
16 \$94,026,000,000.
17 (B) Outlays, \$92,805,000,000.
18 Fiscal year 2006:
19 (A) New budget authority,
20 \$98,387,000,000.
21 (B) Outlays, \$88,496,020,000.
22 Fiscal year 2007:
23 (A) New budget authority,
24 \$89,909,000,000.
25 (B) Outlays, \$94,077,410,000.

1 Fiscal year 2008:
2 (A) New budget authority,
3 \$90,600,000,000.
4 (B) Outlays, \$89,917,380,000.

5 Fiscal year 2009:
6 (A) New budget authority,
7 \$90,762,000,000.
8 (B) Outlays, \$89,173,190,000.

9 Fiscal year 2010:
10 (A) New budget authority,
11 \$90,369,000,000.
12 (B) Outlays, \$88,679,000,000.

13 (11) Health (550):
14 Fiscal year 2005:
15 (A) New budget authority,
16 \$257,498,000,000.
17 (B) Outlays, \$252,799,000,000.

18 Fiscal year 2006:
19 (A) New budget authority,
20 \$263,962,000,000.
21 (B) Outlays, \$264,301,000,000.

22 Fiscal year 2007:
23 (A) New budget authority,
24 \$275,711,000,000.
25 (B) Outlays, \$275,158,000,000.

1 Fiscal year 2008:
2 (A) New budget authority,
3 \$295,315,000,000.
4 (B) Outlays, \$293,927,000,000.
5 Fiscal year 2009:
6 (A) New budget authority,
7 \$317,433,000,000.
8 (B) Outlays, \$313,894,000,000.
9 Fiscal year 2010:
10 (A) New budget authority,
11 \$336,858,000,000.
12 (B) Outlays, \$335,893,000,000.
13 (12) Medicare (570):
14 Fiscal year 2005:
15 (A) New budget authority,
16 \$292,587,000,000.
17 (B) Outlays, \$293,587,000,000.
18 Fiscal year 2006:
19 (A) New budget authority,
20 \$331,240,000,000.
21 (B) Outlays, \$331,003,000,000.
22 Fiscal year 2007:
23 (A) New budget authority,
24 \$371,899,000,000.
25 (B) Outlays, \$372,186,000,000.

1 Fiscal year 2008:

2 (A) New budget authority,

3 \$395,362,000,000.

4 (B) Outlays, \$395,408,000,000.

5 Fiscal year 2009:

6 (A) New budget authority,

7 \$420,284,000,000.

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

9 Fiscal year 2010:

10 (A) New budget authority,

11 \$448,161,000,000.

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

13 (13) Income Security (600):

14 Fiscal year 2005:

15 (A) New budget authority,

16 \$339,651,000,000.

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

18 Fiscal year 2006:

19 (A) New budget authority,

20 \$347,395,000,000.

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

22 Fiscal year 2007:

23 (A) New budget authority,

24 \$352,633,000,000.

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

1 Fiscal year 2008:
2 (A) New budget authority,
3 \$365,775,000,000.
4 (B) Outlays, \$370,107,000,000.
5 Fiscal year 2009:
6 (A) New budget authority,
7 \$374,946,000,000.
8 (B) Outlays, \$377,951,000,000.
9 Fiscal year 2010:
10 (A) New budget authority,
11 \$384,137,000,000.
12 (B) Outlays, \$386,269,000,000.
13 (14) Social Security (650):
14 Fiscal year 2005:
15 (A) New budget authority,
16 \$15,849,000,000.
17 (B) Outlays, \$15,849,000,000.
18 Fiscal year 2006:
19 (A) New budget authority,
20 \$15,991,000,000.
21 (B) Outlays, \$15,991,000,000.
22 Fiscal year 2007:
23 (A) New budget authority,
24 \$17,804,000,000.
25 (B) Outlays, \$17,804,000,000.

1 Fiscal year 2008:

2 (A) New budget authority,

3 \$19,868,000,000.

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

5 Fiscal year 2009:

6 (A) New budget authority,

7 \$21,843,000,000.

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

9 Fiscal year 2010:

10 (A) New budget authority,

11 \$24,129,000,000.

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

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

14 Fiscal year 2005:

15 (A) New budget authority,

16 \$69,448,000,000.

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

18 Fiscal year 2006:

19 (A) New budget authority,

20 \$68,994,000,000.

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

22 Fiscal year 2007:

23 (A) New budget authority,

24 \$66,181,000,000.

25 (B) Outlays, \$65,931,000,000.

1 Fiscal year 2008:
2 (A) New budget authority,
3 \$69,458,000,000.
4 (B) Outlays, \$69,257,000,000.
5 Fiscal year 2009:
6 (A) New budget authority,
7 \$69,971,000,000.
8 (B) Outlays, \$69,680,000,000.
9 Fiscal year 2010:
10 (A) New budget authority,
11 \$70,069,000,000.
12 (B) Outlays, \$69,794,000,000.
13 (16) Administration of Justice (750):
14 Fiscal year 2005:
15 (A) New budget authority,
16 \$39,819,000,000.
17 (B) Outlays, \$39,502,000,000.
18 Fiscal year 2006:
19 (A) New budget authority,
20 \$42,024,400,000.
21 (B) Outlays, \$42,889,000,000.
22 Fiscal year 2007:
23 (A) New budget authority,
24 \$41,751,000,000.
25 (B) Outlays, \$42,952,400,000.

1 Fiscal year 2008:
2 (A) New budget authority,
3 \$42,607,000,000.
4 (B) Outlays, \$43,287,000,000.
5 Fiscal year 2009:
6 (A) New budget authority,
7 \$43,178,000,000.
8 (B) Outlays, \$43,428,000,000.
9 Fiscal year 2010:
10 (A) New budget authority,
11 \$43,436,000,000.
12 (B) Outlays, \$43,448,000,000.
13 (17) General Government (800):
14 Fiscal year 2005:
15 (A) New budget authority,
16 \$16,765,000,000.
17 (B) Outlays, \$17,673,000,000.
18 Fiscal year 2006:
19 (A) New budget authority,
20 \$18,074,000,000.
21 (B) Outlays, \$18,381,500,000.
22 Fiscal year 2007:
23 (A) New budget authority,
24 \$18,074,000,000.
25 (B) Outlays, \$18,048,000,000.

1 Fiscal year 2008:
2 (A) New budget authority,
3 \$19,753,000,000.
4 (B) Outlays, \$19,693,000,000.
5 Fiscal year 2009:
6 (A) New budget authority,
7 \$17,772,000,000.
8 (B) Outlays, \$17,545,000,000.
9 Fiscal year 2010:
10 (A) New budget authority,
11 \$18,092,000,000.
12 (B) Outlays, \$17,894,000,000.
13 (18) Net Interest (900):
14 Fiscal year 2005:
15 (A) New budget authority,
16 \$267,980,000,000.
17 (B) Outlays, \$267,980,000,000.
18 Fiscal year 2006:
19 (A) New budget authority,
20 \$310,451,000,000.
21 (B) Outlays, \$310,451,000,000.
22 Fiscal year 2007:
23 (A) New budget authority,
24 \$359,866,000,000.
25 (B) Outlays, \$359,866,000,000.

