

IX. COMPLIANCE WITH CONGRESSIONAL BUDGET ACT (SECS. 111, 211, 311, 451, 581, 695, 711, AND 821 OF THE SENATE AMENDMENT)

PRESENT LAW

Reconciliation is a procedure under the Congressional Budget Act of 1974 (the “Budget Act”) by which Congress implements spending and tax policies contained in a budget resolution. The Budget Act contains numerous rules enforcing the scope of items permitted to be considered under the budget reconciliation process. One such rule, the so-called “Byrd rule,” was incorporated into the Budget Act in 1990. The Byrd rule, named after its principal sponsor, Senator Robert C. Byrd, is contained in section 313 of the Budget Act. The Byrd rule generally permits members to raise a point of order against extraneous provisions (those which are unrelated to the goals of the reconciliation process) from either a reconciliation bill or a conference report on such bill.

Under the Byrd rule, a provision is considered to be extraneous if it falls under one or more of the following six definitions:

- (1) It does not produce a change in outlays or revenues;
- (2) It produces an outlay increase or revenue decrease when the instructed committee is not in compliance with its instructions;
- (3) It is outside of the jurisdiction of the committee that submitted the title or provision for inclusion in the reconciliation measure;
- (4) It produces a change in outlays or revenues which is merely incidental to the non-budgetary components of the provision;
- (5) It would increase the deficit for a fiscal year beyond those covered by the reconciliation measure; and
- (6) It recommends changes in Social Security.

HOUSE BILL

No provision.

SENATE AMENDMENT

Sunset of provisions

To ensure compliance with the Budget Act, the Senate amendment provides that all provisions of, and amendments made by, the bill that are in effect on September 30, 2011, shall cease to apply as of the close of September 30, 2011.

CONFERENCE AGREEMENT

The conference agreement follows the Senate amendment, except that all provisions of, and amendments made by, the bill generally do not apply for taxable, plan or limitation years beginning after December 31, 2010. With respect to the estate, gift, and generation-skipping provisions of the bill, the provisions do not apply to estates of decedents dying, gifts made, or generation skipping transfers, after December 31, 2010. The Code and the Employee Retirement Income Security Act of 1974 are applied to such years, estates, gifts and transfers after December 31, 2010, as if the provisions of and amendments made by the bill had never been enacted.

ESTIMATED BUDGET EFFECTS OF THE CONFERENCE AGREEMENT FOR H.R. 1836 [1]

Fiscal Years 2001 - 2011

[Millions of Dollars]

Provision	Effective	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2001-06	2001-11
Marginal Rate Reduction Provisions (Sunset 12/31/10)														
1. Create new 10% bracket in 2001 through 2007 for the first \$6,000 of taxable income for singles, first \$10,000 for heads of households, and first \$12,000 for married couples, and in 2008, first \$7,000 of taxable income for singles, first \$10,000 for heads of households, and first \$14,000 for married couples; and index beginning in 2009; credit with advanced payment in lieu of rate for 2001	tyba 12/31/00	-38,186	-33,421	-40,223	-40,336	-40,201	-40,203	-40,065	-43,422	-45,359	-46,034	-13,871	-232,570	-421,321
2. Reduce the various income tax rates (39.6% rate reduced to 38.6% in 2001 through 2003, 37.6% in 2004 and 2005, 35% in 2006 and thereafter; 36% rate reduced to 35% in 2001 through 2003, and 34% in 2004 and 2005, and 33% in 2006 and thereafter; 31% rate reduced to 30% in 2001 through 2003, 29% in 2004 and 2005, 28% in 2006 and thereafter; 28% rate reduced to 27% in 2001 through 2003, 26% in 2004 and 2005, and 25% in 2006 and thereafter)	7/1/01	-2,005	-21,100	-21,256	-29,049	-32,774	-50,924	-59,378	-60,401	-61,652	-63,083	-19,035	-157,107	-420,606
3. Phasein repeal of Pease outback of itemized deductions over 5 years	tyba 12/31/05	---	---	---	---	---	-1,265	-2,566	-4,003	-5,414	-7,168	-4,456	-1,265	-24,872
4. Phasein repeal of the personal exemption phaseout over 5 years	tyba 12/31/05	---	---	---	---	---	-473	-955	-1,382	-1,793	-2,216	-1,323	-473	-8,140
Total of Marginal Rate Reductions Provisions (Sunset 12/31/10)		-40,191	-54,521	-61,479	-69,385	-72,975	-92,865	-102,964	-109,208	-114,218	-118,451	-38,685	-391,415	-874,939
Increase the Child Tax Credit From \$500 to \$600 in 2001 through 2004, \$700 in 2005 through 2008, \$800 in 2009, and \$1,000 in 2010; Make Refundable up to Greater of 15% (10% for 2001 through 2004) of Earned Income in Excess of \$10,000 (Indexed in 2002) or Present Law; Allow Credit Permanently Against the AMT; Repeal AMT Offset of Refundable Credits; Sunset 12/31/10														
	tyba 12/31/00	-518	-9,291	-9,927	-10,602	-12,786	-18,320	-19,000	-19,408	-20,532	-25,200	-26,197	-61,444	-171,782
Marriage Penalty Relief Provisions (Sunset 12/31/10)														
1. Standard deduction set at 2 times single for married filing jointly, phased in over 5 years	tyba 12/31/04	---	---	---	---	-685	-1,954	-2,560	-2,772	-3,164	-2,932	-831	-2,639	-14,918
2. 15% rate bracket set at 2 times single for married filing jointly, phased in over 4 years	tyba 12/31/04	---	---	---	---	-4,208	-6,204	-6,559	-5,876	-4,737	-4,001	-1,150	-10,412	-32,734

