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PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

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House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. ALTMIRE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 16, 2007.

I hereby appoint the Honorable JASON ALTMIRE to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, the beginning and the end of all things, our spring celebrations speak to our national identity and to the soul of each individual. Out of the cold of winter comes new life, fragile yet wonderful.

The Passover renewed and the eternal meaning of Easter usher in an abiding sense of being the free children of God because we celebrate Your presence once again revealed in the course of history and in the ordinary affairs of daily life. May the cloud of Your mystery guide us day and night and never be lifted from our conscious endeavors.

Be with Congress as it takes up the affairs of state. Both by law and policy, this government seeks to establish a world fresh with creativity, born out of freedom and brilliant with hope, because faith is renewed and trust is placed more squarely in You who live and reign forever and ever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 11, 2007.

Hon. NANCY PELOSI,
The Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 11, 2007, at 10:40 a.m.:

That the Senate passed S. 521.

That the Senate passed S. 801.

That the Senate passed without amendment H.R. 137.

That the Senate passed without amendment H.R. 753.

With best wishes, I am,

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 12, 2007.

Hon. NANCY PELOSI,
The Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER. Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 12, 2007, at 9:56 am:

That the Senate passed S. 5.

That the Senate passed S. 30.

With best wishes, I am,

Sincerely,

LORRAINE C. MILLER,
Clerk of House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 13, 2007.

Hon. NANCY PELOSI
The Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER. Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 13, 2007, at 11:00 am:

That the Senate passed S. 229.

That the Senate passed S. 1104.

With best wishes, I am,

Sincerely,

LORRAINE C. MILLER,
Clerk of the House

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed:

By Speaker pro tempore VAN HOLLEN on Wednesday, April 11, 2007:

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S. 1002, to amend the Older Americans Act of 1965 to reinstate certain provisions relating to the nutrition services incentive program.

VISITING THE FAR EAST

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I had the honor 2 weeks ago of joining Congressman SOLOMON ORTIZ for a codel across the Far East. We were privileged to meet with officials in Guam, U.S.A.; China; South Korea; and Vietnam. Having visited most of those capitals before, this most recent trip reaffirmed my hope for the future. This extraordinarily fast growing region presents great opportunity for growing friendships for America.

In Korea and Guam, where America begins its day, we visited our servicemembers who are an inspiration of dedication, providing front line security for American families.

In Vietnam and China, we saw dynamic developing free-market economies. Amazingly, Vietnam has become one of the fastest growing modern economies on Earth, and its number one trading partner is America.

I am confident that phenomenal economic transformation can lead to expanded freedoms for the people of Vietnam and China.

In conclusion, God bless our troops and we will never forget September 11. Our prayers are with Virginia Tech families.

HONORING SERGEANT HOWARD PLOUFF

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, I rise today to honor the life of SGT Howard Plouff who was killed last month while answering the call for help from sheriffs deputies in Winston-Salem. Sergeant Plouff was known as an honorable man who selflessly served his family and community for more than 17 years in the Winston-Salem Police Department.

He was dedicated to community development and service. He was an assistant coach in the Southwest Forsyth Little League and was a member of the Holy Family Catholic Church in Clemmons. His is a legacy of the spirit of service that permeates this great country, and I am saddened by the profound loss that his death will be to his family, his police colleagues, his friends and our community.

He grew up on Long Island in New York City. He joined the Winston-Salem Police Department in 1989 and was promoted to sergeant in 1999.

Sergeant Plouff's career as a police officer was punctuated by his commitment to serving our community in North Carolina with distinction and honor. He earned the respect of his fellow officers and did not hesitate to go above and beyond the call of duty. In fact, during his time with the Winston-Salem Police Department, he was awarded its highest honor, the Medal of Valor, in 2003 for helping to prevent the suicide of a woman who had threatened to jump to her death from her apartment building. His death leaves a gaping hole not only with his family but within the ranks of Winston-Salem's Police Department.

He left behind a loving wife, Joyce, who is a third grade teacher at Southwest Elementary School, and his 13-year-old daughter, Brandy, and 11-year-old daughter, Holly.

Mr. Speaker, my thoughts and prayers are with Sergeant Plouff's wife and daughters and his extended family. May God bless them and comfort them during this difficult time. The city of Winston-Salem is fortunate to have been served by such an honorable and brave officer. He was a blessing to the many whose lives he touched. He will be sorely missed.

COMMUNICATION FROM THE HONORABLE MARILYN MUSGRAVE, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable MARILYN MUSGRAVE, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 4, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued in the County Court for Weld County, Colorado, for testimony and documents in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoenas is inconsistent with the precedents and privileges of the House.

Sincerely,

MARILYN MUSGRAVE,
Member of Congress.

COMMUNICATION FROM THE HONORABLE DARRELL E. ISSA, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable DARRELL E. ISSA, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 4, 2007.

Hon. NANCY PELOSI
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a judicial subpoena for documents issued by the United States District Court for the District of Columbia.

After consulting with the Office of General Counsel, I will make the determinations required by House Rule VIII.

Sincerely,

DARRELL E. ISSA,
Member of Congress.

COMMUNICATION FROM THE HONORABLE DUNCAN HUNTER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable DUNCAN HUNTER, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 4, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a judicial subpoena for documents issued by the United States District Court for the District of Columbia.

After consulting with the Office of General Counsel, I will make the determinations required by House Rule VIII.

Sincerely,

DUNCAN HUNTER,
Member of Congress.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken tomorrow.

LIEUTENANT TODD JASON BRYANT POST OFFICE

Ms. WATSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 988) to designate the facility of the United States Postal Service located at 5757 Tilton Avenue in Riverside, California, as the ''Lieutenant Todd Jason Bryant Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 988

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LIEUTENANT TODD JASON BRYANT POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 5757 Tilton Avenue in Riverside, California, shall be known and designated as the ''Lieutenant Todd Jason Bryant Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Lieutenant Todd Jason Bryant Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 988 is legislation introduced by Representative KEN CALVERT to designate the facility of the United States Postal Service located at 5757 Tilton Avenue in Riverside, California, as the Lieutenant Todd Jason Bryant Post Office.

On October 31, 2003, somewhere in the Iraqi desert between Fallujah and Baghdad, First Lieutenant Todd Jason Bryant was killed when his Humvee was struck head-on by a rocket-propelled grenade. His life was taken instantly at age 23. He was assigned to C Company, 1–34 AR where he assumed duties as platoon leader, 3rd Platoon.

□ 1415

First Lieutenant Todd Bryant received the Bronze Star, the Purple Heart, the Meritorious Service Medal, the National Defense Service Medal, and the Army Service Ribbon for his distinguished service to his country.

First Lieutenant Todd Bryant is survived by his wife, Jenifer, his parents, Larry and Linda Bryant, his brother, Major Timothy Bryant, USMC, and his sister, Tiffany Bryant.

The memory of this jovial fun-loving man will live on forever through his family and friends. Jenifer Bryant said, ''There was a lot more to him than just a soldier. He was my best friend. His goal in life was to make people think that he was the most hilarious man alive.''

I support H.R. 988 and urge its passage.

Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

Lieutenant Todd Jason Bryant was a proud and loyal American who served his country in fighting the war on terror. He made the ultimate sacrifice, defending freedom and liberty, when he lost his life on October 31, 2003, in Iraq.

Todd Jason Bryant was born in Long Beach, California, on January 14, 1980. As a young student, he was very athletic and always involved in school activities. During high school, he played football and golf, and also played the tuba in the marching band. He was the youngest of three and was determined to follow in his siblings' path by enlisting in the military.

At 17, he joined the Army Reserves and completed boot camp before graduating from high school. He received his nomination to West Point Academy from the sponsor of this bill, Congressman KEN CALVERT. He graduated from West Point in 2003 with a degree in political science. He had said before his death that he dreamed of being either a Member of Congress or a high school football coach.

His military training took him to installations in Kentucky and Kansas. Only 9 days before Lieutenant Bryant was sent to support Operation Iraqi Freedom in 2003, he happily wed Jenifer Reardon in Pittston, Pennsylvania.

On Friday, October 31, 2003, at the age of 23, Lieutenant Bryant was killed when a rocket-propelled grenade struck his Humvee while on patrol in Fallujah. Lieutenant Todd Bryant was an ambitious man who was able to accomplish much in his short but meaningful lifetime. Among his military awards are the Bronze Star, Purple Heart, Meritorious Service Medal, National Defense Service Medal and the Army Service Ribbon.

Lieutenant Bryant will always be remembered as a fun-loving, humorous, cheerful, proud and loyal friend, husband, son and brother. He brought joy to all those around him, easily making friends through his contagious laughter.

Lieutenant Bryant was honored to serve his country, and he served it well. Let us honor his ultimate sacrifice by renaming this post office for him.

Mr. CALVERT. Mr. Speaker, as the author of H.R. 988, I rise today to pay tribute to First Lieutenant Todd Bryant. The legislation would designate a post office in my district as the "Lieutenant Todd Bryant Post Office." Todd was born on January 14, 1980, in Long Beach, California. Todd came from a military family and his desire and determination to join the military was nothing short of resolute. He enlisted in the Army Reserve and completed Basic Training at Fort Sill, Oklahoma before his senior year of high school.

In the fall of 1997, Todd came to my office seeking a nomination to the U.S. Military Academy at West Point and the following March, Todd accepted an Appointment to West Point. I was proud to nominate this ambitious young man who I knew would distinguish himself throughout his military service, just as he had done throughout his whole life.

Todd interned in my district office before his senior year at West Point and graduated with a degree in Political Science on June 1, 2002. He would often joke that he was going to run for my congressional seat some day—I have no doubt he would have succeeded. After graduation, Todd attended the Armor Officer's Basic Course at Fort Knox, Kentucky, graduating in December 2002.

On August 30, 2003, Todd and Jenifer Reardon were married in Pennsylvania, 9 days before shipping out with his unit in support of Operation Iraqi Freedom. On Friday, October 31, 2003, Todd was killed by an improvised explosive device as his Humvee traveled on a road between Fallujah and Baghdad. He was 23 years old.

I ask you to support H.R. 988 to honor the service and sacrifice of Lieutenant Bryant. The naming of the post office in Rubidoux would be a fitting tribute to him, and the sacrifice of his wife and loving family. First Lieutenant Bryant was a true patriot and a brave young man, and our community feels his loss immensely.

Ms. FOXX. Mr. Speaker, I reserve the balance of my time.

Ms. WATSON. Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield back the balance of my time.

Ms. WATSON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and pass the bill, H.R. 988.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF FINANCIAL LITERACY MONTH

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 273) supporting the goals and ideals of Financial Literacy Month, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 273

Whereas personal financial literacy is essential to ensure that individuals are prepared to manage money, credit, and debt, and become responsible workers, heads of households, investors, entrepreneurs, business leaders, and citizens;

Whereas personal financial management skills and lifelong habits develop during childhood;

Whereas a study completed in 2006 by the Jump$tart Coalition for Personal Financial Literacy found that high school seniors know less about principles of basic personal finance than did high school seniors 7 years earlier, and the average scores in both years were failing grades;

Whereas in recent years, the Congress, State legislatures and Governors around the country have increasingly recognized the importance and effectiveness of financial education, and, as a result, an increasing number of States now require financial education during high school, including Alabama, Georgia, Idaho, Illinois, Kansas, Kentucky, Louisiana, Missouri, New York, North Carolina, Ohio, South Carolina, Texas, Utah, Virginia, and West Virginia;

Whereas 55 percent of college students acquire their first credit card during their first year in college, and 92 percent of college students acquire at least 1 credit card by their second year in college, yet only 26 percent of people between the ages of 13 and 21 reported that their parents actively taught them how to manage money;

Whereas United States consumer debt totaled $2,400,000,000,000 in 2006, of which credit card debt alone exceeded $825,000,000,000;

Whereas personal savings as a percentage of income dropped to negative 1 percent in 2006, the lowest since the Great Depression;

Whereas, although more than 42,000,000 people in the United States participate in qualified cash or deferred arrangements described in section 401(k) of the Internal Revenue Code of 1986 (commonly referred to as ''401(k) plans''), a Retirement Confidence Survey conducted in 2004 found that only 42 percent of workers surveyed have calculated how much money they will need to save for retirement and 37 percent of workers say that they are not currently saving for retirement;

Whereas the average baby boomer has only $50,000 in savings apart from equity in their homes;

Whereas a study by the American Institute of Certified Public Accountants found that 55 percent of people between the ages of 25 and 34 maintain an interest-bearing account or other savings instrument, a decrease of 10 percent since 1985;

Whereas studies show that as many as 10,000,000 households in the United States are ''unbanked'' or are without access to mainstream financial products and services;

Whereas expanding access to the mainstream financial system provides individuals with lower-cost and safer options for managing finances and building wealth and is likely to lead to increased economic activity and growth;

Whereas public, consumer, community-based, and private sector organizations throughout the United States are working to increase financial literacy rates for Americans of all ages and walks of life through a range of outreach efforts, including media campaigns, websites, and one-on-one counseling for individuals;

Whereas Members of the United States House of Representatives established the Financial and Economic Literacy Caucus (FELC) in February 2005 to (1) provide a forum for interested Members of Congress to review, discuss and recommend financial and economic literacy policies, legislation, and programs, (2) collaborate with the private sector, nonprofits, and community-based organizations, and (3) organize and promote financial literacy legislation, seminars, and events, such as ''Financial Literacy Month'' in April 2007 and the annual ''Financial Literacy Day'' fair on April 24, 2007; and

Whereas the National Council on Economic Education, its State Councils and Centers for Economic Education, the Jump$tart Coalition for Personal Financial Literacy, its State affiliates, and its partner organizations, and JA Worldwide have designated April as Financial Literacy Month to educate the public about the need for increased financial literacy for youth and adults in the United States: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of Financial Literacy Month, including raising public awareness about the importance of financial education in the United States and the serious consequences that have resulted from a lack of understanding about personal finances; and

(2) requests that the President issue a proclamation calling on the Federal Government, States, localities, schools, nonprofit organizations, businesses, other entities, and the people of the United States to observe the month with appropriate programs and activities with the goal of increasing financial literacy rates for individuals of all ages and walks of life.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATSON. Mr. Speaker, the importance of financial and fiscal responsibility cannot be overstated. Personal financial literacy is essential to ensure that individuals are prepared to manage money, credit and debt and become responsible workers, heads of households, investors, entrepreneurs, business leaders and citizens. That is why I am pleased to support H. Res. 273.

Personal savings as a percentage of personal income decreased from 7.5 percent in the early 1980s to a negative 0.2 percent in the last quarter of 2005.

As the resolution notes, 92 percent of college students acquire at least one credit card by their second year in college, yet only 26 percent of people between the ages of 13 and 21 reported that their parents actively taught them how to manage money.