1 Fiscal year 2008:
2 (A) New budget authority,
3 \$398,279,000,000.
4 (B) Outlays, \$398,279,000,000.

5 Fiscal year 2009:
6 (A) New budget authority,
7 \$428,689,000,000.
8 (B) Outlays, \$428,689,000,000.

9 Fiscal year 2010:
10 (A) New budget authority,
11 \$457,125,000,000.
12 (B) Outlays, \$457,125,000,000.

13 (19) Allowances (920):
14 Fiscal year 2005:
15 (A) New budget authority, \$0.
16 (B) Outlays, \$0.

17 Fiscal year 2006:
18 (A) New budget authority,
19 – \$6,130,000,000.
20 (B) Outlays, – \$3,233,100,000.

21 Fiscal year 2007:
22 (A) New budget authority, – \$32,000,000.
23 (B) Outlays, – \$1,183,690,000.

24 Fiscal year 2008:
25 (A) New budget authority, – \$32,000,000.

1 (B) Outlays, –\$1,028,060,000.

2 Fiscal year 2009:

3 (A) New budget authority, –\$32,000,000.

4 (B) Outlays, –\$488,750,000.

5 Fiscal year 2010:

6 (A) New budget authority, –\$32,000,000.

7 (B) Outlays, –\$185,700,000.

8 (20) Undistributed Offsetting Receipts (950):

9 Fiscal year 2005:

10 (A) New budget authority,

11 –\$54,104,000,000.

12 (B) Outlays, –\$54,104,000,000.

13 Fiscal year 2006:

14 (A) New budget authority,

15 –\$55,362,000,000.

16 (B) Outlays, –\$55,362,000,000.

17 Fiscal year 2007:

18 (A) New budget authority,

19 –\$63,813,000,000.

20 (B) Outlays, –\$64,938,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,

23 –\$69,830,000,000.

24 (B) Outlays, –\$70,642,000,000.

25 Fiscal year 2009:

1 (A) New budget authority,
2 – \$62,658,000,000.

3 (B) Outlays, – \$62,033,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,
6 – \$66,197,000,000.

7 (B) Outlays, – \$65,572,000,000.

8 **TITLE II—RECONCILIATION**

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

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

18 (1) COMMITTEE ON AGRICULTURE, NUTRITION,
19 AND FORESTRY.—The Senate Committee on Agriculture,
20 Nutrition, and Forestry shall report changes
21 in laws within its jurisdiction sufficient to reduce
22 outlays by \$171,000,000 in fiscal year 2006, and
23 \$2,814,000,000 for the period of fiscal years 2006
24 through 2010.

1 (2) COMMITTEE ON BANKING, HOUSING, AND
2 URBAN AFFAIRS.—The Senate Committee on Bank-
3 ing, Housing, and Urban Affairs shall report
4 changes in laws within its jurisdiction sufficient to
5 reduce outlays by \$30,000,000 in fiscal year 2006,
6 and \$270,000,000 for the period of fiscal years 2006
7 through 2010.

8 (3) COMMITTEE ON COMMERCE, SCIENCE, AND
9 TRANSPORTATION.—The Senate Committee on Com-
10 merce, Science, and Transportation shall report
11 changes in laws within its jurisdiction sufficient to
12 reduce outlays by \$8,000,000 in fiscal year 2006,
13 and \$2,576,000,000 for the period of fiscal years
14 2006 through 2010.

15 (4) COMMITTEE ON ENERGY AND NATURAL RE-
16 SOURCES.—The Senate Committee on Energy and
17 Natural Resources shall report changes in laws with-
18 in its jurisdiction sufficient to reduce outlays by
19 \$33,000,000 in fiscal year 2006, and
20 \$2,658,000,000 for the period of fiscal years 2006
21 through 2010.

22 (5) COMMITTEE ON ENVIRONMENT AND PUBLIC
23 WORKS.—The Senate Committee on Environment
24 and Public Works shall report changes in laws with-
25 in its jurisdiction sufficient to reduce outlays by

1 \$14,000,000 in fiscal year 2006, and \$112,000,000
2 for the period of fiscal years 2006 through 2010.

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

10 (b) REVENUE RECONCILIATION INSTRUCTIONS.—
11 The Senate Committee on Finance shall report to the Sen-
12 ate a reconciliation bill not later than September 7, 2005
13 that consists of changes in laws within its jurisdiction suf-
14 ficient to reduce the total level of revenues by not more
15 than: \$19,016,000,000 for fiscal year 2006, and
16 \$128,580,000,000 for the period of fiscal years 2006
17 through 2010.

18 (c) INCREASE IN STATUTORY DEBT LIMIT.—The
19 Committee on Finance shall report to the Senate a rec-
20 onciliation bill not later than September 16, 2005, that
21 consists solely of changes in laws within its jurisdiction
22 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 \$748,000,000 in new
22 budget authority and \$684,000,000 in outlays for fiscal
23 year 2006, and \$5,603,000,000 in new budget authority
24 and \$5,099,000,000 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
 19 or a conference report is submitted thereon that provides
 20 new 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 aggregates
5 and increase the allocation of new budget authority to
6 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 receipts to the
9 highway trust fund that are appropriated to such fund for
10 the applicable fiscal year caused by such legislation. In
11 the Senate, any increase in receipts shall be reported by
12 the Committee on Finance.

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

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

8 **SEC. 310. RESERVE FUND FOR THE BIPARTISAN MEDICAID**
9 **COMMISSION.**

10 In the Senate, the Chairman of the Committee on the
11 Budget shall revise the aggregates, functional totals, allo-
12 cations, levels in section 404 of this resolution, and other
13 appropriate levels and limits for fiscal year 2006 and for
14 the period of fiscal years 2006 through 2010 by up to
15 \$1,500,000 in new budget authority for 2006 and the
16 amounts of outlays flowing therefrom for an appropria-
17 tions bill, amendment, or conference report that provides
18 funding for legislation reported by the Senate Finance
19 Committee authorizing and creating a 23 member, bipar-
20 tisan Commission that is charged with reviewing and mak-
21 ing recommendations within one year with respect to the
22 long-term goals, populations served, financial sustain-
23 ability, interaction with Medicare and safety-net providers,
24 quality of care provided, and such other matters relating

1 to the effective operation of the Medicaid program as the
 2 Commission deems appropriate.

3 **SEC. 311. DEFICIT-NEUTRAL RESERVE FUND FOR PATRI-**
 4 **OTIC EMPLOYERS OF NATIONAL GUARDSMEN**
 5 **AND RESERVISTS.**

6 In the Senate, if a bill or joint resolution, or if an
 7 amendment is offered thereto, or if a conference report
 8 is submitted thereon, that provides a 50 percent tax credit
 9 to employers for compensation paid to employees who are
 10 on active duty status as members of the Guard or Reserve
 11 in order to make up the difference between the employee's
 12 civilian pay and military pay and/or for compensation paid
 13 to a worker hired to replace an active duty Guard or Re-
 14 serve employee, the chairman of the Committee on the
 15 Budget shall adjust the revenue aggregates and other ap-
 16 propriate aggregates, levels, and limits in this resolution
 17 to reflect such legislation, to the extent that such legisla-
 18 tion would not increase the deficit for fiscal year 2006 and
 19 for the period of fiscal years 2006 through 2010.