Provision	Effective	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2001-06	2001-11
3. EIC Modification and Simplification - increase in joint returns beginning and ending income level for phaseout by \$1,000 in 2002 through 2004, \$2,000 in 2005 through 2007, and \$3,000 in 2008, and indexed thereafter; simplify definition of earned income; use AGI instead of modified AGI; conform definition of qualifying child and tie-breaker rules to those in JCT simplification study; and allow math error procedure with Federal Case registry data beginning in 2004 [2]	tyba 12/31/01	---	-8	-847	-1,277	-1,243	-1,817	-1,819	-1,787	-2,258	-2,240	-2,348	-5,191	-15,643
Total of Marriage Penalty Relief Provisions (Sunset 12/31/10)		---	-8	-847	-1,277	-6,136	-9,975	-10,958	-10,435	-10,159	-9,173	-4,329	-18,242	-63,295
Education Provisions (Sunset 12/31/10)														
1. Education IRAs - increase the annual contribution limit to \$2,000; allow education IRA contributions for special needs beneficiaries above the age of 18; allow corporations and other entities to contribute to education IRAs; allow contributions until April 15 of the following year; allow a taxpayer to exclude Ed IRA distributions from gross income and claim the HOPE or Lifetime Learning credits as long as they are not used for the same expenses; repeal excise tax on contributions made to education IRA when contribution made by anyone on behalf of same beneficiary to QTP; modify phaseout range for married taxpayers; allow tax-free expenditures for elementary and secondary school expenses; expand the definition of qualified expenses to include certain computers and related items	tyba 12/31/01	---	-203	-365	-461	-561	-667	-778	-892	-1,013	-1,136	-295	-2,256	-6,370
2. Qualified Tuition Plans - tax-free distributions from State plans; allow private institutions to offer prepaid tuition plans, tax-deferred in 2002, with tax-free distributions beginning in 2004; allow a taxpayer to exclude QTP distributions from gross income and claim the HOPE or Lifetime Learning credits as long as they are not used for the same expenses; expand definition of family member to include cousins; allow tax-free distributions for actual living expenses; ease rollover limitations; clarify coordination with the deduction for higher education expenses	tyba 12/31/01	---	-24	-53	-81	-111	-141	-170	-200	-234	-256	-64	-410	-1,334
3. Employer Provided Assistance - permanently extend the exclusion for undergraduate courses and graduate level courses	oba 12/31/01	---	-519	-720	-760	-804	-852	-904	-958	-1,012	-1,068	-267	-3,656	-7,865
4. Student loan interest - eliminate the 60-month rule; increase phaseout to \$50,000-\$65,000 single/\$100,000-\$130,000 joint; indexed for inflation after 2002	ipa 12/31/01	---	-170	-245	-262	-277	-289	-305	-321	-338	-356	-89	-1,243	-2,651