The Jump$tart Coalition for Personal Financial Literacy seeks to improve the personal financial literacy of young adults. Jump$tart's purpose is to evaluate the financial literacy of young adults and to develop, disseminate and encourage the use of financial education standards for grades K–12 and promote the teaching of personal finance.

To that end, Jump$tart has established 12 must-know personal financial principles for young people to improve their financial future. These 12 principles should be followed by adults as well.

The 12 financial principles stressed during the Financial Literacy Month for Youth are map your financial future;

Do not expect something for nothing, and high returns equal high risk;

Know your take-home pay, compare interest rates, pay yourself first, and money doubles by the rule of 72; to determine how long it would take your money to double, divide the interest into 72;

And your credit past is your credit future;

Start saving young, stay insured, budget your money, do not borrow what you cannot repay, and let me add one more thing, pay all your taxes.

Mr. Speaker, I am pleased to support this resolution supporting the goals of Financial Literacy Month and urge all my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

Today many Americans do not know how to balance a checkbook, intelligently invest their money or financially plan for their retirement. Studies have shown that few young adults living in this country know how to responsibly use a credit card. This is a time when debt is on the rise and savings have dropped to negative 1 percent of personal income. It is clear that teaching financial literacy is imperative for individuals to learn how to manage their money, credit and debt.

While many States require high schools to teach financial education, increased economic education is still necessary. H. Res. 273 recognizes the goals and ideals of Financial Literacy Month and raises awareness of the importance of financial education. It is our hope that the President calls on the government, States and other organizations to observe the month with relevant programs and activities supporting financial education.

Learning about saving and investing is especially important for today's young generation because of the uncertainty of the future of Social Security. More so than ever, private savings play a larger role in determining one's retirement. While there may be Social Security reform in the coming years, everyone must be able to adequately plan their savings for the future.

Financial education has proven to be very effective. Simple projects such as stock market simulations help young people understand how to invest in stocks, bonds and mutual funds. It is our hope they will retain these skills when they begin investing their own money.

Organizations such as the Jump$tart Coalition for Personal Finance Literacy help spread awareness, especially in school-age children. The National Council on Economic Education has established many programs which give teachers the tools to teach their students basic economic skills and help them apply their knowledge to daily life. These groups recognize the need for more widespread financial literacy, but it is necessary for Congress to place more emphasis on this idea and encourage other organizations to begin to participate in this movement as well.

With a solid background knowledge of financial literacy, we can raise America's youth to become responsible employees, heads of households, investors, entrepreneurs and business leaders.

Mr. Speaker, I reserve the balance of my time.

Ms. WATSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, I rise in strong support of House Resolution 273 that the gentlewoman from Illinois (Mrs. BIGGERT) and I introduced earlier this year. The legislation supports the ideas and goals of Financial Literacy Month, which falls in April of each year.

Before I proceed, I want to take this opportunity to thank my good friend and colleague, Congresswoman WATSON from California, for managing time on this resolution for our side of the aisle. I also want to take this opportunity to thank all of my Democratic colleagues who cosponsored this important resolution this year.

Together with the tremendous number of cosponsors Congresswoman BIGGERT obtained, we broke our old record of 91 cosponsors and garnered the support of 118 Members of Congress for this bill.

I am very pleased with this development. It shows that an increasing number of Members of Congress are beginning to see the light and come on board

the financial literacy cause with me and Congresswoman BIGGERT.

It is imperative that we, in Congress, pay more attention to the financial literacy rates of our citizens from prekindergarten all the way to retirement. The sooner that a person begins to learn good saving habits, the better off he or she will be in the future.

I am especially pleased and honored to inform you that 18 cities and three counties in my congressional district have issued proclamations honoring April 22–28, 2007, as National Financial Literacy Awareness Week.

The cities, in alphabetical order, include the following: Beeville, Combes, Cuero, Donna, Edcouch, Edinburg, Falfurrias, Goliad, Harlingen, La Feria, La Villa, Mathis, McAllen, Mercedes, Pharr, Primera, Santa Rosa, Weslaco. It also includes three counties, which are as follows: Duval County, Jim Wells County and Karnes County.

□ 1430

Mr. Speaker, I also want to take this opportunity to thank several State legislatures for realizing the importance of financial literacy by taking action to address the diminishing understanding of basic finance by U.S. high school students.

A study completed in 2006 by the Jump$tart Coalition for Personal Financial Literacy found that high school seniors know less about principles of basic personal finance than high school seniors did 7 years earlier, and the average scores in both years were failing. Our high school seniors are failing basic finance.

Add to that the fact that 55 percent of college students acquire their first credit card during their first year in college, and 92 percent of college students acquire at least one credit card by their second year in college, yet only 26 percent of people between the ages of 13 and 21 reported that their parents actively taught them how to manage money. Add all that together, and you have got a recipe for serious financial troubles down the road for college graduates.

Luckily, in recent years State legislatures around the country have increasingly recognized the importance and effectiveness of financial education. As a result, an increasing number of States now require financial education during high school. I hope my colleagues and their staff are taking note of this because the following States now require high school students to pass some form of financial education or literacy courses before they can graduate. Those States include the following: Alabama, Georgia, Idaho, Illinois, Kansas, Kentucky, Louisiana, Missouri, New York, North Carolina, Ohio, South Carolina, my great State of Texas, Utah, Virginia, and West Virginia.

I strongly recommend that my colleagues contact their State legislators and encourage them to impose similar requirements.

Mr. Speaker, every day consumers deal with money from balancing a checking account to shopping for a mortgage or auto loan, researching a way to pay for a college education, checking credit card statements, saving money for retirement, understanding a credit report, or simply deciding whether to pay cash or charge a purchase. The list goes on and on and on. Many consumers do not really understand their finances.

Now that we know that high school students are failing basic financial literacy exams, it is even more disconcerting to learn that adults are not faring much better. High bankruptcy rates, foreclosures on homes, increased credit card debt, data security breaches, and identity theft make it imperative that all of us take an active role in providing financial and economic education during all stages of one's life.

Every year we here in Congress discuss the future insolvency of Social Security, Medicare, and Medicaid; and that concerns me considerably. But now that I have done some additional research into the demographics and financial standing of the baby boomers, I was shocked to learn that the personal savings as a percentage of income dropped a negative 1 percent in 2006, the lowest since the Great Depression. Even worse, the average baby boomer has only $50,000 in savings for retirement apart from equity in their homes.

These are very serious and disturbing facts that we and our State counterparts must address, and soon. To address these problems and others, I cofounded and currently cochair the Congressional Financial and Economic Literacy Caucus with Congresswoman JUDY BIGGERT. The caucus seeks to address these issues head on by increasing public awareness of poor financial literacy rates and working to find the ways and means to improve those rates. The caucus has provided a forum for my colleagues to promote policies that advance financial literacy and economic education.

It is my hope that through the Financial and Economic Literacy Caucus we can continue to further educate Americans about financial and economic topics ranging from the importance of saving, reducing credit card debt, obtaining a free annual credit report, avoiding payday lenders, check cashers, and especially these days predatory lenders. Hopefully the caucus can teach individuals to take care of their finances, to lead them down the path to the American Dream of homeownership.

Mr. Speaker, I include for printing in today's RECORD letters in support of this resolution. They include letters from JA Worldwide; National Council on Economic Education; Financial Planning Association, Independent Bankers Association of Texas; MasterCard; the American Institute of Certified Public Accountants; the National Association of Mortgage Brokers; Networks Financial Institute; North American Securities Administrators Association. It includes HSBC, the Independent Community Bankers of America; Housing Assistance Council; National Association of Federal Credit Unions. It includes Capital One; as well as Visa; Charles Schwab Foundation; Financial Services Forum; Financial Services Roundtable, National Association of Realtors; Girls, Incorporated; AFSA Education Fund; Countrywide, First Nations Oweesta Corporation, Native Americans. It includes National Association of Affordable Housing Lenders; America's Community Bankers; Community Bankers Association; Consumer Mortgage Coalition; Texas Credit Union League; State Farm Insurance Company, Freddie Mac; Wells Fargo; and the National Youth Involvement Board.

Mr. Speaker, several of these groups will be participating in the Financial Literacy Day Fair that will take place April 24 from noon to 4 p.m. here on the Hill at the Cannon Caucus Room. It is my understanding that over 50 different groups will present their financial literacy products, their programs, and ideas during the fair. The last time we hosted the event, over 500 people attended the event not only to take advantage of the free financial literacy advice but also to enjoy a wonderful buffet. I encourage my colleagues and their staff to attend the Financial Literacy Day Fair. Again, I repeat, it will be held April 24 from noon to 4 p.m. in the Cannon Caucus Room and lunch will be served.

On the same day, April 24, at 3 p.m. in room 2220 of the Rayburn House Office Building, the Financial and Economic Literacy Caucus is collaborating with Visa on a different financial literacy event. Visa is bringing Jean Chatzky to the Hill to provide some financial advice and respond to questions. Both Members and staff are invited to this event at 2220 Rayburn from 3:30 to 5 p.m., which I believe will be beneficial and a huge success.

In closing, Mr. Speaker, our country is suffering financially, and our constituents are not armed with the tools they need to provide for a good future. For these reasons and more, I encourage my colleagues to support this resolution.

JUNIOR ACHIEVEMENT
WORLDWIDE HEADQUARTERS,
Colorado Springs, CO, April 9, 2007.

Hon. RUBEN HINOJOSA,
Rayburn House Office Building, House of Representatives, Washington, DC.

Hon. JUDY BIGGERT,
Longworth House Office Building, House of Representatives, Washington, DC.

DEAR REPRESENTATIVES HINOJOSA AND BIGGERT: On behalf of JA Worldwide™ and our 1,400 associates and 138,700 classroom volunteers around the country, I want to express our full-fledged support for H. Res. 273. This resolution supporting the goals and ideals of Financial Literacy Month once again demonstrates your leadership in promoting financial literacy and economic education.

With personal bankruptcies and debt continuing to soar, we believe that it is critical

that financial literacy education continue to place a high priority on targeting America's youth. According to the 2007 JA Worldwide Poll on Personal Finance, more than 75 percent of teens nationwide say they influence their parents' buying decisions, while nearly 29 percent of 18- and 19-year olds say they already own and use their own credit cards. The earlier we can provide youth with tools, tips, and strategies to help them successfully manage their finances, the better off our country will be.

I also would like to congratulate you both for your continued leadership of the Financial and Economic Literacy Caucus, and for your commitment to events such as this month's Financial Literacy Day on the Hill. As the nation's oldest and largest organization dedicated to promoting economic education and financial literacy, JA Worldwide stands ready to assist you and the caucus in advancing the goals of H. Res. 273.

Thank you again for your resolve in championing the importance of a financially literate society. We look forward to working with you in the future to advance this critical issue.

Sincerely,

DAVID S. CHERNOW,
President and CEO, JA Worldwide.

NATIONAL COUNCIL ON ECONOMIC EDUCATION,
March 27, 2007.

Hon. RUBEN HINOJOSA,
House of Representatives, Rayburn House Office Building, Washington, DC.
Hon. JUDY BIGGERT,
House of Representatives, Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVES HINOJOSA AND BIGGERT: On behalf of the National Council on Economic Education (NCEE) I am writing to express my support for H. Res. 273, a Resolution Supporting the Goals and Ideals of Financial Literacy Month. I want to commend you and your colleagues for once again highlighting the importance of financial and economic education.

The NCEE believes that our young people deserve to know about the economic system they will be laboring in, contributing to, benefiting from, and ultimately, inheriting. Since our founding, we have learned that economic and financial literacy, taught early, often, and well, is a key factor in our nation's future success in the global economy. Our charge is to ensure that young people have the tools to embrace an ''economic way of thinking'', a critical skill that will help them make informed decisions based on rational, ethical inquiry.

H. Res. 273 provides an important and timely ''call to action'' from the House of Representatives to improve financial and economic literacy. The first step to address the challenges described in the resolution is to provide our elementary and secondary students with the solid grounding in the fundamentals of economics and personal finance that will lead to sound decisions through life. H. Res. 273 correctly recognizes that ''personal financial management skills and lifelong habits develop during childhood,'' and that it is also essential to increase ''financial literacy rates for individuals of all ages and walks of life.''

We look forward to continuing to work with both of you, along with the House Financial and Economic Literacy Caucus, and all Members of the House and Senate, to achieve the goals reflected in H. Res. 273.

Thank you again for your consistent leadership on this critical issue.

Sincerely,

ROBERT F. DUVALL,
President & CEO.

FPA COMMENDS REPRESENTATIVES HINOJOSA AND BIGGERT FOR SUPPORTING FINANCIAL LITERACY MONTH

DENVER, Apr. 10.—The Financial Planning Association® (FPA®) strongly supports the bipartisan congressional resolution (H. Res. 273) designating April as ''Financial Literacy Month'' co-sponsored by Representative Rubén Hinojosa (D–Texas) and Representative Judy Biggert (R–Ill.). This resolution seeks to raise public awareness about the importance of financial education in the U.S. Throughout the month and across the country, FPA has committed to increasing the public's awareness about the importance of financial education and financial planning.

In observance of Financial Literacy Month, FPA has planned a host of programs and activities to increase financial literacy for individuals of all ages and walks of life. Some of these events include:

April 5—FPA participated in a financial literacy panel featuring Senator Wayne Allard (R–Colo.) at the University of Colorado in Boulder.

April 11—FPA panelist will speak to Capitol Hill staff on issues surrounding retirement and Thrift Savings Plans in conjunction with the Savings Coalition.

April 12—Financial education seminar at the Teen Center in Capital Heights, Md.

April 13—Reverse mortgages seminar at Point East Senior Condominium in Aventura, Fla.

April 13—Presentation for soon-to-be law graduates at University of Michigan School of Law.

April 18—Investing presentation at Wachovia in Richmond, Va.

April 18—Investing presentation at Nexus in Plymouth, Minn.

April 18 and May 9—Forging your financial future, budgeting and investing presentations at the Bronx Community College in New York.

April 19—Tax planning, investment and wealth building seminar for the Black Law Students Association at Yale Law School in New Haven, Conn.

April 24—Participate in exhibit hall at the Financial Literacy Fair sponsored by Jump$tart Coalition in Washington, D.C.

April 25—Budgeting presentations for the Greater Washington Jump$tart Coalition in 17 public high schools in the Washington, D.C. public school system.

April 26—Financial planning 101 presentation at the St. Charles Public Library in St. Charles, Ill.

FPA highly commends Representative Hinojosa and Representative Biggert for leading the Congressional efforts to encourage financial education.

IBAT EDUCATION FOUNDATION,
April 11, 2007.

Hon. RUBÉN HINOJOSA,
Hon. JUDY BIGGERT,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVES: The Independent Bankers Association of Texas (IBAT), representing over 500 community banks and thrifts, is pleased to wholeheartedly and enthusiastically support House Resolution 273.