20 **SEC. 312. DEFICIT-NEUTRAL RESERVE FUND FOR THE FAM-**
 21 **ILY OPPORTUNITY ACT.**

22 In the Senate, if the Committee on Finance reports
 23 a bill or joint resolution or an amendment is offered there-
 24 to or a conference report is submitted thereon, that pro-
 25 vides families of disabled children with the opportunity to

1 purchase coverage under the medicaid coverage for such
2 children (the Family Opportunity Act), and provided that
3 the committee is within its allocation as provided under
4 section 302(a) of the Congressional Budget Act of 1974,
5 the chairman of the Committee on the Budget may revise
6 allocations of new budget authority and outlays, revenue
7 aggregates, and other appropriate measures to reflect such
8 legislation if any such measure would not increase the def-
9 icit for fiscal year 2006 and for the period of fiscal years
10 2006 through 2010.

11 **SEC. 313. DEFICIT-NEUTRAL RESERVE FUND FOR THE RES-**
12 **TORATION OF SCHIP FUNDS.**

13 In the Senate, if the Committee on Finance reports
14 a bill or joint resolution or an amendment is offered there-
15 to or a conference report is submitted thereon, that pro-
16 vides for the restoration of unexpended funds under the
17 State Children's Health Insurance Program that reverted
18 to the Treasury on October 1, 2004, and that may provide
19 for the redistribution of such funds for outreach and en-
20 rollment as well as for coverage initiatives, the chairman
21 of the Committee on the Budget may revise allocations
22 of new budget authority and outlays, revenue aggregates,
23 and other appropriate measures to reflect such legislation,
24 if such legislation would not increase the deficit for fiscal

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

3 **SEC. 314. RESERVE FOR FUNDING OF HOPE CREDIT.**

4 If the Committee on Finance of the Senate reports
5 a bill or joint resolution, or an amendment thereto is of-
6 fered or a conference report thereon is submitted, that in-
7 creases the Hope credit to \$4,000, and makes the credit
8 available for 4 years, the chairman of the Committee on
9 the Budget may revise committee allocations for the Com-
10 mittee on Finance and other appropriate budgetary aggre-
11 gates and allocations of new budget authority and outlays
12 by the amount provided by that measure for that purpose,
13 if that measure includes offsets including legislation clos-
14 ing corporate tax loopholes and would not increase the def-
15 icit for fiscal year 2006 and for the period of fiscal years
16 2006 though 2010.

17 **SEC. 315. DEFICIT-NEUTRAL RESERVE FUND FOR INFLU-**
18 **ENZA VACCINE SHORTAGE PREVENTION.**

19 If the Committee on Health, Education, Labor, and
20 Pensions of the Senate reports a bill or joint resolution,
21 or an amendment thereto is offered or a conference report
22 thereon is submitted, that increases the participation of
23 manufacturers in the production of influenza vaccine, in-
24 creases research and innovation in new technologies for
25 the development of influenza vaccine, and enhances the

1 ability of the United States to track and respond to do-
2 mestic influenza outbreaks as well as pandemic contain-
3 ment efforts, the chairman of the Committee on the Budget
4 et shall revise committee allocations for the Committee on
5 Health, Education, Labor, and Pensions and other appro-
6 priate budgetary aggregates and allocations of new budget
7 authority and outlays by the amount provided by that
8 measure for that purpose, regardless of whether the com-
9 mittee is within its 302(a) allocations, and such legislation
10 shall be exempt from sections 302, 303, 311, and 425 of
11 the Congressional Budget Act, and from section 505 of
12 the concurrent resolution on the budget for fiscal year
13 2004 (H. Con. Res. 95), if that measure would not in-
14 crease the deficit for fiscal year 2006 and for the period
15 of fiscal years 2006 through 2010.

16 **SEC. 316. RESERVE FUND FOR EXTENSION OF TREATMENT**
17 **OF COMBAT PAY FOR EARNED INCOME AND**
18 **CHILD TAX CREDITS.**

19 If the Committee on Finance reports a bill or joint
20 resolution, or an amendment thereto is offered or a con-
21 ference report thereon is submitted, that makes perma-
22 nent the taxpayer election to treat combat pay otherwise
23 excluded from gross income under section 112 of the In-
24 ternal Revenue Code as earned income for purposes of the
25 earned income credit and makes permanent the treatment

1 of such combat pay as earned income for purposes of the
 2 child tax credit, provided that the Committee is within its
 3 allocation as provided under section 302(a) of the Con-
 4 gressional Budget Act of 1974, the Chairman of the Com-
 5 mittee on the Budget may revise the allocations of budget
 6 authority and outlays, the revenue aggregates, and other
 7 appropriate measures, provided that such legislation would
 8 not increase the deficit for the period of fiscal year 2006
 9 or the total of fiscal years 2006 through 2010.

10 **TITLE IV—BUDGET**
 11 **ENFORCEMENT**

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

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

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

24 (c) DISPOSITION.—

1 (1) IN GENERAL.—In the Senate, subsection (a)
2 may be waived or suspended only by an affirmative
3 vote of three-fifths of the Members, duly chosen and
4 sworn. An affirmative vote of three-fifths of the
5 Members of the Senate, duly chosen and sworn, shall
6 be required to sustain an appeal of the ruling of the
7 Chair on a point of order raised under subsection
8 (a).

9 (2) PROCEDURE.—A point of order under sub-
10 section (a) may be raised by a Senator as provided
11 in section 313(e) of the Congressional Budget Act of
12 1974.

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

18 (d) DEFINITION.—In this section, the term “advance
19 appropriation” means any discretionary new budget au-
20 thority in a bill or joint resolution making general appro-
21 priations or continuing appropriations for fiscal year 2006
22 that first becomes available for any fiscal year after 2006,
23 or making general appropriations or continuing appropria-
24 tions for fiscal year 2007 that first becomes available for
25 any fiscal year after 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 Congress designates as an emergency re-
15 quirement in such measure, the amounts of new
16 budget authority, outlays, and receipts in all fiscal
17 years resulting from that provision shall be treated
18 as an emergency requirement for the purpose of this
19 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) of
15 the Congressional Budget Act of 1974 shall be sub-
16 ject to the waiver and appeal requirements of sub-
17 sections (c)(2) and (d)(3) of section 904 of the Con-
18 gressional 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, \$848,063,000,000 in
7 new budget authority and \$916,405,000,000 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 (3) ESTIMATES.—The estimate of the budget
2 authority associated with the full cost of Pell Grants
3 shall be based on the maximum award and any
4 changes in eligibility requirements, using current
5 economic and technical assumptions and as deter-
6 mined pursuant to scorekeeping guidelines, if any.

7 **SEC. 407. LIMITATION ON LONG-TERM SPENDING PRO-**
8 **POSALS.**

9 (a) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF
10 PROPOSALS.—The Congressional Budget Office shall, to
11 the extent practicable, prepare an estimate of the costs
12 in each of the four 10-year periods beginning in fiscal year
13 2015 through fiscal year 2055, for each bill or resolution
14 of a public character, except measures within the jurisdic-
15 tion of the Committee on Appropriations, causing a net
16 increase in direct spending in excess of \$5,000,000,000
17 in any of the four 10-year periods, and shall submit to
18 the committee the estimate of the costs of the legislation.