Provision	Effective	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2001-06	2001-11
5. Eliminate the tax on awards under the National Health Corps Scholarship program and F. Edward Hebert Armed Forces Health Professions Scholarship program	tyba 12/31/01	---	-1	-1	-1	-1	-1	-1	-1	-1	-1	[3]	-4	-8
6. Increase arbitrage rebate exception for governmental bonds used to finance qualified school construction from \$10 million to \$15 million	bia 12/31/01	---	[3]	-3	-5	-6	-11	-15	-16	-17	-18	-19	-25	-109
7. Issuance of tax-exempt private activity bonds for qualified education facilities with annual State volume caps the greater of \$10 per resident or \$5 million	bia 12/31/01	---	-5	-19	-38	-61	-88	-120	-155	-191	-227	-251	-212	-1,156
8. Above-the-line deduction for qualified higher education expenses in 2002 through 2005	tyba 12/31/01	---	-1,535	-2,063	-2,683	-2,911	-730	---	---	---	---	---	-9,921	-9,921
Total of Education Provisions (Sunset 12/31/10)		---	-2,457	-3,469	-4,291	-4,732	-2,779	-2,293	-2,543	-2,806	-3,062	-985	-17,727	-29,414
Estate and Gift Provisions (Sunset 12/31/10)														
1. Phase In Repeal of Estate and Generation-Skipping Transfer Taxes - beginning in 2002, repeal the 5% "bubble" (which phases out the lower rates) and repeal rates in excess of 50%, in 2003, repeal rates in excess of 49%, in 2004 in excess of 48%, in 2005 in excess of 47%, in 2006 in excess of 46%, and in 2007 through 2009 in excess of 45%; reduce State death tax credit rates by 25% in 2002, 50% in 2003, 75% in 2004, and repeal in 2005; increase the unified credit to \$1 million in 2002 and 2003, \$1.5 million in 2004 and 2005, \$2 million in 2006 through 2008, and \$3.5 million in 2009; repeal section 2057 in 2004; repeal estate and generation-skipping transfer taxes in 2010; retain gift tax in 2010 and thereafter with \$1 million lifetime gift exclusion and gift tax rates set at the highest individual income tax rate; carryover basis applies to transfers at death after 12/31/09 of assets fully owned by decedents, except: (1) \$1.3 million of additional basis and certain loss carryforwards of the decedent are allowed to be added to carryover basis, and (2) an additional \$3 million of basis is allowed to be added to carryover basis of assets going to surviving spouse; certain reporting requirements on bequests.....	dda & gma 12/31/01	---	---	-6,383	-5,031	-7,054	-4,051	-9,695	-11,862	-12,701	-23,036	-53,422	-22,519	-133,235
2. Expand Availability of Estate Tax Exclusion for Conservation Easements - repeal the 25-mile and 10-mile limits, and clarify the date for determining easement compliance	dda 12/31/00	---	-3	-19	-28	-29	-30	-32	-34	-36	-39	-42	-109	-292
3. Modifications to Generation-Skipping Transfer Tax Rules -		---	-1	-3	-4	-4	-4	-4	-4	-4	-4	-4	-16	-36
a. Deemed allocation of the generation-skipping transfer tax exemption to lifetime transfers to trusts that are not direct skips	ta 12/31/00	---	-1	-3	-4	-4	-4	-4	-4	-4	-4	-4	-16	-36