A financially literate populace is of paramount importance to the continued economic prosperity of our country and its citizens. The IBAT Main Street Foundation was created to foster and promote the goals outlined in this resolution, and our membership is committed to delivering financial education in a number of venues.

We are especially pleased with a new collaborative agreement with Junior Achievement, with a strong focus on financial education.

We applaud you for your multiple initiatives in this important area, and very much appreciate the support of the many co-sponsors and supporters of this resolution.

We look forward to working together with you and others who share the passion of enhancing the financial knowledge and expertise of our citizenry.

Sincerely,

MARY LANGE, CAE,
President, IBAT Education Foundation.

AICPA SUPPORTS HOUSE RESOLUTION ON APRIL AS FINANCIAL LITERACY MONTH

NEW YORK, NY, Apr. 10, 2007.—The American Institute of Certified Public Accountants (AICPA) strongly endorses the bi-partisan Congressional resolution (H.R. 273) supporting April as ''Financial Literacy Month.'' This resolution raises awareness about the critical need for financial education in the United States and encourages government, as well as the private sector, to collaborate on this important public service issue.

''The CPA profession is dedicated to improving the financial literacy of all Americans,'' said Barry C. Melancon, AICPA President and CEO. ''The AICPA applauds Reps. RUBÉN HINOJOSA (D–TX) and JUDY BIGGERT (R–IL) and the more than 100 co-sponsors of this resolution for their concern and recognition that a financially educated citizenry is essential to the strength of our country.

''Across the nation, our members are volunteering in their communities every day to help educate Americans about managing their personal finances more effectively. By volunteering in America's schools, providing financial management workshops for deployed soldiers and their spouses, helping protect senior citizens from financial abuse, and many other examples, CPAs are sharing their time and expertise to get Americans moving in the right financial direction.''

The CPA profession is actively committed to improving Americans' financial understanding. In 2004, the AICPA launched 360 Degrees of Financial Literacy (www.360financialliteracy.org) to help Americans understand how financial issues affect them at different life stages. In 2006, the Institute debuted a related campaign with the Ad Council, Feed the Pig™ (www.feedthepig.org), for 25–34-year-olds. A study commissioned by the AICPA found that Americans in this particular age group have seen their median net worth decline over the past 20 years despite increases in income. Moreover, they seem to be willing to take on greater amounts of unsecured debt.

The American Institute of Certified Public Accountants (www.aicpa.org) is the national, professional association of CPAs, with approximately 330,000 members, including CPAs in business and industry, public practice, government, and education. It sets ethical standards for the profession and U.S. auditing standards for audits of private companies; federal, state and local governments; and non-profit organizations. It also develops and grades the Uniform CPA Examination. Headquartered in New York, the AICPA also maintains offices in Washington, D.C.; Durham, N.C.; and Lewisville, TX.

CAPITAL ONE FINANCIAL CORPORATION,
McLean, Va, April 9, 2007.

Hon. RUBEN HINOJOSA,
House of Representatives, Rayburn House Office Building, Washington, DC.
Hon. JUDY BIGGERT,
House of Representatives, Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVES HINOJOSA AND BIGGERT: On behalf of Capital One, I am writing to express our strong support for H. Res. 273 and its affirmation of the goals and ideals of financial literacy month.

The legislation highlights the importance of greater financial literacy skins for all individuals: ''personal financial literacy is essential to ensure that individuals are prepared to manage money, credit, and debt, and become responsible workers, heads of households, investors, entrepreneurs, business leaders, and citizens.'' For several years, Capital One has been a proud supporter of the bill's fundamental principles.

Capital One has an on-going commitment to bettering financial literacy skills in communities across the country. We are particularly proud of our multi-faceted program to develop and deliver financial education to low- and moderate-income populations and others within our local communities and across the country. This program is described below.

Highlights of Capital One's comprehensive efforts in financial education and its partnerships follow:

Finance Park. In 2006, Capital One partnered with Junior Achievement Worldwide to create a signature program—Capital One/Junior Achievement Finance Park—to introduce seventh—and eighth-grade students to money management basics. This unique, mobile program traveled to select cities to provide students the opportunity to experience a day-in-the-life of an adult. The goal is to prepare students to make wise financial decisions. The mobile unit will travel to a number of additional markets in 2007.

MoneyWi$e with Consumer Action. More than five years ago, Capital One partnered with Consumer Action to launch MoneyWi$e, a national literacy partnership. It is the first program to combine free, multilingual financial education materials with community training and seminars. Since 2001, regional conferences have delivered training to more than 400 CBOs from 27 states. Together with Consumer Action, Capital One has also established a stipend program to help ensure that CBOs have access to the resources they need to conduct financial education programs and outreach in their communities.

As a result of this partnership, Capital One has been able to facilitate the distribution of more than 1.5 million free financial education brochures in five languages through a network of 7,300 CBOs nationwide. The program addresses financial literacy across both income and ethnic barriers. All information is provided for free.

Jump$tart Coalition. Together with the Jump$tart Coalition for Personal Finance, Capital One works with local and state governments to include a financial education curriculum in public school systems nationwide. Capital One also played a very active role in helping to form a Coalition in Virginia—and Capital One has co-sponsored the Coalition's annual summit for the past two years.

MoneyWi$e University. To help give students the information they need to become financially responsible, Capital One introduced MoneyWi$e University, a program to teach responsible spending and basic money management skills to college-aged students. Developed in partnership with Visa and first introduced on campuses in 2002, the MoneyWi$e University curriculum educates college students about the fundamental elements of credit and budget management. MoneyWi$e University has provided personal instruction to hundreds of students on five campuses around the country.

Ongoing Local Efforts. Capital One has an ongoing program through which associates present financial education seminars directly to clients of local community development organizations.

Through partnerships with leading national non-profit organizations, a grassroots approach to training non-profits to lead Capital One programs on a local level, and direct delivery of financial education to local non-profit organization clients, Capital One has a multi-faceted and comprehensive approach to improving financial literacy. Links to our programs can be found at www.capitalone.com/financialeducation.

Again, we would like to thank you for your introduction of H. Res. 273 and your ongoing leadership with the Financial and Economic Literacy Caucus in Congress.

Sincerely,

LARRY STEIN,
Senior Vice President, Policy Affairs.

NATIONAL ASSOCIATION OF REALTORS®,
Washington, DC, April 13, 2007.

Hon. RUBÉN HINOJOSA,
House of Representatives, Rayburn House Office Building, Washington, DC.

Hon. JUDY BIGGERT,
House of Representatives, Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVES HINOJOSA AND BIGGERT, I am writing on behalf of over 1.3 million members of the National Association of REALTORS® to convey our support for H. Res. 273, a resolution supporting the goals and ideals of Financial Literacy Month. We also commend you and your colleagues for your commitment to raising public awareness about the importance of financial education in the United States.

As you know, our Nation's finance system offers access to capital and credit to consumers of almost every economic condition, which has significantly contributed to the highest homeownership rates in our Nation's history. Homeownership is the primary source of a household's net worth and the fundamental first step toward accumulating personal wealth.

For most households, purchasing a home is one of the largest financial transactions they will ever make. However, research reports indicate that many Americans lack the financial knowledge that empowers them to make sure their American dream does not turn into a nightmare. For example, Center for Responsible Lending found that an overwhelming majority of consumers can not calculate interest charges on a loan and the Federal Reserve recently reported that almost half of borrowers with adjustable rate mortgages (ARMS) do not know the potential maximum interest rate for their loan.

REALTORS® believe that financial education is an important defense to helping prevent consumers from getting into abusive mortgages that will undoubtedly be financially destructive. NAR, in partnership with the Center for Responsible Lending, has issued three consumer education brochures, ''How to Avoid Predatory Lending,'' ''Specialty Mortgages: What Are the Risks and Advantages?'' and ''Traditional Mortgages: Understanding Your Options.'' The brochures emphasize how important it is for consumers to make sure they fully understand how traditional non-traditional mortgages work before deciding which is the right choice and how to avoid the pitfalls and entrapments of predatory loans.

In addition to NAR's consumer education materials, many of our state and local associations have high-profile financial education programs in partnership with cities and community groups. Some examples include:

In Maryland, a number of local REALTOR® associations, including in Anne Arundel County, Howard County, Prince George's County, and the Greater Baltimore Board of REALTORS® have partnered with Freddie Mac to develop CreditSmart, a credit education workshop. REALTORS® instructors teach the course to renters, homebuyers, students, and others, on how to manage critical money skills. The skills that course participants obtain help point them in the right direction to managing credit and saving to buy a home.

In 1996, the Illinois Association of REALTORS® organized the Partnership for Home-Ownership, Inc. to help assist low-income rural Illinois residents achieve the dream of homeowners hip. The Partnership has administered several multi-million dollar mortgage programs (in excess of $130 million), provided pre-purchase homebuyer counseling to over 1,500 Illinois residents, and is a HUD approved housing counseling agency. The Partnership also recently oversaw the development of a high school financial educational Web site that is available both in English and in Spanish.

In Arkansas, the Fort Smith Board of Realtors® and the city of Forth Smith have teamed up to create a homebuyer assistance program. Participants receive credit counseling and mortgage readiness education. The program also offers a five-week financial fitness course on budgeting, money management, credit and avoiding predatory lending. Since 1997, more than 200 families have purchased a home as a result of the program.

NAR stands ready to work with you and the members of the Financial and Economic Literacy Caucus to promote the goals of H. Res. 273 and to support a national strategy focused on helping improve the financial education of all Americans.

Sincerely,

JERRY GIOVANIELLO,
Senior Vice President.

Ms. FOXX. Mr. Speaker, I yield as much time as she may consume to my distinguished colleague from the State of Illinois (Ms. Biggert), the cosponsor of this legislation.

Mrs. BIGGERT. I thank the gentlewoman for yielding.

Mr. Speaker, I rise today in support of House Resolution 273, to designate April as Financial Literacy Month. This will be the fourth year that I have had the pleasure of working with my friend and colleague and fellow Chair of the House Financial and Economic Literacy Caucus, Mr. HINOJOSA, to promote the goals and ideals of Financial Literacy Month.

I am amazed at the progress that we have made so far over the last few years in raising awareness about the importance of greater financial literacy and economic education. Hundreds, if not thousands, of public-private sector, nonprofit, and community-based organizations across the country have established financial literacy programs. More than 50 of them will be on hand in the Cannon Caucus Room on April 24 to share the benefits of their knowledge and experience at the annual Financial Literacy Day Fair, and I encourage all of our colleagues to attend and learn more about these important efforts.

As Mr. HINOJOSA mentioned, we have received dozens of letters in support of these efforts and this Financial Literacy Month resolution from various financial and educational organizations. And I think that this year we have set a new standard for unity on this issue, with well over 100 Members of Congress co-sponsoring this resolution. In doing so, I think we send a clear, unambiguous message that the

House is committed to addressing one of America's most pressing needs.

And while we have made great strides in raising awareness, the need for improved financial education has never been greater. According to the Federal Reserve, consumer debt in America now exceeds $2.4 trillion. According to the Department of Commerce, the personal savings rate in America recently dropped to negative 1.1 percent, a level that has not been seen since the Great Depression.

The fact is that today's marketplace abounds with options for managing wealth. Credit and investment opportunities are presented to consumers on a daily basis. For instance, by the time they reach their second year in school, the vast majority, 92 percent, of American college students have at least one credit card, and yet just a small fraction of those students have sat down with their parents and learned the basic principles of money management, like compound interest and supply and demand.

We have a responsibility to ensure that Americans of all ages have access to the tools and resources they need to capitalize on their investment choices, succeed in today's sophisticated economic market, and enjoy a secure financial future. And the key to this success continues to be basic financial education starting early, during grades K through 12.

It is a testament to the progress we are making that 38 States now include personal finance education in their curriculum guidelines. But we must continue building on this progress if we are to help today's students become tomorrow's successful investors, entrepreneurs, and business leaders.

The Financial Literacy and Education Commission established by Congress in the Fair and Accurate Credit Transaction Act of 2003 recently held a national summit to develop better methods of teaching money management skills. I look forward to working with my colleagues on the Education and Labor Committee to implement and enhance economic education initiatives as we work to reauthorize No Child Left Behind in the coming year.

I also look forward to working with my colleagues on legislation that will put young Americans on the path to an affordable education and a firm financial future.

At the start of the 110th Congress, I introduced one such bill, H.R. 87, the 401 Kids Family Savings Act of 2007. This bill will allow parents and family members to set aside money in a child's account that will accumulate interest tax free and can be used for college tuition, a first home, or even retirement.

Mr. Speaker, it is critically important that families have access to effective savings mechanisms like these if they are to secure their financial futures. But it is even more important that Americans have the know-how and motivation to use them, and that is the goal of the Financial Literacy Month and the resolution before us today.

Mr. Speaker, I would like to take this opportunity to thank my good friend and distinguished colleague from Texas (Mr. HINOJOSA) for introducing this resolution and for his dedication to improving financial literacy. I also would like to thank Mr. HINOJOSA's staff, especially Greg Davis, for all their hard work, diligent work in bringing this resolution to the floor. I would also like to thank the chairman and ranking member of the Oversight and Government Reform Committee, Mr. WAXMAN and Mr. TOM DAVIS, for helping to move this resolution through their committee in such a timely and bipartisan manner. And, finally, I would like to thank the gentlelady from California (Ms. WATSON) and the gentlelady from North Carolina (Ms. FOXX) for their support and for managing this resolution on the floor.

Mr. Speaker, I strongly support this resolution, and I urge my colleagues to do the same.

Mr. HINOJOSA. Mr. Speaker, I submit the following letters regarding H. Res. 273, "Supporting the Goals and Ideals of Financial Literacy Month":

MASTERCARD WORLDWIDE,
Washington, DC, April 13, 2007.

Hon. RUBÉN HINOJOSA,
House of Representatives, Washington, DC.
Hon. JUDY BIGGERT,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVES HINOJOSA AND BIGGERT: I am writing to communicate MasterCard Worldwide's strong support for House Resolution 273, which highlights the goals and promotes the spirit of financial literacy month.

MasterCard Worldwide shares your vision of increasing financial literacy, illustrated by our various consumer education programs. Specifically, MasterCard has developed two programs called Debt Know How and Are You Credit Wise? which target consumers at different stages of their financial lives and aims to increase successful financial planning.

By offering consumers easy-to-understand tips and resources to increase their financial planning efforts, MasterCard's Debt Know How program helps consumers successfully manage debt. The program was developed in conjunction with the University of Minnesota Extension Service and is available in both English and Spanish. Debt Know How is offered in both a "trainer the trainer" format for community leaders as well as in a direct-to-consumer format design to reach families currently struggling with debt.

Are You Credit Wise? is MasterCard's consumer education program which aims to increase financial literacy rates among America's college students by teaching successful financial planning skills. The program employs a peer-to-peer teaching model to maximize its effectiveness, as college students are more inclined to listen and act upon information coming from their peers than from parents, teachers or counselors. In its eighth year, the Are You Credit Wise? program has reached more than 420,000 students on 58 college and university campuses in the U.S. and Canada.