19 (b) IN THE SENATE.—It shall not be in order to con-
20 sider any bill, joint resolution, amendment, motion, or con-
21 ference report that would cause a net increase in direct
22 spending in excess of \$5,000,000,000 in any of the four
23 10-year periods beginning in 2015 through 2055, as meas-
24 ured against current law out-year estimates prepared by
25 the Congressional Budget Office.

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
22 insurance coverage Medicaid provides, which would threaten
23 not only the health care safety net of the United States,
24 but the entire 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. In deal-
 25 ing with homeland security assistance grants that relate

1 to port security, Congress should (1) allocate port security
2 grants under a separate, dedicated program intended spe-
3 cifically for port security enhancements, rather than as
4 part of a combined program for many different infrastruc-
5 ture programs that could lead to reduced funding for port
6 security, (2) devise a method to enable the Secretary of
7 Homeland Security to both distribute port security grants
8 to the Nation's port facilities more quickly and efficiently
9 and give ports the financial resources needed to comply
10 with congressional mandates, and (3) allocate sufficient
11 funding for port security to enable port authorities to com-
12 ply with mandated security improvements taking into con-
13 sideration national, economic, and strategic defense con-
14 cerns, ensure the protection of our Nation's maritime
15 transportation, commerce system, and cruise passengers,
16 strive to achieve funds consistent with the needs estimated
17 by the United States Coast Guard, and recognize the
18 unique threats for which port authorities must prepare.”.

19 **SEC. 507. SENSE OF THE SENATE REJECTING PROPOSED**
20 **ELIMINATION OF PER DIEM REIMBURSE-**
21 **MENT TO STATE NURSING HOMES IN THE**
22 **PRESIDENT'S BUDGET.**

23 It is the sense of the Senate that Congress should
24 reject the President's proposal to eliminate per diem pay-

1 ments to State Veterans Homes for the vast majority of
2 patients that reside in these homes.

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

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

13 **SEC. 509. SENSE OF THE SENATE REGARDING MANDATORY**
14 **AGRICULTURAL PROGRAMS.**

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

16 (1) The mandatory farm programs adminis-
17 tered by United States Department of Agriculture
18 under the Food Security and Rural Development Act
19 of 2002 provide an economic safety net, ensure the
20 availability of Federal crop insurance, fund con-
21 servation priorities, and enhance agriculture export
22 market opportunities for United States farmers and
23 ranchers.

24 (2) The actual budget outlays for farm bill pro-
25 grams for fiscal years 2002–2004 have been about

1 \$16,700,000,000 less than projected by the Congres-
2 sional Budget Office in August 2002, shortly after
3 the farm bill was passed.

4 (3) Over 72 percent of farm program payments
5 are currently received by only 10 percent of our Na-
6 tion's program crop producers.

7 (4) Any agricultural policy modifications should
8 address the disproportionate share of farm program
9 payments received by the largest farming operations.

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

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

21 **SEC. 510. SENSE OF THE SENATE REGARDING SOCIAL SE-**
22 **CURITY RESTRUCTURING.**

23 (a) FINDINGS.—The Senate finds that—

24 (1) Social Security is the foundation of retire-
25 ment income for most Americans;

1 (2) preserving and strengthening the long term
2 viability of Social Security is a vital national priority
3 and is essential for the retirement security of today’s
4 working Americans, current and future retirees, and
5 their families;

6 (3) Social Security faces significant fiscal and
7 demographic pressures;

8 (4) the nonpartisan Office of the Chief Actuary
9 at the Social Security Administration reports that—

10 (A) the number of workers paying taxes to
11 support each Social Security beneficiary has
12 dropped from 16.5 in 1950 to 3.3 in 2002;

13 (B) within a generation there will be only
14 2 workers to support each retiree, which will
15 substantially increase the financial burden on
16 American workers;

17 (C) without structural reform, the Social
18 Security system, beginning in 2018, will pay
19 out more in benefits than it will collect in taxes;

20 (D) without structural reform, the Social
21 Security trust fund will be exhausted in 2042,
22 and Social Security tax revenue in 2042 will
23 only cover 73 percent of promised benefits, and
24 will decrease to 68 percent by 2078;

1 (E) without structural reform, future Con-
2 gresses may have to raise payroll taxes 50 per-
3 cent over the next 75 years to pay full benefits
4 on time, resulting in payroll tax rates of as
5 much as 16.9 percent by 2042 and 18.3 percent
6 by 2078;

7 (F) without structural reform, Social Secu-
8 rity's total cash shortfall over the next 75 years
9 is estimated to be \$3,700,000,000,000 meas-
10 ured in present value terms; and

11 (G) absent structural reforms, spending on
12 Social Security will increase from 4.3 percent of
13 gross domestic product in 2004 to 6.6 percent
14 in 2078; and

15 (5) the Congressional Budget Office, the Gov-
16 ernment Accountability Office, the Congressional
17 Research Service, the Chairman of the Federal Re-
18 serve Board, and the President's Commission to
19 Strengthen Social Security have all warned that fail-
20 ure to enact fiscally responsible Social Security re-
21 form quickly will result in 1 or more of the fol-
22 lowing:

23 (A) Higher tax rates.

24 (B) Lower Social Security benefit levels.

1 (C) Increased Federal debt or less spend-
2 ing on other federal programs.

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

5 (1) the President, the Congress, and the Amer-
6 ican people including seniors, workers, women, mi-
7 norities, and disabled persons should work together
8 at the earliest opportunity to enact legislation to
9 achieve a solvent and permanently sustainable Social
10 Security system;

11 (2) Social Security reform—

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

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

16 (C) must provide benefit levels that ade-
17 quately reflect individual contributions to the
18 Social Security system; and

19 (D) must preserve and strengthen the safe-
20 ty net for vulnerable populations including the
21 disabled and survivors; and

22 (3) the Senate should honor section 13301 of
23 the Budget Enforcement Act of 1990.

1 **SEC. 511. SENSE OF THE SENATE THAT FAILING TO AD-**
2 **DRESS SOCIAL SECURITY WILL RESULT IN**
3 **MASSIVE DEBT, DEEP BENEFIT CUTS AND**
4 **TAX INCREASES.**

5 It is the sense of the Senate that Congress should
6 reject any Social Security plan that requires deep benefit
7 cuts or a massive increase in debt, and a failure to act
8 would result in massive debt, deep benefit cuts and tax
9 increases.

10 **SEC. 512. SENSE OF THE SENATE REGARDING THE STATE**
11 **CRIMINAL ALIEN ASSISTANCE PROGRAM.**

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

13 (1) Control of illegal immigration is a Federal
14 responsibility.

15 (2) The State Criminal Alien Assistance Pro-
16 gram (referred to in this section as “SCAAP”) pro-
17 vides critical funding to States and localities for re-
18 imbursement of costs incurred as a result of housing
19 undocumented criminal aliens.

20 (3) Congress appropriated \$250,000,000 for
21 SCAAP to reimburse State and local governments
22 for these costs in fiscal year 2003.

23 (4) Congress appropriated \$300,000,000 for
24 SCAAP to reimburse State and local governments
25 for these costs in fiscal year 2004.