Provision	Effective	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2001-06	2001-11
b. Retroactive allocation of the generation-skipping tax exemption	generally 12/31/00	---	-1	-4	-6	-6	-6	-6	-6	-6	-6	-6	-23	-53
c. Severing of trusts holding property having an inclusion ratio of greater than zero	---	---	---	---	---	---	---	---	---	---	---	---	---	---
d. Modification of certain valuation rules	---	---	---	---	---	---	---	---	---	---	---	---	---	---
e. Relief from late elections	---	---	---	---	---	---	---	---	---	---	---	---	---	---
f. Substantial compliance	---	---	---	---	---	---	---	---	---	---	---	---	---	---
4. Expand Availability of Installment Payment Relief	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Under Section 6166 to:														
a. increase from 15 to 45 the number of partners of a partnership or shareholders in a corporation eligible for installment payments of estate tax under section 6166	dda 12/31/01	---	---	-285	-297	-330	-364	-394	-383	-381	-371	-358	-1,276	-3,163
b. Qualified lending and finance business interests	dda 12/31/01	---	---	-103	-84	-64	-43	-21	-22	-24	-25	-27	-295	-413
c. Certain holding company stock	dda 12/31/01	---	---	-171	-140	-107	-72	-34	-47	-49	-42	-45	-491	-688
5. Waiver of statute of limitations for refunds of recapture of estate tax under section 2032A	DOE	---	-100	-25	---	---	---	---	---	---	---	---	-125	-125
Total of Estate and Gift Provisions (Sunset 12/31/10)		---	-105	-6,993	-5,590	-7,594	-4,570	-10,186	-12,358	-13,201	-23,523	-53,904	-24,854	-138,005
Pension and IRA Provisions (Generally Sunset 12/31/10)														
Individual Retirement Arrangement Provisions														
1. Modification of IRA Contribution Limits - increase the maximum contribution limit for traditional and Roth IRAs to: \$3,000 in 2002 through 2004, \$4,000 in 2005 through 2007, and \$5,000 in 2008; index in years thereafter	tyba 12/31/01	---	-368	-847	-1,054	-1,693	-2,346	-2,582	-3,148	-3,817	-4,243	-3,033	-6,308	-23,132
2. IRA Catch-Up Contributions - increase maximum contribution limits for traditional and Roth IRAs for individuals age 50 and above by \$500 in 2002 and \$1,000 in 2006	tyba 12/31/01	---	-69	-151	-174	-176	-225	-293	-252	-211	-234	-182	-795	-1,968
3. Deemed IRAs under employee plans	pyba 12/31/02	---	-437	-998	-1,228	-1,869	-2,571	-2,875	-3,400	-4,028	-4,477	-3,215	-7,103	-25,100
Total of Individual Retirement Arrangement Provisions		---	-437	-998	-1,228	-1,869	-2,571	-2,875	-3,400	-4,028	-4,477	-3,215	-7,103	-25,100
Provisions for Expanding Coverage														
1. Increase contribution and benefit limits:														
a. Increase limitation on exclusion for elective deferrals to: \$11,000 in 2002, \$12,000 in 2003, \$13,000 in 2004, \$14,000 in 2005, and \$15,000 in 2006; index thereafter [4] [5]	ya 12/31/01	---	---	-100	-328	-500	-636	-708	-753	-797	-880	-436	-1,564	-5,138
b. Increase limitation on SIMPLE elective contributions to: \$7,000 in 2002, \$8,000 in 2003, \$9,000 in 2004, and \$10,000 in 2005; index thereafter [4] [5]	ya 12/31/01	---	-10	-30	-42	-51	-55	-59	-63	-66	-69	-35	-188	-480
c. Increase defined benefit dollar limit to \$160,000	ya 12/31/01	---	-23	-42	-46	-47	-48	-49	-54	-57	-56	-8	-207	-432
d. Lower early retirement age to 62; lower normal retirement age to 65	ya 12/31/01	---	-3	-4	-4	-5	-5	-5	-5	-5	-5	-2	-21	-43
e. Increase annual addition limitation for defined contribution plans to \$40,000 with indexing in \$1,000 increments [4]	ya 12/31/01	---	-7	-15	-19	-21	-17	-17	-20	-23	-27	-14	-79	-180

Included in Item 3.b.
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Negligible Revenue Effect