We once again applaud your leadership and your tireless efforts to improve the lives of the American people through increased financial literacy.

Sincerely,

JOSHUA PEIREZ,
Group Executive, Global Public Policy.

NAMB,
Washington, DC, April 10, 2007.

Hon. RUBÉN HINOJOSA,
House of Representatives, Washington, DC.
Hon. JUDY BIGGERT,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN HINOJOSA AND CONGRESSWOMAN BIGGERT: On behalf of the 27,000 members of the National Association of Mortgage Brokers (NAMB), I would like to thank you and your colleagues for your work on House Resolution 273, supporting the goals of National Financial Literacy Month.

At a time when home buyers and consumers face the hurdles of a complicated marketplace and predatory lenders, your work educating consumers is invaluable. As you know, an educated consumer is a protected consumer.

As H.R. 273 makes clear, smart financial management is the result of a lifetime of sound spending habits and financial education. Encouraging consumers to develop these good habits is essential to ensuring strong credit and a healthy financial outlook.

NAMB joins you in our dedication to maintaining the highest commitment to consumer education on mortgage and home-buying issues. Our members work to improve the financial understanding of consumers across the country in a variety of ways. First, our work with Freddie Mac's CreditSmart and CreditSmart Español has helped lower-income workers and families better manage their financial futures. Second, we inspire a commitment to consumer education in the next generation of mortgage brokers through our work with Delta Epsilon Chi (DECA). DECA is an international association of high school and college students studying business and entrepreneurship.

NAMB applauds your commitment to this issue and your dedication on behalf of consumers and across the Nation. We salute your efforts to improve the lives and financial futures of hard-working Americans.

Sincerely,

HARRY DINHAM,
President, National Association of Mortgage Brokers.

NETWORKS FINANCIAL INSTITUTE,
Indianapolis, IN, April 10, 2007.

Hon. RUBÉN HINOJOSA,
House of Representatives, Washington, DC.
Hon. JUDY BIGGERT,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVES HINOJOSA AND BIGGERT: On behalf of Networks Financial Institute at Indiana State University (NFI), I am writing to express our strong support for H. Res. 273 as well as our appreciation for your leadership on the critical issue of financial literacy.

In recent years, the need to improve financial literacy has gained a significant amount of attention as Americans save less for their retirement and spend more of their disposable income. In our consumer oriented society, long-term saving and investing for retirement have become overlooked priorities and resulted in unsustainable credit card debt and personal bankruptcies. This trend has the potential for long term negative consequences on the well being of both individual households and our nation's economic stability.

NFI works diligently to effect positive change in the financial literacy of all Americans through our research, collaboration,

and implementation of financial literacy education programs. A deep body of research exists that shows the importance of introducing literacy skills as early in a child's cognitive development as possible. This continuum of learning extends to financial literacy. As such, NFI is committed to providing financial literacy education to all age levels beginning in early childhood. Parents and teachers are in the best position to shape the knowledge and behaviors of future consumers, and to give children the foundation they need to make the best financial literacy choices.

NFI commends you for the very crucial role you play in the financial education of Americans, and we look forward to continuing to work with you and your colleagues in the House Financial and Economic Literacy Caucus to insure that the goals and ideals of Financial Literacy Month are realized each and every day.

Sincerely yours,

ELIZABETH A. COIT,
Executive Director.

Washington, DC, April 12, 2007.

Hon. RUBÉN HINOJOSA,
House of Representatives, Washington, DC.
Hon. JUDY BIGGERT,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVES HINOJOSA AND BIGGERT: HSBC–North America strongly supports H. Res. 273, a resolution supporting the goals and ideals of Financial Literacy Month. On behalf of HSBC, I would like to commend you and Congresswoman Biggert for your ongoing efforts to highlight the importance of financial literacy at the national level.

As an industry leader, HSBC champions several issues important to consumers, including financial education. Through the Center for Consumer Advocacy, a repository of information on financial literacy education, insights, and guidance, HSBC continues its commitment to improving America's financial literacy rates.

Signature initiatives include:

YourMoneyCounts.com—HSBC's consumer education website provides information in a broad range of financial and money management topics. There are over 1,900 site visitors per month.

Adult Financial Literacy Workshops—In partnership with the Center for Neighborhood Enterprise (CNE), HSBC provides financial education workshops at numerous community locations. More than 5,000 families were educated in 2006.

Financial Education Grant Program—HSBC provides $1 million in grant funding to support consumer financial education, credit management, and home buyer counseling programs. These programs are provided by twelve organizations in nine states, and assisted more than 164,000 families in 2006.

YourFutureCounts—In partnership with the Society for Financial Education and Professional Development (SFED), HSBC presents credit management and personal financial management seminars in Historically Black Colleges and Universities (HBCU) campuses nationwide. More than 11,000 students have attended seminars since the program's inception in 2005.

Additionally, during Financial Literacy month, HSBC will host and participate in many financial literacy activities across the nation, including Capitol Hill, that help Americans gain critical information necessary to successfully manage their personal finances. For example, once again this year, HSBC will serve as a lead sponsor of the Federal Reserve Bank's Chicago Money Smart Week from April 30–May 5. We are proud of our involvement in this important program which offers consumers a wealth of information on how to better manage their personal finances through more than 300 events ranging in topic from credit to home buying to retirement.

We, at HSBC, believe financial education empowers consumers to use credit wisely, build assets and accumulate wealth, providing everyone with an opportunity for a secure and comfortable future.

Your leadership on this issue is essential to raise awareness and to implement a national strategy to improve the money management, credit use, and debt management skills of all individuals. We look forward to continuing to work with you and greatly appreciate your efforts to make financial literacy a nationwide endeavor.

Sincerely,

J. DENIS O'TOOLE,
Senior Vice President, Government Relations HSBC–North America.

[From the Independent Community Bankers of America]

ICBA APPLAUDS REPS. HINOJOSA AND BIGGERT FOR RESOLUTION ON FINANCIAL LITERACY MONTH

WASHINGTON, DC. (April 4, 2007)—The Independent Community Bankers of America (ICBA) strongly supports the bi-partisan congressional resolution (H. Res. 273) designating April as ''Financial Literacy Month,'' which calls on government, non-profit organizations and the private sector to raise public awareness about the importance of financial education in the United States and the serious consequences that can result from a lack of understanding about personal finances.

''Managing money wisely is critical to success in life,'' said James P. Ghiglieri, Jr., ICBA chairman and president of Alpha Community Bank, Toluca, Ill. ''Too many Americans lack the skill and knowledge to make appropriate financial decisions. The more consumers and young adults know, the better they are at managing their finances, and the better they manage their finances, the more likely they are to enjoy a secure financial future.''

ICBA has an on-going commitment to improving financial literacy by encouraging community banks to provide financial education within their communities and by forging government, nonprofit and private-sector partnerships, such as the FDIC Money Smart program, JumpStart Coalition, and Practical Money Skills for Life.

''We commend Reps. Rubén Hinojosa (D–Tex.) and Judy Biggert (R–Ill.), along with the more than 100 cosponsors, for introducing a resolution that supports the goals and ideas of Financial Literacy Month,'' said Ghiglieri. ''Financial education is important for today's consumers so that they can understand and make good decisions when faced with the complex array of financial products and services available.''

NATIONAL ASSOCIATION OF FEDERAL CREDIT UNIONS,
Arlington, VA, April 5, 2007.

Hon. RUBÉN HINOJOSA,
House of Representatives, Washington, DC.
Hon. JUDY BIGGERT,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN HINOJOSA AND CONGRESSWOMAN BIGGERT: On behalf of the National Association of Federal Credit Unions (NAFCU), the only trade organization that exclusively represents the interests of our nation's federal credit unions, I want to thank you for introducing H. Res. 273, in support of the goals and ideals of Financial Literacy Month.

As you know America's savings rate has been steadily decreasing for years. While there is no easy solution to the problem, highlighting the most problematic issues and focusing on creating a comprehensive national plan to improve financial literacy is a very important step forward. NAFCU and its membership was particularly pleased to see Congress acknowledge the importance of increasing financial literacy awareness through the strong bi-partisan support of this resolution. With America's savings rate at its lowest point in years and consumer debt continuing to steadily grow, designating April as Financial Literacy Month is an excellent step in raising public awareness on this important issue.

As I am sure you are already aware, improving financial education and teaching members to invest prudently is a hallmark of the credit union movement. I wanted to take this opportunity to offer NAFCU's expertise in that field should you have any questions regarding the many diverse and unique programs that credit unions offer in this regard. With nearly 800 member credit unions, NAFCU and its members have a number of knowledgeable individuals who have helped design and implement numerous financial literacy programs.

Again, if NAFCU can be of any help to you or the Committee, please contact me or NAFCU Director of Legislative Affairs.

Sincerely,

FRED R. BECKER, Jr.,
President/CEO.

VISA.

Hon. RUBÉN HINOJOSA,
House of Representatives, Washington, DC.
Hon. JUDY BIGGERT,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVES HINOJOSA AND BIGGERT: I am writing to commend you for your efforts on behalf of financial education, and for introducing H. Res. 273, a ''Resolution Supporting the Goals of Financial Literacy Month.''

Visa, through its ''Practical Money Skills for Life'' program, has been working to expand and improve financial literacy for youth in schools, as well as consumers at all stages of life. This award-winning comprehensive educational program includes interactive, computer based activities, as well as plans that can be used by teachers to deliver financial literacy lessons in the classroom.

Visa developed Practical Money Skills for Life in close consultation with educational and nonprofit financial literacy organizations. These materials are available for free through the Internet at http://www.practicalmoneyskills.com/.

Recently, Visa announced its first ever statewide rollout of its ''Financial Football'' program in West Virginia. Financial Football is a popular, interactive computer game that incorporates content from Practical Money Skills for Life, and tests students' knowledge by combining the structure and rules of the NFL with financial education questions.

This statewide rollout, conducted in partnership with West Virginia State Treasurer John D. Perdue, distributed Financial Football game and curriculum CDs to all high schools in the State.

Visa is encouraged by your leadership on financial education issues. We look forward to working with you, the House Financial and Economic Literacy Caucus, your House and Senate colleagues, and the Financial Literacy and Education Commission, to advance this very important cause.

Thank you again for your dedication to improving financial literacy.

Sincerely,

LISA B. NELSON,
Senior Vice President & Director, Government Relations.

THE FINANCIAL SERVICES ROUNDTABLE,
Washington, DC, April 13, 2007.

Hon. RUBÉN HINOJOSA,
House of Representatives, Washington, DC.
Hon. JUDY BIGGERT,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN HINJOSA AND BIGGERT: The Financial Services Roundtable applauds your leadership in introducing House Resolution 273, recognizing the goals and ideals of Financial Literacy Month. We strongly support your efforts to strengthen Americans' understanding of the financial world.

The Roundable considers financial literacy integral to Americans in realizing their dreams by preparing them to save, invest, and manage their money. This resolution highlights the positive impact of sound financial literacy on achieving life's goals. Whether you are just entering the workforce, purchasing your first home or nearing retirement age, everyone can benefit from increased financial awareness and education.

The Roundtable has put in place trusted resources like www.MyMoneyManagement.net and 888–995–HOPE to help consumers. MyMoneyManagement.net is the first industry-wide financial education effort to provide comprehensive information to help Americans with their financial difficulties and direct them to nonprofit credit counselors. 888–995–HOPE is available 24/7 to homeowners in America having trouble paying their mortgage. Homeowners receive free foreclosure prevention counseling by expert counselors at HUD approved agencies.

The Financial Services Roundtable represents 100 of the largest integrated financial services companies providing banking, insurance, and investment products and services to the American consumer. Member companies participate through the Chief Executive Officer and other senior executives nominated by the CEO. Roundtable member companies provide fuel for America's economic engine, accounting directly for $65.8 trillion in managed assets, $1 trillion in revenue, and 2.4 millions jobs.

We thank you for your leadership in recognizing Financial Literacy Month through H. Res. 273. The Roundtable is proud to support this important resolution.

Best regards,

STEVE BARTLETT,
President and CEO.

AFSA EDUCATION FOUNDATION,
Washington, DC, April 12, 2007.

Hon. RUBÉN HINOJOSA,
House of Representatives, Washington, DC.
Hon. JUDY BIGGERT,
House of Representatives, Washington, DC.
Re: Support for House Resolution 273

DEAR REPRESENTATIVE HINOJOSA AND REPRESENTATIVE BIGGERT: The American Financial Services Association Education Foundation (AFSAEF) and AFSA strongly support H. Res. 273—the bi-partisan resolution designating April as Financial Literacy Month. Furthermore, we commend your exemplary leadership in championing financial literacy education for youth and adults.

AFSAEF and AFSA are committed to improving the financial literacy of all Americans and especially our youth through our initiatives. AFSAEF developed and made available free of charge MoneySKILL®, an interactive online personal finance curriculum, aimed at the millions of high school students who graduate each year without a basic understanding of money management fundamentals. It is designed to be used as all or part of their grade for courses in economics, math, or social studies. The 34-module curriculum includes the content areas of income, expenses, assets, liabilities and risk management that is targeted at high school students. A life simulation module asks students to project their own life expectancies regarding jobs, neighborhood, cars, education plans, marriage plans and the number of children they plan to have. The simulation allows students to incorporate MoneySKILL® personal finance concepts into their everyday lives. It challenges them to make the concepts their own, providing them with skills that will last a lifetime.

Since it was introduced, high school teachers in all 50 states have been successfully incorporating MoneySKILL® into their course curricula. In fact, in the past two months teachers from 40 states have enrolled more than 9,100 new students to use the course. Teacher-training workshops have proven to be the most effective way to reach teachers. Currently we have 21 workshops scheduled for this year; more are being added as conference plans are finalized. In addition to MoneySKILL, AFSAEF provides a comprehensive array of financial brochures and ''how to'' materials for use by adults.

AFSAEF and AFSA strongly support the goals of the House Financial and Economic Literacy Caucus and especially your unwavering leadership. We encourage the U.S. House of Representatives to pass H.R. 273.

Sincerely,

M. SUSIE IRVINE,
President and CEO, AFSA Education Foundation.

HOUSING ASSISTANCE COUNCIL,
Washington, DC, April 4, 2007.

Hon. RUBÉN HINOJOSA,
House of Representatives, Washington, DC.
Hon. JUDY BIGGERT,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN HINOJOSA AND CONGRESSWOMAN BIGGERT: Congratulations on your introduction of H. Res. 273, the resolution designating April as Financial Literacy Month. Congratulations also on your outstanding leadership on this vitally important issue. The Housing Assistance Council strongly supports your efforts through your caucus and this resolution to increase awareness about the importance of financial education and economic literacy in our nation.