1 (5) Congress appropriated \$305,000,000 for
 2 SCAAP to reimburse State and local governments
 3 for these costs in fiscal year 2005.

4 (b) SENSE OF THE SENATE.—It is the sense of the
 5 Senate that the levels in this concurrent resolution assume
 6 that—

7 (1) Congress will appropriate \$750,000,000 for
 8 SCAAP for fiscal year 2006; and

9 (2) Congress will enact long-term reauthoriza-
 10 tion of SCAAP to reimburse State and local govern-
 11 ments for the financial burdens undocumented
 12 criminal aliens place on their local criminal justice
 13 systems.

14 **SEC. 513. SENSE OF THE SENATE REGARDING FUNDING**
 15 **FOR SUBSONIC AND HYPERSONIC AERO-**
 16 **NAUTICS RESEARCH BY THE NATIONAL AER-**
 17 **ONAUTICS AND SPACE ADMINISTRATION.**

18 (a) FINDINGS.—The Senate makes the following
 19 findings:

20 (1) The economic and military security of the
 21 United States depends on the continued development
 22 of improved aeronautics technologies.

23 (2) Research and development on many emerg-
 24 ing aeronautics technologies is often too expensive or
 25 removed in terms of time from commercial applica-

1 tion to garner the necessary level of support from
2 the private sector.

3 (3) The advances made possible by Govern-
4 ment-funded research in emerging aeronautics tech-
5 nologies have enabled a longstanding positive bal-
6 ance of trade and air superiority on the battlefield
7 for the United States in recent decades.

8 (4) The aeronautics industry has grown in-
9 creasingly mature in recent years, with growth de-
10 pendent on the availability of the research workforce
11 and facilities provided by the National Aeronautics
12 and Space Administration (NASA).

13 (5) Recent NASA studies have demonstrated
14 the competitiveness, and scientific merit, and neces-
15 sity of nearly all existing aeronautics wind tunnel
16 and propulsion testing facilities.

17 (6) A minimum level of investment by NASA is
18 necessary to maintain these facilities in operational
19 condition and to prevent their financial collapse.

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

22 (1) the level of funding provided for the Aero-
23 nautics Mission Directorate within the National Aer-
24 onautics and Space Administration should be in-

1 creased by \$1,582,700,000 between fiscal year 2006
2 and fiscal year 2010; and

3 (2) the increases provided should be applied to
4 the Vehicle Systems portion of the Aeronautics Mis-
5 sion Directorate budget for use in subsonic and
6 hypersonic aeronautical research.

7 **SEC. 514. SENSE OF THE SENATE CONCERNING CHILDREN**
8 **WITH HIV/AIDS.**

9 (a) FINDINGS.—The Senate makes the following
10 findings:

11 (1) Approximately 2,200,000 children under the
12 age of 15 are infected with the HIV virus, and 1,900
13 children worldwide are infected with HIV each day.

14 (2) In 2004, it was estimated that of the
15 4,900,000 people newly infected with HIV, 640,000
16 were children. The vast majority of them were in-
17 fected through mother-to-child transmission, which
18 includes transmission at any point during preg-
19 nancy, labor, delivery, or breastfeeding.

20 (3) Effective implementation of prevention of
21 mother-to-child transmission of HIV and care and
22 treatment services in the United States has resulted
23 in the near elimination (less than 2 percent trans-
24 mission) of mother-to-child transmission of HIV/
25 AIDS. By contrast, in resource-poor settings less

1 than 10 percent of pregnant women living with HIV
2 have access to services to prevent mother-to-child
3 transmission of HIV.

4 (4) Currently, more than 4,000,000 children
5 worldwide are estimated to have died from AIDS.

6 (5) In 2004, approximately 510,000 children
7 died of AIDS, resulting in almost 1,400 AIDS
8 deaths in children per day.

9 (6) According to the Joint United Nations Pro-
10 gramme on HIV/AIDS, if current trends continue by
11 2010, 3,500,000 of the 45,000,000 people infected
12 worldwide will be children under the age of 15.

13 (7) At least a quarter of newborns infected with
14 HIV die before the age of one, up to 60 percent die
15 before reaching their second birthday, and overall,
16 most die before they are 5 years of age.

17 (8) HIV threatens to reverse the child survival
18 and developmental gains of past decades.

19 (9) Research and practice have shown conclu-
20 sively that timely initiation of antiretroviral therapy
21 to infants or young children with HIV/AIDS can
22 preserve or restore their immune functions, promote
23 normal growth and development, and prolong life.

24 (10) There is clear evidence in resource-rich
25 countries that antiretroviral treatment in children is

1 very effective. For example, many children who were
2 infected through mother-to-child transmission in the
3 United States are living with HIV as young adults.

4 (11) Few programs specifically target the treat-
5 ment of children with HIV/AIDS in resource-poor
6 countries due to significant challenges in diagnosing
7 and treating infants and young children with HIV.
8 Such challenges include difficulty in diagnosing HIV
9 in infants less than 18 months of age, lack of appro-
10 priate and affordable pediatric HIV/AIDS medicines,
11 and lack of trained health care providers.

12 (12) Children are not small adults and treating
13 them as such can seriously jeopardize their health.

14 (13) Children should not be forgotten in the
15 fight against the global HIV/AIDS pandemic.

16 (b) SENSE OF THE SENATE.—It is the sense of the
17 Senate that this resolution assumes that—

18 (1)(A) assistance should be provided to support
19 the expansion of programs to prevent mother-to-
20 child transmission of HIV as an integral component
21 of a comprehensive approach to fighting HIV/AIDS;

22 (B) to facilitate the expansion described in sub-
23 paragraph (A)—

1 (i) more resources are needed for infra-
2 structure improvements and education and
3 training of health care workers; and

4 (ii) better linkages between mother-to-child
5 transmission and broader care and treatment
6 programs should be created for women, chil-
7 dren, and families who are in need of access to
8 expanded services;

9 (2) assistance should be provided to support the
10 care and treatment of children with HIV/AIDS, in-
11 cluding the development and purchase of high-qual-
12 ity, Food and Drug Administration-approved pedi-
13 atric formulations of antiretroviral drugs and other
14 HIV/AIDS medicines, including fixed-dose combina-
15 tions, pediatric-specific training to doctors and other
16 health-care personnel, and the purchase of pediatric-
17 appropriate technologies;

18 (3) antiretroviral drugs intended for pediatric
19 use should include age-appropriate dosing informa-
20 tion;

21 (4) health care sites in resource-poor countries
22 need better diagnostic capacity and appropriate sup-
23 plies to provide care and treatment services for chil-
24 dren, and additional training is required to ensure

1 that health care providers can administer specialized
2 care services for children; and

3 (5) pediatric care and treatment should be inte-
4 grated into the existing health care framework so
5 children and families can be treated simultaneously.

6 **SEC. 515. SENSE OF THE SENATE REGARDING THE ACQUI-
7 TION OF THE NEXT GENERATION DESTROYER
8 (DDX).**

9 (a) FINDINGS.—The Senate makes the following
10 findings:

11 (1) The Quadrennial Defense Review to be con-
12 ducted in 2005 has not been completed.

13 (2) The national security of the United States
14 is best served by a competitive industrial base con-
15 sisting of at least two shipyards capable of con-
16 structing major surface combatants.