Provision	Effective	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2001-06	2001-11
1. Increase qualified plan compensation limit to \$200,000 with indexing in \$5,000 increments [4] and expand availability of qualified plans to self-employed individuals who are exempt from the self-employment tax by reason of their religious beliefs	tyba 12/31/01 & tyba 12/31/01	---	-55	-119	-125	-143	-141	-157	-154	-170	-184	-98	-583	-1,346
g. Increase limits on deferrals under deferred compensation plans of State and local governments and tax-exempt organizations to: \$11,000 in 2002, \$12,000 in 2003, \$13,000 in 2004, \$14,000 in 2005, and \$15,000 in 2006; index thereafter [4] [5]														
2. Plan loans for S corporation owners, partners, and sole proprietors	yba 12/31/01	---	-29	-61	-87	-108	-127	-138	-147	-155	-164	-84	-411	-1,098
3. Modification of top-heavy rules	yba 12/31/01	---	-21	-32	-34	-36	-39	-41	-44	-47	-49	-19	-162	-362
4. Elective deferrals not taken into account for purposes of deduction limits	yba 12/31/01	---	-4	-8	-10	-11	-13	-14	-16	-17	-19	-10	-45	-121
5. Repeal of coordination requirements for deferred compensation plans of State and local governments and tax-exempt organizations [4]	yba 12/31/01	---	-47	-88	-103	-111	-119	-127	-135	-144	-152	-103	-468	-1,129
6. Elimination of user fee for certain requests regarding small employer pension plans with at least one non-highly compensated employee [6]	yba 12/31/01	---	-16	-27	-27	-25	-23	-24	-24	-24	-24	-14	-118	-228
7. Definition of compensation for purposes of deduction limits [4]	rma 12/31/01	---	-7	-10	---	---	---	---	---	---	---	---	-17	-17
8. Increase stock bonus and profit sharing plan deduction limit from 15% to 25% [4]	yba 12/31/01	---	-1	-3	-3	-3	-3	-4	-4	-4	-4	-2	-14	-31
9. Option to treat elective deferrals as after-tax Roth contributions	tyba 12/31/01	---	-7	-14	-16	-18	-19	-21	-23	-24	-26	-14	-75	-182
10. Nonrefundable credit to certain individuals for elective deferrals and IRA contributions (sunset 12/31/06)	yba 12/31/05	---	---	---	---	---	185	236	172	90	-5	-358	185	320
11. Small business (100 or fewer employees) tax credit for new retirement plan expenses - first 3 years of the plan	tyba 12/31/01	---	-1,036	-2,096	-1,963	-1,856	-1,746	-920	-102	-91	-89	-86	-8,698	-9,987
12. Treatment of nonresident aliens engaged in international transportation services	[7] tyba 12/31/01	---	-3	-12	-21	-29	-29	-29	-27	-26	-25	-22	-94	-223
Total of Provisions for Expanding Coverage		---	-1,271	-2,668	-2,835	-2,971	-2,843	-2,085	-1,407	-1,568	-1,786	-1,310	-12,590	-20,745
Provisions for Enhancing Fairness for Women														
1. Additional catch-up contributions for individuals age 50 and above - increase the otherwise applicable contribution limit for all plans other than SIMPLE by \$1,000 in 2002, \$2,000 in 2003, \$3,000 in 2004, \$4,000 in 2005, and \$5,000 in 2006 and thereafter; index in \$500 increments after 2006; SIMPLE plan catch-ups would be 50% of that applicable to other plans; (nondiscrimination rules would not apply) [4]	tyba 12/31/01	---	-124	-243	-234	-164	-100	-84	-76	-63	-57	-38	-865	-1,184
2. Equitable treatment for contributions of employees to defined contribution plans [4]	yba 12/31/01	---	-45	-84	-98	-106	-113	-121	-129	-136	-144	-75	-446	-1,051

Provision	Effective	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2001-06	2001-11
3. Faster vesting of certain employer matching contributions	cf yba 12/31/01													
4. Simplify and update the minimum distribution rules by modifying post-death distribution rules	yba 12/31/01		[3]	-1	-1	-2	-2	-2	-2	-2	-3	-3	-6	-18
5. Clarification of tax treatment of division of section 457 plan benefits upon divorce	tdapma 12/31/01													
6. Modification of safe harbor relief for hardship withdrawals from 401(k) plans	yba 12/31/01													
7. Waiver of tax on nondeductible contributions for domestic or similar workers	tyba 12/31/01		[3]	[3]	-1	-2	-4	-6	-8	-10	-12	-14	-8	-57
Total of Provisions for Enhancing Fairness for Women			-169	-328	-334	-274	-219	-213	-215	-211	-216	-130	-1,325	-2,310
Provisions for Increasing Portability for Participants														
1. Rollovers allowed among governmental section 457 plans, section 403(b) plans, and qualified plans	da 12/31/01		27	-4	-4	-5	-5	-5	-6	-6	-7	-43	10	-57
2. Rollovers of IRAs to workplace retirement plans	dima 12/31/01													
3. Rollovers of after-tax retirement plan contributions	da 12/31/01													
4. Waiver of 60-day rule	da 12/31/01													
5. Treatment of forms of qualified plan distributions	yba 12/31/01													
6. Rationalization of restrictions on distributions	da 12/31/01													
7. Purchase of service credit in governmental defined benefit plans	ta 12/31/01													
8. Employers may disregard rollovers for cash-out amounts	da 12/31/01													
9. Minimum distribution and inclusion requirements for section 457 plans	da 12/31/01													
Total of Provisions for Increasing Portability for Participants			27	-4	-4	-5	-5	-5	-6	-6	-7	-43	10	-57
Provisions for Strengthening Pension Security and Enforcement														
1. Phase-in repeal of 160% of current liability funding limit; extend maximum deduction rule	pyba 12/31/01		-14	-20	-36	-36	-38	-38	-39	-41	-42	-22	-144	-326
2. Excise tax relief for sound pension funding	yba 12/31/01		-2	-3	-3	-3	-3	-3	-3	-3	-3	-3	-14	-29
3. Notice of significant reduction in plan benefit accruals	pateo/a DOE													
4. Repeal 100% of compensation limit for multiemployer plans	yba 12/31/01		-2	-4	-4	-4	-4	-5	-5	-5	-5	-3	-18	-41
5. Modification of section 415 aggregation rules for multiemployer plans	tyba 12/31/01		-1	-1	-1	-1	-1	-1	-1	-1	-1	-1	-4	-8
6. Investment of employee contributions in 401(k) plans	aiii TRA'97													
7. Prohibited allocations of stock in an ESOP S corporation	[8]		3	5	6	8	8	9	10	10	10	11	30	81
8. Automatic rollovers of certain mandatory distributions	dima trap				-7	-29	-30	-32	-33	-33	-34	-26	-66	-224
9. Clarification of treatment of contributions to multiemployer plans	yea DOE				-11	-19	-32	-38	-35	-30	-26	-19	-100	-224
Total of Provisions for Strengthening Pension Security and Enforcement			-16	-34	-64	-97	-106	-105	-101	-99	-94	-58	-316	-771