HAC sees on a regular basis the consequences that can result from a lack of understanding about personal finances. The local housing development nonprofits that HAC assists often have a difficult time qualifying potential homebuyers because of financial and credit problems. In addition, some families that become homeowners may suffer if they do not budget carefully or unwisely borrow against the equity in their homes. These and other problems likely could be avoided if the families and individuals involved learned better personal financial literacy at a younger age, or in pre- and post-purchase counseling.

Please let us know if we can be of any help in your admirable and essential work.

Sincerely,

MOISES LOZA,
Executive Director.

APRIL 11, 2007.

Hon. RUBÉN HINOJOSA,
House of Representatives, Washington, DC.
Hon. JUDY BIGGERT,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVES HINOJOSA AND BIGGERT: On behalf of the Charles Schwab Foundation, I offer my congratulations on your reappointment as Co-Chairs of the Financial and Economic Literacy Caucus for the 110th Congress. I also want to thank you for introducing H. Res. 273, which designates April as ''Financial Literacy Month,'' and for attracting a bipartisan group of more than 100 co-sponsors of the resolution. At Schwab, we share your belief that increasing financial literacy is critically important to ensuring that Americans save more, spend responsibly, and plan for their futures.

As you know, Schwab partners with the Boys & Girls Clubs of America to offer a financial education program, ''Money Matters: Make It Count,'' in teen Clubs around the country. This program of fun, interactive lessons teaches teenagers everything from the basics of opening a savings account and writing checks to managing a budget, getting financial aid for college and even the basics of investing and entrepreneurship. This highly successful program has helped provide financial confidence to more than 40,000 teens in the first two years it was offered. It has also provided a great opportunity for Schwab employees to offer their expertise as teachers, both in the Clubs and in local schools.

The need for improved financial education, particularly for teens, was underscored by the results of Teens & Money, an annual survey released last month by Schwab. We found that teens have lofty expectations about their futures, estimating that they will be earning an average salary of $145,500, despite the fact that only 5 percent of the U.S. population currently earns a six-figure income, and the average national wages are about $40,000. And while 62 percent of teens say that they are prepared to deal with the adult financial world after high school, further probing finds gaps that do not correspond with this confidence. Only 41 percent say they are knowledgeable about how to budget, just 26 percent understand how credit card fees and interest work, and only 24 percent know whether a check-cashing service is a good thing to use. The credit card issue is of particular concern, because our survey found that almost a third (29 percent) of teens have already incurred debt.

The positive news from the survey is that teenagers want to learn more about personal finance. Nearly 90 percent want to learn how to make their money grow, and 60 percent say that learning about money management is a top priority. But teens are not getting the education they need. Just 28 percent are being taught about budgeting, spending and saving by their parents or guardians. Only 24 percent say that their parents have taught them how to use a credit card responsibly. Interestingly, two-thirds of the teens surveyed say they would prefer to learn through experience rather than in the classroom.

To help address these issues, Schwab is launching this month Schwab MoneyWise™, a comprehensive cross-generational package of financial education materials, including a web site, which will offer tools for parents who would like to help their teens learn more about money.

We believe that programs like our partnership with the Boys & Girls Clubs of America and our new MoneyWise initiative are important ways to reach young people, and there are numerous other programs sponsored by other companies and organizations that are

focused on the same goal. We also believe that there needs to be a concerted national effort to raise awareness about the importance of financial literacy. Every level of government, our schools, our private sector companies, our non-profit organizations, and, perhaps most importantly, our parents all have an important role to play. We need to continue to work together to find creative solutions and encourage a national discussion of the basics of financial education. Efforts like designating April as ''Financial Literacy Month'' and the April 24th Financial Literacy Day on Capitol Hill are important parts of this effort, and we are very pleased to support both.

Thank you very much for your leadership on this important issue.

Sincerely,

CARRIE SCHWAB POMERANTZ,
President, Charles Schwab Foundation.

□ 1445

Ms. WATSON. I have no further speakers, Mr. Speaker, and I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, I yield back the balance of my time also.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 273.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. WATSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

VIRGINIA TECH TRAGEDY

(Ms. PELOSI asked and was given permission to address the House.)

Ms. PELOSI. Mr. Speaker, it is with great sadness that I rise to acknowledge that today our country has been struck by a terrible, terrible tragedy. The death toll at Virginia Tech now is reported to be over 30. This is the worst campus shooting in the history of our country.

As the Virginia Tech community struggles with the mourning and questioning that is certain to follow, the continued prayers of this Congress are with the students, their families, the faculty and the staff at Virginia Tech.

Leader BOEHNER joins me in extending our condolences to all concerned. And we ask for a moment of silence to be observed in this body. Would we all please rise to observe the moment of silence.

MOMENT OF SILENCE OBSERVED IN MEMORY OF THOSE SLAIN AT VIRGINIA TECH UNIVERSITY

The SPEAKER pro tempore. Members will rise and observe a moment of silence.

COMMEMORATING THE 85TH ANNIVERSARY OF THE FOUNDING OF THE AMERICAN HELLENIC EDUCATIONAL PROGRESSIVE ASSOCIATION

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 71) commemorating the 85th Anniversary of the founding of the American Hellenic Educational Progressive Association (AHEPA), a leading association for the Nation's 1.3 million American citizens of Greek ancestry, and Philhellenes.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 71

Whereas the American Hellenic Educational Progressive Association (AHEPA) was founded July 26, 1922, in Atlanta, Georgia, by eight visionary Greek immigrants to help unify, organize, and protect against the bigotry, discrimination, and defamation faced by people of all ethnic, race, and religious backgrounds perpetrated predominantly by the Ku Klux Klan;

Whereas the mission of AHEPA is to promote the ideals of ancient Greece, which include philanthropy, education, civic responsibility, and family and individual excellence through community service and volunteerism;

Whereas since its inception, AHEPA has instilled in its members an understanding of their Hellenic heritage and an awareness of the contributions made to the development of democratic principles and governance in the United States and throughout the world;

Whereas AHEPA has done much throughout its history to foster American patriotism;

Whereas members of AHEPA served in the Armed Forces of the United States to protect American freedom and to preserve those democratic ideals that are part of the Hellenic legacy, and specifically in World War II, were parachuted behind enemy lines in Nazi-occupied Greece to help liberate it;

Whereas AHEPA raised more than $253 million for United States War Bonds during World War II, for which AHEPA was named an official Issuing Agent for United States War Bonds by the Department of Treasury, an honor that no other civic organization was able to achieve at the time;

Whereas the members of AHEPA donated $612,000 toward the restoration of the Statue of Liberty and Ellis Island, New York, for which AHEPA received special recognition by the Department of the Interior;

Whereas the AHEPA National Housing Program was awarded $500 million by the Department of Housing and Urban Development for its Section 202 Program that has yielded 4,370 units in 80 properties across 21 states and 49 cities which has provided dignified, affordable housing to senior citizens;

Whereas AHEPA was recognized by the Department of State as an organization that has engaged in ''Track Two Diplomacy'' to foster reconciliation and rapprochement in the Eastern Mediterranean, which is in the best interest of the United States;

Whereas members of AHEPA raised $110,000 for the creation of the George C. Marshall Statue erected on the grounds of the United States Embassy in Athens, Greece in celebration of the historic relationship between the United States and Greece, and in tribute to an outstanding Statesman and Philhellene, General Marshall;

Whereas AHEPA financially supports scholarships, educational chairs, medical research, and countless other charitable and philanthropic causes by contributing more than $2,000,000 annually from its national, district, and local levels collectively;

Whereas in the spirit of their Hellenic heritage and in commemoration of the Centennial Olympic Games held in Atlanta, Georgia, members of AHEPA raised $775,000 for the ''Tribute'' to Olympism Sculpture, the ''fan-like'' structure of which helped to save lives during the Olympic Bombing at Centennial Olympic Park;

Whereas members of AHEPA have been Presidents and Vice Presidents of the United States, United States Senators and Representatives, and United States Ambassadors, and have served honorably as elected officials at the local and State levels throughout the United States; and

Whereas President George H.W. Bush cited AHEPA as one of America's ''thousand points of light'': Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes the significant contributions of American citizens of Hellenic heritage to the United States,

(2) commemorates the 85th Anniversary of the founding of the American Hellenic Educational Progressive Association (AHEPA), applauds its mission, and commends the many charitable contributions of its members to communities around the world, and

(3) requests the President of the United States to issue a proclamation acknowledging the 85th Anniversary of AHEPA and its many accomplishments.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H. Con. Res. 71, to commemorate the 85th anniversary of the founding of the American Hellenic Educational Progressive Association, a leading association for 1.3 million American citizens of Greek ancestry, and Philhellenes. I am proud to be an original cosponsor of this resolution, and I thank Mrs. MALONEY for her leadership as the author of the resolution and as one of the Chairs of the Congressional Hellenic Caucus.

The American Hellenic Educational Progressive Association, known as AHEPA, was born out of the cruelty and subjugation imposed upon many minorities by hate groups during the early 20th century. The organization was founded in Atlanta in 1922 to respond to growing attacks on Greek Americans and Greek American businesses by the Ku Klux Klan. It has since grown to become the largest and oldest American-based, Greek-heritage grass-roots membership organization.

AHEPA's initial interests were to cultivate Greek-owned businesses and help its members assimilate into American culture. Today, AHEPA's mission is to carry the legacy of Greek culture throughout generations. The organization continues to do this through diversification, language immersion and educational enrichment. AHEPA is known for its philanthropic resources which fund equal opportunity housing, hospitals, specialty schools and academic scholarships.

While AHEPA primarily is a membership organization for Greek Americans or Americans of Greek descent, membership is open to all Americans who support the organization's mission. This is the finest tradition of Philhellenism, and reminds us that the modern relationship between the people of America and of Greece was forged by their parallel struggles for freedom from foreign tyranny, and by the inspiration we both take from the democracy first developed centuries ago in Greece.

For 85 years the American Hellenic Educational Progressive Association has remained an organization that embodies the true meaning of America. I commend AHEPA, and ask that my colleagues support this commendation. I urge all my colleagues to support H. Con. Res. 71.

Mr. Speaker, I reserve my time.

Ms. FOXX. Mr. Speaker, I yield myself as much time as I may consume.

The American Hellenic Educational Progressive Association, AHEPA, is the largest and oldest American-based, Greek-heritage, grass-roots membership organization. It was created on July 26, 1922, in response to the alarming number of local and national groups whose missions were based on racism.

The founders of AHEPA were Greek immigrants who strove to find ways to adapt to their new country and honor their heritage and cultural ideals. Their mission is to promote Hellenism, education, philanthropy, civic responsibility and family and individual excellence. These efforts are made through community service and volunteerism. It is an organization with over 1.3 million participants, making it the largest association for American citizens of Greek ancestry.

AHEPA's commitment to education is one of its strongest components. Over $4 million is endowed at the local, district and national levels toward the use of scholarships, and a half million dollars is awarded annually to thousands of students. By providing these scholarships, it affords students the opportunities to educate and be educated on the rich, cultural history of relations between Greece and the United States.

Other AHEPA achievements include securing funding for the ''Tribute to Olympism'' sculpture in Atlanta, Georgia, the creation of the George C. Marshall statue at the United States Embassy located in Athens, Greece, and the Federal grant of $500 million providing affordable housing to senior citizens. A few of AHEPA's philanthropic successes include the restoration of the Statue of Liberty at Ellis Island, and they continue to send care packages to our troops through the USO.

In their 85th year, the American Hellenic Education Progressive Association continues to promote its ideals of ancient Greece through community service and volunteerism. The association has grown tremendously over the years, and it is to be congratulated for its charitable contributions to society both in the U.S. and throughout the world.

Mr. Speaker, I reserve the balance of my time.

Ms. WATSON. Mr. Speaker, I have no further speakers. I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, I yield as much time as he may consume to my distinguished colleague from the State of Florida, Mr. BILIRAKIS.

Mr. BILIRAKIS. Mr. Speaker, it is with great Greek American pride that I rise today to offer my congratulations on the occasion of the 85th anniversary of the American Hellenic Education Progressive Association. Founded in Atlanta, Georgia, on July 26, 1922, as a reaction to racism and bigotry, AHEPA is the oldest and largest American Hellenic organization in the United States today. Its mission, to promote Hellenism, education, philanthropy, civic responsibility, family and individual excellence, set the standard for ethnic organizations, and has helped Greek Americans become one of the most successful ethnic groups in the United States.

AHEPA's list of accomplishments is amazing. It has endowed millions of dollars in academic scholarships, and the AHEPA family has contributed over $1 billion in national projects for such deserving entities as Saint Basil's Academy, Cooley's Anemia Foundation, the Special Olympics, and Muscular Dystrophy research.

Additionally, the AHEPA National Housing Corporation has secured over $4 million to develop and complete over 70 housing projects for low-income seniors.

AHEPA's patriotic endeavors have included helping thousands of Greek immigrants assimilate into American life, and four of those immigrants were my grandparents, Mr. Speaker, raising $253 million for the U.S. bond drive during World War II, helping to restore the Statue of Liberty, providing tens of thousands of dollars to the 9/11 relief effort, and sending countless care packages to our troops overseas.

Its good works are endless, Mr. Speaker. That is why I am so proud to tell you that I am a member of AHEPA. And I will tell you that I am a member on the local level of the Tarpon Springs Chapter in Florida, the George Washington Chapter, Number 16, which was founded in the 1920s.

As cochair of the Caucus on Hellenic Affairs, I will continue to work closely with my cochair, CAROLYN MALONEY, my fellow Greek American Congressmen and women, Philhellenes in Congress, as well as AHEPA president, Gus James, to encourage the wonderful educational and philanthropic endeavors that have characterized AHEPA for 85 years.

Also, I promise to work in conjunction with AHEPA to continue to strengthen U.S./Greece relations, secure religious freedom and protection for the Ecumenical Patriarchate, and that is our number one issue, Mr. Speaker, and promote solutions to the Cypress and the FYROM issues.

I wish Mr. Gus James and the whole AHEPA family continued success and a long life as it continues to serve as a beacon of hope, true and good things. That is what Hellenic Americans want. Bravo AHEPA, and at least 85 more.

Ms. ROS-LEHTINEN. Mr. Speaker, today we rise to celebrate the 85th anniversary of the founding of an organization truly worthy of the praise of this body and of our Nation.

The American Hellenic Educational Progressive Association, AHEPA, was founded to embrace ideals which are prized by the United States and Greece both individually and jointly. The Greek American community seeks to embody the principles of AHEPA's mission, most notably: freedom from bigotry and discrimination, philanthropy, education, civic responsibility, and family and individual excellence through community service.

Mr. Speaker, it is appropriate that the Greek-American community is represented by an organization of the caliber and effectiveness of AHEPA.

AHEPA has done much over the years to strengthen and support our Nation domestically and to further our interests internationally—from providing dignified affordable senior housing at home, to encouraging a more stable Eastern Mediterranean and a stronger EU.