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

19 (1) it is ill-advised for the Department of De-
20 fense to pursue a winner-take-all strategy for the ac-
21 quisition of destroyers under the next generation de-
22 stroyer (DDX) program; and

23 (2) the amounts identified in this resolution as-
24 sume that the Department of Defense will not ac-

1 quire any destroyer under the next generation de-
2 stroyer program through a winner-take-all strategy.

3 (c) **WINNER-TAKE-ALL STRATEGY DEFINED.**—In
4 this section, the term “winner-take-all strategy”, with re-
5 spect to the acquisition of destroyers under the next gen-
6 eration destroyer program, means the acquisition (includ-
7 ing design and construction) of such destroyers through
8 a single shipyard.

9 **SEC. 516. SENSE OF THE SENATE ON REDUCING THE TAX**
10 **ON SOCIAL SECURITY BENEFITS.**

11 It is the sense of the Senate that the tax cuts as-
12 sumed in this resolution include repeal of the 1993 law
13 that subjects 85 percent of certain Social Security benefits
14 to the income tax, provided that the revenue loss to the
15 Medicare Hospital Insurance Trust Fund is fully replaced
16 so that seniors’ access to health care is not adversely af-
17 fected. If the inclusion of these proposals would otherwise
18 cause the cost of the tax cuts to exceed the level authorized
19 in the resolution, any excess should be fully offset by clos-
20 ing corporate tax loopholes.

21 **SEC. 517. SENSE OF THE SENATE ON THE CRIME VICTIMS**
22 **FUND.**

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

24 (1) The Victims of Crime Act of 1984
25 (“VOCA”) was enacted to provide Federal financial

1 support for services to victims of all types of crime,
2 primarily through grants to state crime victim com-
3 pensation and victim assistance programs.

4 (2) VOCA created the Crime Victims Fund
5 (“the Fund”) as a separate account into which are
6 deposited monies collected from persons convicted of
7 Federal criminal offenses, including criminal fines,
8 forfeitures and special assessments. There are no
9 general taxpayer generated revenues deposited into
10 the Fund.

11 (3) Each fiscal year, the Fund is used to
12 support—

13 (A) Children’s Justice Act grants to States
14 to improve the investigation and prosecution of
15 child abuse cases;

16 (B) victim witness coordinators in United
17 States Attorney’s Offices;

18 (C) victim assistance specialists in Federal
19 Bureau of Investigation field offices;

20 (D) discretionary grants by the Office for
21 Victims of Crime to provide training and tech-
22 nical assistance and services to victims of Fed-
23 eral crimes;

24 (E) formula grants to States to supple-
25 ment State crime victim compensation pro-

1 grams, which reimburse more than 150,000 vio-
2 lent crime victims annually for out-of-pocket ex-
3 penses, including medical expenses, mental
4 health counseling, lost wages, loss of support
5 and funeral costs;

6 (F) formula grants to States for financial
7 assistance to upwards of 4,400 programs pro-
8 viding direct victim assistance services to nearly
9 4,000,000 victims of all types of crimes annu-
10 ally, with priority for programs serving victims
11 of domestic violence, sexual assault and child
12 abuse, and previously underserved victims of
13 violent crime; and

14 (G) the Antiterrorism Emergency Reserve,
15 to assist victims of domestic and international
16 terrorism.

17 (4) Just 4 months ago, a strong bipartisan, bi-
18 cameral majority in Congress affirmed its support
19 for the Crime Victims Fund and increased its com-
20 mitment to crime victims in the Justice for All Act
21 of 2004 (Public Law 108–405), which establishes
22 Federal crime victims rights and authorized 2 new
23 VOCA-funded victim programs.

24 (5) Before fiscal year 2000, all amounts depos-
25 ited into the Crime Victims Fund in each fiscal year

1 were made available for authorized programs in the
2 subsequent fiscal year.

3 (6) Beginning in fiscal year 2000, Congress re-
4 sponded to large fluctuations of deposits into the
5 Fund by delaying obligations from the Fund above
6 certain amounts, as follows:

7 (A) For fiscal year 2000, \$500,000,000.

8 (B) For fiscal year 2001, \$537,500,000.

9 (C) For fiscal year 2002, \$550,000,000.

10 (D) For fiscal year 2003, \$600,000,000.

11 (E) For fiscal year 2004, \$625,000,000.

12 (F) For fiscal year 2005, \$625,000,000.

13 (7) In the conference report on an omnibus
14 spending bill for fiscal year 2000 (Public Law 106–
15 113), Congress explained that the reason for delay-
16 ing annual Fund obligations was “to protect against
17 wide fluctuations in receipts into the Fund, and to
18 ensure that a stable level of funding will remain
19 available for these programs in future years”.

20 (8) VOCA mandates that “. . . all sums depos-
21 ited in the Fund in any fiscal year that are not
22 made available for obligation by Congress in the
23 subsequent fiscal year shall remain in the Fund for
24 obligation in future fiscal years, without fiscal year
25 limitation”.

1 (9) For fiscal year 2006, the President is rec-
2 ommending “rescission” of \$1,267,000,000 from
3 amounts in the Fund.

4 (10) The rescission proposed by the President
5 would result in no funds being available to support
6 crime victim services at the start of fiscal year 2007.
7 Further, such rescission would make the Fund vul-
8 nerable to fluctuations in receipts into the Fund,
9 and would not ensure that a stable level of funding
10 will remain available for vital programs in future
11 years.

12 (11) Retention of all amounts deposited into
13 the Fund for the immediate and future use of crime
14 victim services as authorized by VOCA is supported
15 by many major national victim service organizations,
16 including—

17 (A) Justice Solutions, NPO;

18 (B) National Organization for Victim As-
19 sistance;

20 (C) National Alliance to End Sexual Vio-
21 lence;

22 (D) National Children’s Alliance;

23 (E) National Association of VOCA Assist-
24 ance Administrators;

- 1 (F) National Association of Crime Victim
 2 Compensation Boards;
- 3 (G) Mothers Against Drunk Driving;
- 4 (H) National Center for Victims of Crime;
- 5 (I) National Organization for Parents of
 6 Murdered Children;
- 7 (J) National Coalition Against Domestic
 8 Violence;
- 9 (K) Pennsylvania Coalition Against Rape;
 10 and
- 11 (L) National Network to End Domestic Vi-
 12 olence.

13 (b) SENSE OF THE SENATE.—It is the sense of the
 14 Senate that the funding levels in this resolution assume
 15 that all amounts that have been and will be deposited into
 16 the Crime Victims Fund, including amounts deposited in
 17 fiscal year 2006 and thereafter, shall remain in the Fund
 18 for use as authorized under the Victims of Crime Act of
 19 1984.

20 **SEC. 518. SENSE OF THE SENATE SUPPORTING FUNDING**
 21 **FOR HIDTAS.**

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

- 23 (1) The High Intensity Drug Trafficking Area
 24 (HIDTA) program encompasses 28 strategic re-
 25 gions, 355 task forces, 53 intelligence centers, 4,428

1 Federal personnel, and 8,459 State and local per-
2 sonnel.

3 (2) The purposes of the HIDTA program are to
4 reduce drug trafficking and drug production in des-
5 ignated areas in the United States by—

6 (A) facilitating cooperation among Federal,
7 State, and local law enforcement agencies to
8 share information and implement coordinated
9 enforcement activities;

10 (B) enhancing intelligence sharing among
11 Federal, State, and local law enforcement agen-
12 cies;

13 (C) providing reliable intelligence to law
14 enforcement agencies needed to design effective
15 enforcement strategies and operations; and

16 (D) supporting coordinated law enforce-
17 ment strategies which maximize use of available
18 resources to reduce the supply of drugs in
19 HIDTA designated areas.