Provision	Effective	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2001-06	2001-11
Provisions for Reducing Regulatory Burdens														
1. Modification of timing of plan valuations	pyba 12/31/01													
2. ESOP dividends may be reinvested without loss of dividend deduction	tyba 12/31/01		-20	-49	-59	-63	-66	-69	-71	-74	-77	-39	-258	-588
3. Repeat transition rule relating to certain highly compensated employees	pyba 12/31/01		-2	-3	-3	-3	-3	-4	-4	-4	-4	-2	-14	-32
4. Employees of tax-exempt entities [9]	DOE													
5. Treatment of employer-provided retirement advice	yba 12/31/01													
6. Repeat of multiple use test	yba 12/31/01													
Total of Provisions for Reducing Regulatory Burdens			-22	-52	-62	-66	-69	-73	-75	-78	-81	-41	-272	-620
Miscellaneous Provision - Allow electing Alaska Native Settlement Trusts to tax income to the Trust not the beneficiaries [11]														
	[12]		-4	-4	-3	-3	-3	-3	-3	-4	-4	-1	-17	-33
Total of Pension and IRA Provisions (Generally Sunset 12/31/10)			-1,892	-4,088	-4,530	-5,285	-5,816	-5,359	-5,207	-5,994	-6,665	-4,798	-21,613	-49,636
AMT Relief - Increase Exemption by \$2,000 (Single) and \$4,000 (Joint) in 2001 through 2004; Sunset 12/31/04	tyba 12/31/00	-178	-2,311	-3,161	-4,605	-3,646							-13,901	-13,901
Modification to Corporate Estimated Tax Requirements; Special Estimated Tax Rules for Certain 2001 and 2004 Corporate Estimated Tax Payments	DOE				-6,606	6,606								
Expansion of Authority to Postpone Certain Tax Deadlines Due to Disaster (Sunset 12/31/10)	doa DOE		[3]	[13]	[13]	[13]	[13]	[13]	[13]	[13]	[13]	[13]	[13]	[14]
Miscellaneous Provisions (Generally Sunset 12/31/10)														
1. Adoption credit - increase the expense limit and the exclusion to \$10,000 for both non-special needs and special needs adoptions, and beginning in 2003, make the credit independent of expenses for special needs adoptions, permanently extend the credit and the exclusion, increase the phase-out start point to \$150,000, index for inflation the expenses limit and the phase-out start point for both the credit and the exclusion, and allow the credit to apply to the AMT	generally tyba 12/31/01		-51	-191	-252	-293	-325	-349	-375	-403	-432	-464	-1,112	-3,135
2. Provide an employer-provided child care credit of 25% for child care expenditures and 10% for child care resource and referral expenditures	tyba 12/31/01		-48	-108	-129	-142	-156	-169	-178	-188	-196	-90	-584	-1,405
3. Exclude from gross income certain payments made to Holocaust survivors or their heirs	aro/a 11/00			-3	-3	-3	-3	-3	-3	-3	-3	-3	-14	-31