I encourage my colleagues to join me in strong support of this resolution commemorating the 85th anniversary of the founding of AHEPA and recognizing the significant contributions of Greek-Americans to the United States.

Mr. GARRETT of New Jersey. Mr. Speaker, I am pleased that we are able to bring before the House today H. Con. Res. 71, commemorating the 85th anniversary of the American Hellenic Educational Progressive Association, AHEPA.

I am a proud original cosponsor of this resolution that honors an organization that spreads the universal truths of Hellenism—humanity, freedom, and democracy—across the United States and around the world.

AHEPA was founded to stand against the forces of bigotry and hate and to help Greek immigrants to become part of our Nation. The organization also helps young people achieve their dreams of education and supporting philanthropy and public service that helps the neediest in our society.

As a Member of Congress, I am proud to participate in the Congressional Caucus on Hellenic Affairs. In this capacity, I work with fellow Members to enhance and strengthen the United States' relationship with Greece and the Republic of Cyprus. The friendship

between our nations has a long and rich history, and by continuing to further this important bond, we can stand together to advance the causes of liberty and democracy.

At this 85th anniversary we can reflect on AHEPA's past successes and upon the many ways in which Greek-Americans have enriched the fabric of our country. It is also a time to look forward with hope and anticipation to a future of continuing to build the vision that is AHEPA.

Mr. SARBANES. Mr. Speaker, I rise today in support of H. Con. Res. 71, which pays tribute to the American Hellenic Educational Progressive Association, AHEPA, on the occasion of its 85th anniversary. I commend my colleague, the chair of the Hellenic Caucus for her leadership on this and other issues of importance to Hellenism.

AHEPA was formed in July of 1922 as part of an effort to combat the bigotry of the Ku Klux Klan and others who were espousing anti-immigrant sentiments toward immigrants, including those of Greek descent. It soon joined forces with the likes of the NAACP and B'nai B'rith to engage in the fight against discrimination and for a just and equal society.

Early on, AHEPA also sought to help newly arrived Greeks become United States citizens and to share in the civic life of our country by forming schools that taught English and the principles of American government. At the same time, AHEPA sought to educate all Americans about the significant heritage and contributions immigrants of Greek descent add to the American community.

As an organization, it fast grew to make enormous contributions to our society. To cite one early example, AHEPA raised more than $253 million in the U.S. War Bond drive during World War II, which earned it distinctive recognition from the U.S. Department of Treasury.

Today the AHEPA mission has evolved, but it still seeks to bring the ideals of ancient Greece—including philanthropy, education, civic responsibility, and family and individual excellence—to the modern day community. AHEPA's Educational Foundation now has an endowment of over $4 million which annually provides for more than a half a million dollars in scholarships at the local, district and national levels. Thousands of young men and women have benefited from AHEPA scholarships. From its Centennial Foundation and its Cooley's Anemia Foundation to its National Housing Corporation, the contributions AHEPA now makes, both here in the United States and around the globe are too vast to mention individually.

But Mr. Speaker, I take personal pride in each of these contributions and accomplishments because I myself am a member of AHEPA. So on this important occasion, I am especially honored to commend President Gus James and the rest of the AHEPA leadership not only for continuing AHEPA's phenomenal tradition of service and philanthropy, but also for their very thoughtful innovations which have helped AHEPA make distinct strides in the evolution of its mission for today.

I urge my colleagues to support this important resolution.

Mr. HOLT. Mr. Speaker, I rise today in support of H. Con. Res. 71 which commemorates the 85th anniversary of the founding of the American Hellenic Educational Progressive Association, AHEPA. I am pleased to be a cosponsor of this resolution to pay tribute to AHEPA, which is a leading association for the 1.3 million American citizens of Greek ancestry.

AHEPA was founded on June 26, 1922. Since that day, AHEPA remained true to its mission to promote Hellenism, education, philanthropy, civic responsibility, and family and individual excellence.

AHEPA, has helped its members gain a richer understanding of Hellenic heritage and awareness of its contributions to democratic principles in the United States and across the globe.

AHEPA members have served in our Nation's Armed Forces, helped raise funds for United States War Bonds during World War II, helped in the restoration of the Statue of Liberty, and performed many other acts to help foster American patriotism.

As a member of the Hellenic Caucus, I rise to honor the AHEPA and all American citizens of Greek ancestry for their ongoing contributions to our country.

When establishing our democratic Nation, our founding fathers drew a great deal from the ancient Greeks. Our democratic system, that is founded on the principals of popular representation, was introduced by the ancient Athenians who were the first to create a civilization based on the rule of the people. Our founding fathers continued the Greek tradition of debating how best to govern and pursued a government that would provide liberty and justice for all. Our dual experiments in democratic government will forever link the United States and Greece.

Not only can we trace the origins of our democratic government to Greece, but also the foundation of science. As some of the first philosophers, the Greeks explored the fields of mathematics, logic, astronomy, physics and biology. The Greeks focused on thinking and understanding, rather than the practical use of their findings in science. Through Aristotle's concepts we built the foundations for the modern scientific method. Our basic understanding of the Earth and its place in the solar system came from the studies of Ancient Greeks.

Ms. FOXX. Mr. Speaker, I urge all Members to support the passage of H. Con. Res. 71, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 71.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1500

HONORING THE LIFE OF ERNEST GALLO

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 88) honoring the life of Ernest Gallo.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 88

Whereas Ernest Gallo was born March 18, 1909, in Jackson, California, the son of Italian immigrants, graduated from Modesto High School in 1927, earned a degree from Modesto Junior College, and married Amelia Franzia, daughter of the founders of Franzia Winery in 1931;

Whereas Ernest Gallo, with his brother Julio Gallo, founded E. & J. Gallo Winery at the end of the Prohibition Era in 1933, beginning with only $5,900 in savings and a winemaking pamphlet from the Modesto Public Library to make their first batch, growing their small family-owned winery into the world's second largest by volume, and selling an estimated 75,000,000 cases a year worldwide under approximately 100 different labels;

Whereas Ernest Gallo began his illustrious career at a young age, working in his parents' vineyard while attending Modesto High School and demonstrating his entrepreneurial spirit early in life by traveling at the age of 17 to complete his first business deal;

Whereas Ernest Gallo, demonstrating great vision, anticipated the growth of the wine industry and developed the first-of-its kind vertically integrated company, with vineyards stretching across California, an on-site bottling plant, and an art department to design bottles and labels, changing the face of California's wine industry;

Whereas the Gallo Winery employs 4,600 people in the State of California, providing critical highly-skilled employment opportunities in the San Joaquin Valley and greatly contributing to the economic strength of the State;

Whereas Ernest Gallo and the Gallo Winery were bestowed countless awards for achievement in winemaking, including the American Society of Enologists Merit Award, the wine industry's highest honor, in 1964 for outstanding leadership in the wine industry, the Gold Vine Award from the Brotherhood of the Knights of the Vine wine fraternity, the 1983 Distinguished Service Award from The Wine Spectator, and the Winery of the Year Award in both 1996 and 1998 by the San Francisco International Wine Competition; and

Whereas Ernest Gallo was widely known for his generous philanthropic work in the City of Modesto and throughout the state of California, including an endowment for the Gallo Center for the Arts in Modesto, the establishment of the Ernest Gallo Clinic and Research Center at the University of California at San Francisco for research into genetic, biochemical, and neurobiological aspects of alcohol abuse, and countless other healthcare and educational endeavors: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress honors the life of Ernest Gallo, a pioneer in the field of winemaking, dedicated philanthropist, and community leader.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATSON. Mr. Speaker, I yield myself such time as I may consume.

Ernest Gallo, who learned his craft of winemaking from a recipe in the basement of the Modesto public library with his brother Julio and with $5,900 of borrowed money, developed one of the largest wine empires in the world. They founded the E. & J. Gallo Winery in 1933 at the end of Prohibition. The Gallos rented a building and made an ordinary wine for 50 cents a gallon. They made $30,000 their first year of business. Mr. Ernest Gallo was an aggressive business leader who worked long hours and then went home and worked some more. His company made wines under more than 40 labels and employed 4,600 workers with wine sales in over 90 countries.

For decades the name ''Gallo'' was synonymous with inexpensive California wine. Mr. Gallo battled that image with advertisement; with humor; and to a large extent, by buying up wineries with more exclusive labels than his own company.

Robert Mondavi of Napa Valley, and a friend, said, ''Ernest was a visionary. He was committed to making America a wine-drinking country.''

Mr. Gallo lived and breathed wine. He aired wine commercials on TV and participated on wine promotion boards. He chaired the Wine Institute and mentored generations of winemakers. He erected wine billboards and traveled the country checking on wine displays in supermarkets. He enjoyed drinking his own wines, particularly a product that morphed over years from ''red table wine'' to ''Cabernet Sauvignon.''

Mr. Gallo had an uncanny talent for tapping into consumer tastes with sweet products such as Boone's Farm, which was so popular in the 1970s, which caused a worldwide shortage in the apple concentrate it was made from, and other products like Ripple and Thunderbird.

He moved upscale in 1974, introducing high-quality, cork-finished varietal wines, but the venture failed. He also developed E. & J. brandy and Bartles & Jaymes wine coolers. Additionally, Mr. Gallo developed its Gallo of Sonoma line and began buying upscale competitors, including the Mirassou and Louis M. Martini labels, and introducing foreign brands Ecco and other types of wine.

Mr. Gallo died unexpectedly in his Modesto home on March 6 of this year. He lived to the ripe old age of 97. And his brother Julio Gallo passed in 1993.

I commend the gentleman from California (Mr. CARDOZA) for introducing H. Con. Res. 88, honoring the life of Ernest Gallo, and I urge its swift passage.

Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

Today we honor the lifetime achievements of Ernest Gallo, one of the most celebrated American winemakers of the last century.

Ernest Gallo was the eldest of three brothers, born in the Sierra Nevada foothills of California to Italian immigrants. He and his brothers grew up learning about vineyards and winemaking from their father. Upon their parents' untimely death in 1933, Ernest and his brother Julio took control of the family business. Learning from library-issued pamphlets on winemaking, their goal was to make their company nationally known for affordable and quality wine. They founded E. & J. Gallo Winery with a humble investment of $5,900. Over time they went on to develop one of the largest wine empires in the world, now employing 4,600 workers and selling to 90 different countries. In fact, his winery currently sells one out of every four bottles of wine that Americans now consume.

Along with founding E. & J. Gallo Winery, Ernest Gallo often supported the industry through philanthropic work. He founded the Gallo Center for the Arts in Modesto. He established the Ernest Gallo Clinic and Research Center at the University of California at San Francisco, which conducts numerous studies and research for genetic, biochemical, and neurobiological aspects of alcohol abuse, as well as health care and education related to alcohol use.

Along with great financial success, Ernest Gallo and his winery won numerous prestigious awards, including the wine industry's highest honor, the American Society of Enologists Merit Award, in 1964 for outstanding leadership in the industry. They won the Gold Vine Award, the 1983 Distinguished Service Award from Wine Spectator, and the Winery of the Year Award in both 1996 and 1998 from the San Francisco International Wine Competition.

After a long and successful career as a winemaker, businessman, and philanthropist, Gallo passed away on March 6 at the age of 97 at his home in Modesto, California. His many distinguished accomplishments in the wine industry and his strong community involvement deserve to be recognized and honored by the Congress.

I urge all Members to support H. Con. Res. 88.

Mr. Speaker, I reserve the balance of my time.

Ms. WATSON. Mr. Speaker, I yield such time as he may consume to Representative DENNIS A. CARDOZA of California.

Mr. CARDOZA. Mr. Speaker, I rise in full support of House Concurrent Resolution 88, honoring the life and many achievements of Ernest Gallo.

I am proud to say that Ernest Gallo was not only a constituent of mine but he was also a dear friend. Over the years I served in the California State legislature and here in Congress, Ernest's deep commitment to California and to winemaking was a constant presence that guided many of my legislative efforts.

Decades ago Ernest Gallo, along with his brother Julio, recognized the great potential of the San Joaquin Valley, with its temperate weather and its extraordinary fertile soil, to foster the growth of a strong domestic wine industry. They cultivated the Gallo Winery from a small plot of land with just a few grape varieties to a multinational beverage company that ranks as the second largest in the world.

My district, California's 18th Congressional District, grows nearly 250 different crops, from asparagus to sweet potatoes, and is home to a number of agricultural businesses, some small and some quite large. But not one business has had more impact on the rich tapestry of the valley than Gallo Winery.

The Gallo Winery provides hundreds of my constituents with high-skill employment opportunities and serves as a solid foundation for continued growth in the region. The Gallo family has contributed to countless community projects throughout the valley and to medical research projects devoted to curbing alcoholism.

Ernest Gallo and the Gallo Winery revolutionized the U.S. wine industry. But what was once a boutique industry reserved for the upper crust of society is now a billion dollar business that equalizes social classes by allowing the masses to participate in wine drinking and winemaking.

In his youth, Ernest and his brother Julio recognized an unmet need in the wine industry. Demonstrating his acute business skills, Ernest quickly capitalized on the market gap and set about to create inexpensive wines for the enjoyment of all citizens. The trend of affordable wines caught on, and quickly Gallo Winery became one of the most respected companies in the business.

For agriculture, the impact has been just as immense. The success of the Gallo Winery was one of the catalysts to bringing much-needed attention to the other side of American agriculture, that which was taking place outside of the traditional farming that was done in the Midwest.

Furthermore, Gallo's commitment to environmentally sustainable farming permeates the wine grape growing industry even today and will surely be the standard for years to come.

Ernest and the entire Gallo family have long partnered with the surrounding community, especially with the city of Modesto, to give back in a number of generous ways. For instance, the Gallo Arts Center in Modesto, which is under construction now, once completed will attract quality arts and entertainment performances where there had been virtually none before. For the first time, valley residents can participate in the cultural experiences on par with our urban neighbors.

However, above all, beyond Ernest's commitments and achievements in his professional life, he must also be lauded for his personal story. He was the son of Italian immigrants who

started out with nothing and, armed with little else than a brochure in winemaking from the local library, he grew the Gallo Winery empire.

Ernest Gallo is one of the finest examples of an American success story. Our culture praises individuals like Ernest, and rightly so. It is what we teach our children and our children's children, that you can take nothing for granted, that you always must take what you are given, and in Ernest's case it was his keen business sense, and turn that gift into something substantial.

I am proud to have represented Ernest Gallo all these years and even more proud to have called him my friend. He will be remembered fondly for his contributions to the industry, to agriculture, and to the community.

I thank my colleagues for their consideration.

Ms. PELOSI. Mr. Speaker, I rise to pay tribute to a distinguished Californian, a great American, and a dear friend—Ernest Gallo, the patriarch of the family-owned E&J Gallo Winery. After 97 full years, Ernest Gallo passed away on March 6.