20 (3) In 2004, HIDTA efforts resulted in dis-
21 rupting or dismantling over 509 international, 711
22 multi-State, and 1,110 local drug trafficking organi-
23 zations.

1 (4) In 2004, HIDTA instructors trained 21,893
2 students in cutting-edge practices to limit drug traf-
3 ficking and manufacturing within their areas.

4 (5) The HIDTAs are the only drug enforcement
5 coalitions that include equal partnership between
6 Federal, State, and local law enforcement leaders
7 executing a regional approach to achieving regional
8 goals while pursuing a national mission.

9 (6) The proposed budget of \$100,000,000 for
10 the HIDTA program is inadequate to effectively
11 maintain all of the operations currently being sup-
12 ported.

13 (7) The proposed budget of \$100,000,000 for
14 the HIDTA program would undermine the viability
15 of this program and the efforts of law enforcement
16 around the country to combat illegal drugs, particu-
17 larly methamphetamine.

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

20 (1) the spending level of budget function 750
21 (Administration of Justice) is assumed to include
22 \$227,000,000 for the High Intensity Drug Traf-
23 ficking Areas; and

24 (2) unless new legislation is enacted, it is as-
25 sumed that the HIDTA program will remain with

1 the Office of National Drug Control Policy, where
2 Congress last authorized it to reside.

3 **SEC. 519. SENSE OF THE SENATE REGARDING THE NEED**
4 **FOR A COMPREHENSIVE, COORDINATED, AND**
5 **INTEGRATED NATIONAL OCEAN POLICY.**

6 (a) FINDINGS.—The Senate makes the following
7 findings:

8 (1) The United States Commission on Ocean
9 Policy and the Pew Ocean Commission have each
10 completed and published independent findings on the
11 state of the United States oceans, coasts, and Great
12 Lakes.

13 (2) The findings made by the Commissions in-
14 clude the following:

15 (A) The United States oceans, coasts, and
16 Great Lakes are a vital component of the econ-
17 omy of the United States.

18 (B) The resources and ecosystems associ-
19 ated with the United States oceans, coasts, and
20 Great Lakes are in trouble.

21 (b) SENSE OF THE SENATE.—It is the sense of the
22 Senate that the President and the Congress should—

23 (1) expeditiously consider the recommendations
24 of the United States Commission on Ocean Policy
25 during the 109th Congress; and

1 (2) enact a comprehensive, coordinated, and in-
2 tegrated national ocean policy that will ensure the
3 long-term economic and ecological health of the
4 United States oceans, coasts, and Great Lakes.

5 **SEC. 520. UNITED STATES RESPONSE TO GLOBAL HIV/AIDS,**
6 **TUBERCULOSIS, AND MALARIA.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

9 (1) The HIV/AIDS pandemic has reached stag-
10 gering proportions. At the end of 2004, an estimated
11 40,000,000 people were infected with HIV or living
12 with AIDS. HIV/AIDS is estimated to kill 3,000,000
13 men, women and children each year. Each year,
14 there are estimated to be 5,000,000 new HIV infec-
15 tions.

16 (2) The United States was the first, and re-
17 mains the largest, contributor to the Global Fund.

18 (3) The Presidential Administration of George
19 W. Bush (referred to in this section as the “Admin-
20 istration”) has supported language in the Global
21 HIV/AIDS authorization bill that links United
22 States contributions to the Global Fund to the con-
23 tributions of other donors, permitting the United
24 States to provide 33 percent of all donations, which
25 would match contributions on a one-to-two basis.

1 (4) Congress has provided one-third of all dona-
2 tions to the Global Fund every year of the Fund's
3 existence.

4 (5) For fiscal year 2006, the Global Fund esti-
5 mates it will renew \$2,400,000,000 worth of effec-
6 tive programs that are already operating on the
7 ground, and the Administration and Fund Board
8 have said that renewals of existing grants should re-
9 ceive priority funding.

10 (6) The Global Fund is an important compo-
11 nent of United States efforts to combat AIDS, tu-
12 berculosis and malaria, and supports approximately
13 300 projects in 130 countries.

14 (7) For fiscal year 2006, the President has re-
15 quested \$300,000,000 for the United States con-
16 tribution to the Global Fund.

17 (8) Through a mid-year review process, Con-
18 gress and the Administration will assess contribu-
19 tions to date and anticipated contributions to the
20 Global Fund, and ensure that United States con-
21 tributions, at year-end, are at the appropriate one-
22 to-two ratio.

23 (9) Congress and the Administration will mon-
24 itor contributions to the Global Fund to ensure that

1 United States contributions do not exceed one-third
2 of the Global Fund's revenues.

3 (10) In order to cover one-third of renewals
4 during fiscal year 2006, and to maintain the one-to-
5 two funding match, the United States will need to
6 contribute an additional \$500,000,000 above the
7 President's request for the Global Fund for fiscal
8 year 2006 to keep good programs funded at a level
9 of \$800,000,000.

10 (b) SENSE OF THE SENATE.—It is the sense of the
11 Senate that the assumptions underlying this budget reso-
12 lution assume that none of the offsets needed to provide
13 \$800,000,000 for the Global Fund will come from inter-
14 national humanitarian assistance programs.

15 **SEC. 521. OFFSET FOR INCREASES IN FUNDING FOR THE**
16 **COPS METHAMPHETAMINE ENFORCEMENT**
17 **AND CLEAN-UP PROGRAM.**

18 It is the sense of the Senate that this resolution as-
19 sumes that any increases in funding for the COPS Meth-
20 amphetamine Enforcement Clean-Up Program should be
21 offset by increased revenues to be derived from closing cor-
22 porate tax loopholes.

1 **SEC. 522. SENSE OF THE SENATE REGARDING FOREIGN-**
 2 **OWNED DEBT.**

3 It is the sense of the Senate that the Secretary of
 4 the Treasury and the Comptroller General should each
 5 conduct a study to examine the economic impact of United
 6 States publicly-held debt that is held by foreign govern-
 7 ments, institutions, and individuals. The study should pro-
 8 vide an analysis of the following:

9 (1) The amount of foreign-owned debt dating
 10 back to 1980, broken down by foreign governments,
 11 foreign institutions, and foreign private investors,
 12 and expressed in nominal terms and as a percentage
 13 of the total amount of publicly-held debt in each
 14 year.

15 (2) The economic impact that the increased for-
 16 eign ownership of United States publicly-held debt
 17 has had on the ability of the United States to main-
 18 tain a stable dollar policy.

19 (3) The impact that foreign ownership of
 20 United States publicly-held debt has had, or could
 21 have, on United States trade policy.