Provision	Effective	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2001-06	2001-11
4. Dependent care tax credit - increase the credit rate to 35%, increase the eligible expenses to \$3,000 for one child and \$6,000 for two or more children (not indexed), and increase the start of the phase-out to \$15,000 of AGI	tyba 12/31/02	---	---	-336	-432	-413	-393	-380	-352	-317	-296	-73	-1,573	-2,991
Total of Miscellaneous Provisions (Generally Sunset 12/31/10)		---	-99	-638	-816	-851	-877	-901	-908	-911	-927	-630	-3,283	-7,562
NET TOTAL [15] [16]		-73,808	-37,763	-90,602	-107,702	-107,399	-135,202	-151,661	-160,067	-167,821	-187,001	-129,528	-552,480	-1,348,537

Joint Committee on Taxation

NOTE: Details may not add to totals due to rounding.

Legend for "Effective" column:

- aiii TRA'97 = as if included in the Taxpayer Relief Act of 1997
- aro/a = amounts received on or after
- bia = bonds issued after
- cba = courses beginning after
- cf = contributions for
- da = bonds issued after
- dda = distributions after
- dda = decedents dying after
- doa = disasters occurring after

- dima = distributions made after
- DOE = date of enactment
- frap = Federal regulations are prescribed
- gma = gifts made after
- iafbnet = interest accruing for periods beginning not earlier than
- ipa = interest paid after
- noita = notice of intent to terminate after
- pateo/a = plan amendments taking effect on or after

- pea = plans established after
- pyba = plan years beginning after
- rma = requests made after
- ta = transfers after
- tdapma = transfers, distributions, and payments made after
- tyba = taxable years beginning after
- yba = years beginning after
- yea = years ending after

- [1] The estimates presented in this table include the effects of certain behavioral responses to the tax proposals, including shifts between nontaxable and taxable sources of income, changes in amounts of charitable giving, and changes in the timing of realization of some sources of income. While the estimates do not include the effects of these proposals on economic growth, the proposals are likely to result in modest increases in growth of the economy during the 10-year budget estimating period. The largest component of the proposals, the marginal rate cuts, will provide incentives for more work, investment, and savings.
- [2] Estimate assumes that any constitutional challenge based on the use of Federal Case registry data would not be successful.
- [3] Loss of less than \$500,000.
- [4] Provision includes interaction with other provisions in Provisions for Expanding Coverage.
- [5] Provision includes interaction with the Individual Retirement Arrangement Provisions.
- [6] Estimate provided by the Congressional Budget Office.
- [7] Effective for costs paid or incurred in taxable years beginning after December 31, 2004. In the case of an ESOP established after March 14, 2001, or an ESOP established on or before such date if the employer maintaining the plan was not an S corporation on such date, the proposal would be effective with respect to plan years ending after March 14, 2001.
- [8] Generally effective with respect to years beginning after December 31, 2001, with respect to qualified employer plans established after such date.
- [9] Directs the Secretary of the Treasury to modify rules through regulations.
- [10] Effective for distributions from terminating plans that occur after the PBGC has adopted final regulations implementing provision.
- [11] Special Federal income tax rules would apply if the Trust makes an election for its first taxable year ending after the date of enactment.
- [12] Effective for taxable years of electing Settlement Trusts ending after the date of enactment, and to contributions made to such trust made after the date of enactment.
- [13] Loss of less than \$1 million.
- [14] Loss of less than \$5 million.
- [15] Includes the following effect on fiscal year outlays (millions)

2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2001-06	2001-11
---	6,226	6,600	7,006	7,081	9,597	9,542	9,360	9,668	11,080	12,244	36,510	88,404
2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2001-06	2001-11
1.5	3.5	4.3	5.6	7.1	8.7	10.5	12.8	14.9	17.5	20.7	32.1	35.5
1.4	2.7	3.3	5.3	13.0	19.6	23.9	29.1	32.1	35.5	20.7	35.5	20.7

- [16] Taxpayers affected by the AMT: Present Law (millions of taxpayers)
- Taxpayers affected by the AMT: Proposal (millions of taxpayers)