Ernest and his brothers grew up growing grapes in the vineyard of their father, an Italian immigrant. With the repeal of Prohibition in 1933, the Gallo brothers saw an opportunity to expand the family business. With just $900 in savings, a $5000 loan, and a wine recipe from the Modesto Public Library, Ernest and Julio began to build what would become the world's largest winemaking empire.

Ernest became the head of the family and the head of the business; he ran the business and Julio produced the wine. They worked throughout their lives to improve the quality of American grapes and deserve much of the credit for turning America into a wine-drinking country.

Their success resulted from passion and hard work. Ernest's entrepreneurial skills, instinctive business sense, and marketing ideas were extraordinary. He was as innovative, as he was visionary.

Ernest Gallo was also deeply generous—a patron of many charities, education and political campaigns. He funded the Ernest Gallo Clinic and Research Center at UCSF, one of world's preeminent academic centers for the study of the biological basis of alcohol and substance abuse.

Ernest deeply loved his family, especially his wife Amelia and his son David, who both preceded him in death, his son Joseph, and his four grandchildren. I extend my deepest sympathies to them all today.

Ms. FOXX. Mr. Speaker, I yield back the balance of my time.

Ms. WATSON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res 88.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

HONORING THE 50TH ANNIVERSARY OF THE INTERNATIONAL GEOPHYSICAL YEAR

Mr. WILSON of Ohio. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 76) honoring the 50th Anniversary of the International Geophysical Year (IGY) and its past contributions to space research, and looking forward to future accomplishments.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 76

Whereas the year 2007–2008 is the 50th anniversary of the International Geophysical Year (IGY) of 1957–1958;

Whereas the IGY initiated the Space Age with the successful launch of the first artificial satellites, Sputnik by the former Soviet Union, and Explorer I by the United States;

Whereas the interdisciplinary approach of IGY and the use of new space-based platforms enabled fundamental changes in the conduct of research concerning the Earth and its surrounding space environment;

Whereas the interdisciplinary approach of IGY enabled coordinated, synchronous, global observations and measurements of the Earth, oceans, atmosphere, ice, and near-Earth space environment;

Whereas the IGY increased our understanding of the causes of magnetic storms, ionospheric disturbances, and the origins of cosmic rays;

Whereas the use of new space-based platforms enabled the discovery of the Van Allen radiation belts, which are trapped, charged particles in the Earth's upper atmosphere, showed that those particles form belts of energy around the Earth, and contributed to the understanding of the Northern Lights;

Whereas the IGY, involved thousands of scientists from 67 nations;

Whereas the IGY, which occurred during the height of Cold War tensions, facilitated international cooperation in science and helped lead to the Antarctic Treaty, which established the use of Antarctica for peaceful purposes and promoted continued, cooperative scientific investigations on the continent;

Whereas the IGY led to the creation of institutional structures that continue to promote and enable the international exchange of scientific research related to the Earth and space, including the International Council on Science's Committee on Space Research (COSPAR), Scientific Committee on Antarctic Research (SCAR), and Scientific Committee on Oceanic Research (SCOR); and

Whereas this 50th anniversary celebration offers as an opportunity to inspire our public and youth to build on the legacy of success of the IGY, recognizing that a coordinated, international approach to interdisciplinary scientific challenges such as climate change, high energy physics, and space exploration contributes to the advancement of knowledge and sustains the cooperative spirit and goodwill among nations set forth in the IGY: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) honors the 50th anniversary of the International Geophysical Year (IGY) and its contributions to the scientific investigations of the Earth and outer space; and

(2) encourages the public, and especially American youth, to attend IGY celebrations and seminars, such as those being planned at locations around the United States by the National Academy of Sciences and other organizations, and participate in discussions about the future of space science and Earth science.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. WILSON) and the gentleman from Nebraska (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. WILSON of Ohio. Mr. Speaker, I ask unanimous consent that all members may have 5 legislative days to revise and extend their remarks and to include extraneous materials on House Concurrent Resolution 76, the resolution now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

□ 1515

Mr. WILSON of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Concurrent Resolution 76, honoring the 50th anniversary of the International Geophysical Year, and would like to take this opportunity to recognize Chairman MARK UDALL for his hard work on this resolution. This resolution marks the 50th anniversary of the International Geophysical Year, honors its contributions to space research and looks forward to future accomplishments.

Mr. Speaker, the International Geophysical Year of 1957–1958 was a highly successful international effort in involving 67 nations that came together during the Cold War to coordinate global observations and measurements of the solid Earth, the oceans, the atmosphere and the near-Earth space environment.

During the IGY, the successful launches of the first artificial satellites took place, Sputnik 1 by the former Soviet Union and Explorer 1 by the United States, marking the dawn of the Space Age. Explorer 1 also enabled one of the most notable achievements of the IGY, the discovery of belts of trapped, charged particles in the Earth's upper atmosphere by the late Dr. James Van Allen of Iowa.

This year's commemoration serves not only to remember the great scientific work that was done during the IGY, but also, Mr. Speaker, to inspire the next generation of scientists and engineers, who will be critical to our continued progress and economic well-being. In that regard, Mr. Speaker, House Concurrent Resolution 76 encourages the public, in particular our young people, to participate in the celebrations that are planned for this IGY anniversary year and to embrace challenging goals for future research in space science and Earth science.

Mr. Speaker, I would be remiss if I did not mention the activity of the International Polar Year and its 200 approved IPY research efforts, including

studies of environmental changes in the Arctic and marine life in the Arctic Ocean.

I urge my colleagues to support House Concurrent Resolution 76 and honor this 50th anniversary of the International Geophysical Year. Through future research in Earth, science and space science, including that of the IPY, we have tremendous opportunities for new knowledge and new discoveries, and I hope we can look back 50 years from now on equally exciting accomplishments.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Nebraska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Concurrent Resolution 76, honoring the 50th anniversary of the International Geophysical Year. In 1882–1883, the first International Polar Year counted 12 participating countries, with 13 expeditions to the Arctic and two expeditions to the Antarctic to study the geophysical attributes of the polar regions.

In order to expand research opportunities beyond the polar regions, in 1957 and 1958, organizers changed the name of the third International Polar Year to the International Geophysical Year. Beginning in March of 2007 and running through March of 2009, the fourth International Polar Year celebrates the 50th anniversary of the International Geophysical Year.

In the United States, not only NASA, which is highlighted in this resolution, but the National Science Foundation, the National Oceanic and Atmospheric Administration and the Department of Energy are all actively participating in the fourth International Polar Year and the 50th anniversary of the International Geophysical Year.

The International Geophysical Year brought about the launching of the first artificial satellites and successful scientific collaborations that continue today. The current International Polar Year and 50th anniversary celebration of the International Geophysical Year seek to encourage and challenge the young men and women in scientific and engineering careers to bring about fundamental advancements in many areas of science and technology.

Mr. Speaker, I urge my colleagues to support House Concurrent Resolution 76.

Mr. HOLT. Mr. Speaker, the first International Geophysical Year was held from July 1957 to December 1958, and this year marks its 50th anniversary. The International Geophysical Year was modeled after the successful International Polar Year of 1882 and its 50th anniversary in 1932. The International Geophysical Year allowed over 60,000 scientists from 67 countries around the world to take part in a series of coordinated observations of various geophysical phenomena.

I remember the International Geophysical Year well because, as a youngster, it was reading about it that sparked my interest in science and set me toward the career in physics which I pursued before coming to Congress.

The scientific activities spanned the globe from the North to the South Poles. For example, the research in the Antarctic yielded new estimates of the Earth's total ice content—a number of importance given today's melting of major glaciers due to global warming. In addition, radiation detectors to record cosmic rays, spectroscopes to analyze the aurorae, and balloons were put to use to explore the upper reaches of the atmosphere and the formation of thunderstorms. Finally, post-World War II developments in rocketry made possible the exploration of space, employing the exciting new technology of artificial satellites.

Today, almost 50 years after Sputnik was launched, it is crucial that we reflect on how we responded to scientific challenges in the Geophysical Year and how we proceeded to invest in research and education in subsequent years. Today, we are falling behind other nations in many measurable ways, particularly in math and science education. Unlike 50 years ago with the launch of Sputnik, we are unlikely to have a sharp wake-up call before we find ourselves unable to maintain the leadership role and quality of life to which we are accustomed.

Investment in education and research, as prescribed by, for example, the Democratic Innovation Agenda, would be a good idea in any year. It is particularly apparent that we should make these investments as we reflect today on the path we followed when Sputnik was a recent stimulus and the findings of the International Geophysical Year were so inspiring.

Mr. FARR. Mr. Speaker, today I rise in support of H. Con. Res. 76 honoring the 50th anniversary of the International Geophysical Year, IGY, and its past contributions to space research, and looking forward to future accomplishments.

I would like to recognize the 50th anniversary of the International Geophysical Year and its past contributions to global observations and ocean research that led to the discovery of ocean ridges and creation of the Scientific Committees on Ocean Research and Antarctic Research. The memory of the success of the International Geophysical Year during the height of the Cold War should serve as inspiration in this age of global warming. The impacts of global warming will have impacts in all nations and addressing it and its repercussions including sea-level rise, increased number and strength of storms, and ocean acidification, will take a coordinated scientific effort, such as that generated by the International Geophysical Year, to monitor these changes, develop new technology to address them, and the ability to provide timely hurricane warnings.

Mr. UDALL of Colorado. Mr. Speaker, today I rise to speak in support of House Concurrent Resolution 76, honoring the 50th anniversary of the International Geophysical Year, IGY.

This resolution marks the 50th anniversary of the International Geophysical Year, IGY, honors its contributions to space research, and looks forward to future accomplishments.

I am pleased that several of my colleagues from the Science and Technology Committee have joined me as cosponsors and would like to thank Space and Aeronautics Subcommittee Ranking Member CALVERT, Chairman GORDON, and Research and Science Education Subcommittee Chairman BAIRD for their support for this measure.

I would especially like to thank the Chairman for his leadership in getting this bill on the floor today.

The International Geophysical Year (IGY) of 1957–1958 was an international collaboration to coordinate observations and measurements of the solid Earth, oceans, the atmosphere, and the near-Earth space environment on a global scale. Despite the tensions of the Cold War, 67 nations and thousands of scientists came together to make the IGY a resounding success.

A particularly significant aspect of the IGY was that it extended science into space through the launch of artificial satellites—signifying the dawn of the Space Age. Explorer I, the first successful U.S. satellite launch, made possible an important scientific result of the IGY—the discovery of belts of trapped, charged particles in the Earth's upper atmosphere, which are now known as the VanAllen radiation belts.

Equally importantly, the IGY has been a shining example of the benefits of international cooperation in scientific endeavors. The coordination of global interdisciplinary observations by researchers from multiple nations during a time of geopolitical tensions continues to be an inspiration and a model for those who recognize the significant contributions that can be achieved when nations come together in the peaceful pursuit of scientific knowledge.

Indeed, scientists around the world continue to build on the impressive research legacy left to them by their IGY predecessors 50 years ago. As a current example, I support the International Polar Year (IPY) and the IPY research efforts that are planned to take place over the next 2 years, efforts that will encompass a wide range of research topics—for example, on studies of environmental change in the Arctic and marine life in the Arctic Ocean.

I introduced an IGY resolution in the 108th Congress, which passed the House, to mark the then-upcoming IGY and to encourage the celebration of its 50th anniversary throughout the country and across the globe. This year's IGY concurrent resolution both honors the great scientific work that was done during the IGY, as well as works to inspire the next generation of scientists and engineers. We will be looking to those young men and women to continue to advance our knowledge, strengthen our nation's economy, and improve our quality of life. That is why H. Con. Res. 76 encourages the public, and in particular our young people, to participate in celebrations planned for the IGY anniversary year and to seek to build on the scientific legacy of the IGY by striving to achieve challenging new goals in space science and Earth science.

I urge my colleagues to support H. Con. Res. 76 and honor the 50th anniversary of the International Geophysical Year. The IGY set a high standard of achievement. I am confident that by means of future research in Earth science and space science, including that of the IPY, we can achieve equally meaningful advances over the next 50 years.

Mr. SMITH of Nebraska. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. WILSON of Ohio. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. WILSON)

that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 76.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WILSON of Ohio. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

PUBLICATION OF THE RULES OF THE SELECT COMMITTEE ON ENERGY INDEPENDENCE AND GLOBAL WARMING, 110TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. MARKEY) is recognized for 5 minutes.

Mr. MARKEY. Madam Speaker, the Select Committee on Energy Independence and Global Warming met on Tuesday, March 27, 2007 and approved by voice vote and without amendment the following rules to govern the activities of the Select Committee during the 110th Congress.

RULES FOR THE SELECT COMMITTEE ON ENERGY INDEPENDENCE AND GLOBAL WARMING, 110TH CONGRESS

Rule 1. General Provisions. The Rules 0f the House are the rules of the Select Committee on Energy Independence and Global Warming (hereinafter ''Committee'') so far as they are applicable.

Rule 2. Time and Place of Meetings.

(a) Regular Meeting Days. The Committee shall meet on the first Tuesday of each month at 10 a.m., for the consideration of any pending business, if the House is in session on that day. If the House is not in session on that day and the Committee has not met during such month, the Committee shall meet at the earliest practicable opportunity when the House is again in session. The Chairman may, at his discretion, cancel, delay, or defer any meeting required under this section, after consultation with the Ranking Minority Member.

(b) Additional Meetings. The Chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of Committee business. The Committee shall meet for such purposes pursuant to that call of the Chairman.

(c) Vice Chairman; Presiding Member. The Chairman shall designate a member of the majority party to serve as Vice Chairman of the Committee. The Vice Chairman shall preside at any meeting or hearing during the temporary absence of the Chairman. If the Chairman and Vice Chairman are not present at any meeting or hearing, the most senior present member of the majority party shall preside at the meeting or hearing.

(d) Open Meetings and Hearings. Each meeting and hearing of the Committee for the transaction of business shall be open to the public, including to radio, television and still photography coverage, consistent with the provisions of Rule XI of the Rules of the House.

Rule 3. Agenda. The agenda for each Committee meeting other than a hearing, setting out The date, time, place, and all items of business to be considered, shall be provided to each member of the Committee at least 24 hours in advance of such meeting.

Rule 4. Procedure.

(a) Hearings. The date, time, place, and subject matter of any hearing of the Committee shall be announced at least one week in advance of the commencement of such hearing, unless the Chairman, with the concurrence of the Ranking Minority Member, determines in accordance with clause 2(g)(3) of Rule XI of the Rules of the House, that there is good cause to begin the hearing sooner. In such cases, the Chairman shall make the announcement at the earliest possible date.

(b) Meetings. The date, time, place, and subject matter of any meeting (other than a hearing) scheduled on a Tuesday, Wednesday, or Thursday when the House is scheduled to be in session shall be announced at least 24 hours (exclusive of Saturdays, Sundays, and legal holidays, except when the House is in session on such days) in advance of the commencement of such meeting.