22 **SEC. 523. SENSE OF THE SENATE REGARDING TAX RELIEF**
 23 **TO ENCOURAGE CHARITABLE GIVING.**

24 (a) FINDINGS.—The Senate finds that—

25 (1) the CARE Act, which represents a part of
 26 the President's faith-based initiative, will spur chari-

1 table giving and assist faith-based and community
2 organizations that serve the needy;

3 (2) more than 1,600 small and large organiza-
4 tions from around the Nation have endorsed the
5 CARE Act, and in the 108th Congress the CARE
6 Act had bipartisan support and was sponsored by 23
7 Senators;

8 (3) although the CARE Act passed the Senate
9 on April 9, 2003, by a vote of 95 to 5, and the
10 House of Representatives passed companion legisla-
11 tion on September 17, 2003, by a vote of 408 to 13,
12 a conference committee on the CARE Act was never
13 formed and a final version was not passed in the
14 108th Congress; and

15 (4) charities around the Nation continue to
16 struggle, and the passage of the incentives for chari-
17 table giving contained in the CARE Act would pro-
18 vide significant dollars in private and public sector
19 assistance to those in need.

20 (b) SENSE OF THE SENATE.—It is the sense of the
21 Senate that a relevant portion of amounts in this budget
22 resolution providing for tax relief should be used—

23 (1) to provide the 86,000,000 Americans who
24 do not itemize deductions an opportunity to deduct
25 charitable contributions;

1 (2) to provide incentives for individuals to give
2 tax free contributions from individual retirement ac-
3 counts for charitable purposes;

4 (3) to provide incentives for an estimated
5 \$2,000,000,000 in food donations from farmers, res-
6 taurants, and corporations to help the needy, an
7 equivalent of 878,000,000 meals for hungry Ameri-
8 cans over 10 years;

9 (4) to provide at least 300,000 low-income,
10 working Americans the opportunity to build assets
11 through individual development accounts or IDAs,
12 which can be used to purchase a home, expand edu-
13 cational opportunity, or to start a small business;
14 and

15 (5) to provide incentives for corporate chari-
16 table contributions.

17 **SEC. 524. SENSE OF SENATE REGARDING WATER INFRA-**
18 **STRUCTURE.**

19 (a) FINDINGS.—The Senate finds that—

20 (1) payments to States from the Federal Water
21 Pollution Control State Revolving Fund under title
22 VI of the Federal Water Pollution Control Act (33
23 U.S.C. 1381 et seq.) are essential to protect public
24 health, fisheries, wildlife, and watersheds, and to en-

1 sure opportunities for public recreation and eco-
2 nomic development;

3 (2) despite important progress in protecting
4 and enhancing water quality since the enactment of
5 the Federal Water Pollution Control Act (33 U.S.C.
6 1251 et seq.) in 1972, serious water pollution prob-
7 lems persist throughout the United States;

8 (3) the report of the Environmental Protection
9 Agency dated September 30, 2002, and relating to
10 clean water and drinking water infrastructure gap
11 analysis found that there will be a \$535,000,000,000
12 gap between current spending and projected needs
13 for water and wastewater infrastructure over the
14 next 20 years if additional investments are not
15 made;

16 (4) in November 2002, the Congressional Budg-
17 et Office estimated the annual investment in clean
18 water infrastructure needs to be at least
19 \$13,000,000,000 for capital construction and
20 \$20,300,000,000 for operation and maintenance;
21 and

22 (5) the Federal Government is a vital partner
23 with State and local governments and must continue
24 to share in the burden of maintaining and improving
25 the water infrastructure of the United States.

1 (b) SENSE OF THE SENATE.—It is the sense of the
 2 Senate that payments to States from the Federal Water
 3 Pollution Control State Revolving Fund under title VI of
 4 the Federal Water Pollution Control Act (33 U.S.C. 1381
 5 et seq.) should be increased to \$1,350,000,000 for fiscal
 6 year 2006 to assist States and local communities in meet-
 7 ing water quality standards and restoring the health and
 8 safety of the water of the United States.

9 **SEC. 525. SENSE OF THE SENATE REGARDING FUNDING OF**
 10 **ADMINISTRATIVE COSTS OF SOCIAL SECU-**
 11 **RITY ADMINISTRATION.**

12 It is the sense of the Senate that Congress should
 13 approve the full amount of the President's request for the
 14 administrative costs of the Social Security Administration
 15 for fiscal year 2006, including funds for the implementa-
 16 tion of the low-income prescription drug subsidy under
 17 part D of title XVIII of the Social Security Act (as added
 18 by the Medicare Prescription Drug, Improvement, and
 19 Modernization Act of 2003).

20 **SEC. 526. SENSE OF THE SENATE CONCERNING COMPARA-**
 21 **TIVE EFFECTIVENESS STUDIES.**

22 It is the Sense of the Senate that—

23 (1) the overall discretionary levels set in this
 24 resolution assume \$75,000,000 in new budget au-
 25 thority in fiscal year 2006 and new outlays that flow

1 from this budget authority in fiscal year 2006 and
2 subsequent years, to fund research and ongoing sys-
3 tematic reviews, consistent with efforts currently un-
4 dertaken by the Agency for Health Care Research
5 and Quality designed to improve scientific evidence
6 related to the comparative effectiveness and safety of
7 prescription drugs and other treatments and to dis-
8 seminate the findings from such research to health
9 care practitioners, consumers, and health care pur-
10 chasers; and

11 (2) knowledge gaps identified through such ef-
12 forts be addressed in accordance with the author-
13 izing legislation and with oversight from the commit-
14 tees of subject matter jurisdiction.

15 **SEC. 527. SENSE OF THE SENATE REGARDING THE AD-**
16 **VANCED TECHNOLOGY PROGRAM.**

17 It is the sense of the Senate that the Senate Com-
18 mittee on Appropriations should make every effort to pro-
19 vide funding for the Advanced Technology Program in fis-
20 cal year 2006.

21 **SEC. 528. SENSE OF THE SENATE WITH RESPECT TO PEN-**
22 **SION REFORM.**

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

24 (1) The rules for calculating the funded status
25 of pension plans and for determining calculations,

1 premiums, and other issues should ensure strong
2 funding of such plans in both good and bad eco-
3 nomic times.

4 (2) The expiration of the interest rate provi-
5 sions of the Pension Funding Equity Act of 2004 at
6 the end of 2005 and the need to address the deficit
7 at the Pension Benefit Guaranty Corporation (re-
8 ferred to in this section as the “PBGC”) demand
9 enactment of pension legislation this year.

10 (3) Thirty-four million active and retired work-
11 ers are relying on their defined benefit plans to pro-
12 vide retirement security, and a failure by Congress
13 to reform the defined benefit system will place at
14 risk the pensions of millions of Americans.

15 (4) Stabilization of the defined benefit pension
16 system and the PBGC may require significant and
17 structural changes in the Employee Retirement and
18 Income Security Act of 1974 and the Internal Rev-
19 enue Code of 1986, which must be undertaken in a
20 single comprehensive set of reforms.

21 (b) SENSE OF THE SENATE.—It is the sense of the
22 Senate that the Senate conferees shall insist, on the Sen-

- 1 ate position expressed in this resolution with respect to
- 2 PBGC premiums.

Passed the Senate March 17, 2005.

Attest:

Secretary.

109TH CONGRESS
1ST 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.