(c) Motions. Pursuant to clause 1(a)(2) of rule XI of the Rules of the House, privileged motions to recess from day to day, or recess subject to the call of the Chair (within 24 hours), shall be decided without debate.

(d)(1) Requirements for Testimony. Each witness who is to appear before the Committee shall file with the clerk of the Committee, at least two working days in advance of his or her appearance, sufficient copies, as determined by the Chairman, of a written statement of his or her proposed testimony to provide to members and staff of the Committee, the news media, and the general public. Each witness shall, to the greatest extent practicable, also provide a copy of such written testimony in an electronic format prescribed by the Chairman. Each witness shall limit his or her oral presentation to a brief summary of the testimony. The Chairman, or the presiding member, may waive the requirements of this paragraph or any part thereof.

(2) Additional Requirements for Testimony. To the greatest extent practicable, the written testimony of each witness appearing in a non-governmental capacity shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of any federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years by the witness or by an entity represented by the witness.

(A) Questioning Witnesses. The right to question witnesses before the Committee shall alternate between majority and minority members. Each member shall be limited to 5 minutes in the interrogation of witnesses until such time as each member who so desires has had an opportunity to question witnesses. No member shall be recognized for a second period of 5 minutes to interrogate a witness until each member of the Committee present has been recognized once for that purpose. While the Committee is operating under the 5–minute rule for the interrogation of witnesses, the Chairman shall recognize, in order of appearance, members who were not present when the meeting was called to order after all members who were present when the meeting was called to order have been recognized in the order of seniority on the Committee.

(B) Questions for the Record. Subject to the Rules of the House, each member may submit to the Chairman additional questions for the record, to be answered by the witnesses who have appeared. Each member shall provide a copy of the questions in an electronic format to the clerk of the Committee no later than ten business days following a hearing. The Chairman shall transmit all questions received from members of the Committee to the appropriate witness and include the transmittal letter and the responses from the witnesses in the hearing record.

(C) Opening Statements. (1) All written opening statements at hearings conducted by the Committee shall be made part of the permanent hearing record.

(2) The Chairman and Ranking Minority Member (or their respective designees) are entitled to deliver a 5 minute opening statement prior to the recognition of the first witness for testimony. Opening statements by other members of the Committee are subject to the discretion of the Chairman.

Rule 5. Waiver of Agenda, Notice, and Opening Statement Requirements. Requirements of rules 3, 4(a)(1), 4(a)(2), and 4(d) may be waived for good cause by the Chairman, with the concurrence of the Ranking Minority Member.

Rule 6. Quorum. Testimony may be taken and evidence received at any hearing at which there are present not fewer than two members of the Committee. A majority of the members of the Committee shall constitute a quorum when otherwise required by the Rules of the House. For the purposes of taking any action other than those specified in the preceding sentences, one third of the members of the Committee shall constitute a quorum.

Rule 7. Journal. The proceedings of the Committee shall be recorded in a journal which shall, among other things, show those present at each meeting and hearing, and shall include a record of the votes on any question on which a record vote is demanded, a description of the motion, order, or other proposition voted, and the name of each member voting for and each member voting against such motion, order, or proposition, and the names of those members voting present. A copy of the journal shall be furnished to the Ranking Minority Member and made available to the public in a timely fashion.

Rule 8. Committee Professional and Clerical Staff.

(a) Committee staff members are subject to the provisions of clause 9 of Rule X, as well as any written personnel policies the Committee may from time to time adopt. The Chairman shall determine the remuneration of legislative and administrative employees of the Committee.

(b) The Chairman shall appoint, and may remove, the legislative and administrative employees of the Committee not assigned to the minority.

(c) Minority Professional Staff. Professional staff members appointed pursuant to clause 9 of Rule X of the House of Representatives, who are assigned to the Ranking Minority Member, and not to the Chairman, shall be assigned to such Committee business as the Ranking Minority Member considers advisable.

(d) Additional Staff Appointments. In addition to the professional staff appointed pursuant to clause 9 of Rule X of the House of Representatives, the Chairman shall be entitled to make such appointments to the clerical staff of the Committee as may be provided within the budget approved for such purposes by the Committee. Such appointees

shall be assigned to such business of the Committee as the Chairman considers advisable.

Rule 9. Supervision, Duties of Staff.

(a) Committee staff members are subject to the provisions of clause 9(b) of Rule X.

(b) Supervision of Majority Staff. The professional and clerical staff of the Committee not assigned to the minority shall be under the supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he determines appropriate.

(c) Supervision of Minority Staff. The professional and clerical staff assigned to the minority shall be under the supervision and direction of the Ranking Minority Member, who shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he determines appropriate.

Rule 10. Committee Expenditures. Copies of each monthly report (prepared by the Chairman of the Committee on House Administration and showing expenditures made during the reporting period and cumulative for the year by the Committee), anticipated expenditures for the projected Committee program, and detailed information on travel, shall be available to each member.

Rule 11. Broadcasting of Committee Hearings. Any meeting or hearing that is open to the public may be covered in whole or in part by radio or television or still photography, subject to the requirements of clause 4 of Rule XI of the Rules of the House. The coverage of any hearing or other proceeding of the Committee by television, radio, or still photography shall be under the direct supervision of the Chairman and may be terminated in accordance with the Rules of the House.

Rule 12. Subpoenas. The Committee may authorize and issue a subpoena under clause 2(m) of Rule XI of the House.

Rule 13. Travel of Members and Staff.

(a) Approval of Travel. Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, travel to be reimbursed from funds set aside for the Committee for any member or any staff member shall be paid only upon the prior authorization of the Chairman. Travel may be authorized by the Chairman for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee thereof and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the Chairman, in writing, the following: (1) the purpose of the travel; (2) the dates during which the travel is to be made and the date or dates of the event for which the travel is being made; (3) the location of the event for which the travel is to be made; and (4) the names of members and staff seeking authorization.

(b) Approval of Travel by Minority Members and Staff. In the case of travel by minority party members and minority party professional staff for the purpose set out in paragraph (a), the prior approval, not only of the Chairman but also of the Ranking Minority Member, shall be required. Such prior authorization shall be given by the Chairman only upon the representation by the Ranking Minority Member, in writing, setting forth those items enumerated in (1), (2), (3), and (4) of paragraph (a).

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REPUBLICAN TAX CUTS REDUCE THE TAX BURDEN ON AMERICANS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 60 minutes as the designee of the minority leader.

Ms. FOXX. Mr. Speaker, tomorrow is the day that Americans are required to pay their taxes. It is the last possible day in this year that they can do that. We call it ''tax day.'' It is normally on April 15th, but because of the calendar and because today is a holiday in the District of Columbia, it has been delayed.

I want to say something about the fact that our taxes are something that people feel obliged to pay the Federal Government and to State and local governments too, but many people do it grudgingly. We do it grudgingly because we feel concern about the way too many of our tax dollars are being spent. However, this year, taxpayers are paying less than they have paid before as a result of the tax cuts that have occurred in 2001 and 2003, tax cuts that were pushed through under a Republican Congress and asked for by a Republican President.

Children often ask me when I speak to them in school groups, what is the difference between Democrats and Republicans? I tell them that the most simple definition that I can give them is that Republicans believe that Americans should keep more of their money than Democrats do and that Democrats believe that very often the government is the answer to the problems that we have in this country, while Republicans think that individual Americans have the capability for solving most of their problems. So Republicans believe that the government that governs least governs best, and that is the philosophy that I have.

The tax cuts that were instituted in 2001 and 2003 were designed for Americans to keep more of their money than the government had been taking from them, and those tax cuts have been very effective. We see that our economy is doing extremely well as a result of those tax cuts. We have the lowest unemployment rate in this country in many, many years, the highest homeownership rate, the highest level of income in many, many years; and just on and on and on the economic indicators go that are very, very positive in this country. Those are as a result of the tax cuts.

Democrats will talk about ''investing in government.'' Well, we don't invest in government when we give money to the government to spend. Our investments come from individual Americans who are entrepreneurs who create new jobs and create new businesses. That is where investments come from, and that is where a good return on investments come from.

Mr. Speaker, I yield to the gentleman from Nebraska.

Mr. SMITH of Nebraska. Mr. Speaker, I rise today to express some thoughts and concerns about taxation. Certainly, as taxes are due today, I know that post offices around the country are well staffed, up to midnight. It is interesting as I have paid my taxes in the past, kind of pushing it up to the last minute, to see everyone else who pushes up the payment of their taxes to the last minute. But the fact is, it does take place.

But I rise today to very briefly reflect on what today means. Certainly I realize that paying taxes is a necessary function of a civilization, but I also rise to express my concern that some tax policies that have been working over the past few years are in jeopardy. The tax relief packages offered by President Bush and certainly those in the House and Senate who supported tax relief have done good things, in fact, great things, in terms of revenues to the Federal Government, but I would say so in terms of revenues to the household budget even more importantly.

We in Congress cannot utilize what we call ''dynamic scoring,'' the reflection of what lower taxes can do in terms of tax revenue. I understand that. I think it is unfortunate. Be that as it may, we are faced with some tough decisions, decisions impacting the budget long term, and I wish to speak of my concern for the long term.

I have learned over the years that government spending compounds once a new program is started. We have to be very mindful of that. We have to be mindful that as we look down the road, we have to come up with ways to cover the expenses of new programs. That is why I believe we should be careful when we talk about adopting new programs.

When it comes to the tax burden in general, certainly April 15th, and now the 16th, speaks volumes not only in the 3½ months it takes to prepare taxes owed from the prior year, but we often hear about ''tax freedom day.'' Preliminary research tells us most recently this year's tax freedom day is actually April 30. It takes a full 4 months, on average, for Americans to earn enough money in their household to pay their Federal income tax.

Now, throw on top of the Federal income tax State income tax, and in a State like my State of Nebraska, property tax, it is a heavy burden in Nebraska, and sales tax, plus the other

fees and taxes associated; and I just think it is important that we reflect on this.

We heard earlier about financial literacy. Yes, we have an issue with credit card debt, for example. But I think that it would serve us well to make sure that for consumers and citizens of all kinds, that we teach them about the tax burden, tax freedom day, and not just paying taxes by April 15th or 16th, but more so what it might mean to take some of those dollars paid in taxes and perhaps invest those.

□ 1530

And it is interesting, as we look at our economy in general, what available capital means to a business, to an individual.

I am inspired to hear of individuals who wish to start a business but for the available capital. When we look at what available capital can do in a house, whether it is a project around the house or whether it's a small business incubating, I think that we should look at various ways we can avail capital to our citizens, primarily through tax relief.

It is absolutely vital that we always keep this in mind, especially as we constantly need to look at growing our economy. And that it is not just coincidence, as some might suggest, that tax relief actually led to job creation and increased revenues to the Federal Government. I don't believe that that's just coincidence. I believe that that is through fashioning good tax policy and allowing individuals, individual taxpayers, to keep more of what they earn because when they spend those dollars, they spend them more wisely, and those dollars are leveraged into actually greater Federal revenue so that we can provide for those who cannot provide for themselves.

Ms. FOXX. I want to thank my colleague. He is in his first term in Congress, but he speaks very, very eloquently of this issue and other issues. I am very grateful to him for his sharing his concerns and his perspective on this.

As I said earlier, when people ask me what is the difference between a Democrat and a Republican, I say, well, Republicans think that you should keep more of your money and spend it and take care of yourself; and Democrats want to take more of your money away from you and give it to the government. And let me give you an example of what is happening. I don't have to just talk about that in the abstract; I can talk about it in concrete terms.

The tax decreases that were put through by a Republican Congress and advocated by a Republican President are due to expire in 2010 because of the rules of the Senate, which would not allow those tax cuts to be made permanent. Now, 2 weeks ago, the Democrats, who are now in a majority here in the House, and our Constitution requires that spending bills and budget bills have to begin in the House, they passed their budget. It passed, and it assumes that the 2001/2003 tax cuts will expire. The effect of that will be to impose the largest tax increase in American history, nearly $400 billion over 5 years, mainly to finance their immense new spending. And as my colleague from Nebraska said, we have to be very much concerned about the long term, and we are concerned about the long term.

Now, if the Republican tax relief is not extended, what happens when the clock strikes midnight on December 31, 2010? Well, here's what happens: the tax rates are going to go higher. In 2010, the top income tax rate will be 35 percent. The Democrats propose that that tax rate goes to 39.6 percent in 2011. The capital gains tax, 15 percent in 2010, 20 percent immediately thereafter. The tax on dividends, from 15 percent to 39.6 percent. The death tax: the death tax has been gradually going down since the tax cuts of 2001/2003. In the year 2010, the death tax will be zero. In 2011, it goes back to 55 percent.

I am particularly offended by the death tax, and I think most Americans are. It is probably the third time that that same income is going to be taxed when you impose a death tax, because we are paying taxes on our income, if you have an opportunity to invest any of that money you are going to pay capital gains tax on it, and then you are going to pay 55 percent on whatever is left over. Again, I think it is a particularly offensive tax to most Americans.

But how do the Democrats, who talk so much about the value of children, act about the child tax credit? The child tax credit went to $1,000 under the tax cuts of 2001/2003. It will be cut back to $500. We all know that you can't raise children even on $1,000 as a tax credit, let alone on $500.

The lowest tax bracket, hurting the lowest income people in our country, and Democrats say that they stand for the little people and they want to help the low-income people in this country, but what they propose to do is take the taxes on the lowest income people in our country and go from 10 percent to 15 percent. I think, again, that is an abomination. Why in the world do we want to burden those folks who are making the lowest income in this country?

Another part of the problem that we have in this country is the fact that our Tax Code is so complicated. We believe now that more than 60 percent of tax returns are prepared by a professional. If you add the number of Americans who use computer tax software to file a return, the proportion of people who seek outside help rises to 90 percent. We shouldn't live in a country where the Tax Code is so complicated that the average American citizen cannot complete his or her income tax forms.

The Office of Management and Budget estimates that we spend about 6.4 billion hours, and we did in 2006, complying with the Federal Tax Code. That many hours is the equivalent of a 40-hour work week for every employed person in America. Take your pick: do your taxes or go on a week-long vacation.

While the tax cuts of 2001 and 2003 have lowered taxes across the board and encouraged investments that lead to job creation, we are still saddled with an incomprehensible Tax Code that costs more than $265 billion a year to comply with.

As a supporter of the Taxpayer Bill of Rights, I pledge to work towards scrapping the Tax Code in order to build a new one that promotes transparency and common sense. By signing on to the Taxpayer Bill of Rights, I have also promised to work to balance the budget, to exercise the fiscal discipline needed to rein in the growth of the Federal Government, and to protect the Social Security trust fund from congressional raiding.

Let me say something about Social Security here, even though we're talking about taxes today.

Many people don't understand the or origin of the Social Security fund. After the Depression, President Roosevelt was desperate to raise money for the social programs that he wanted to institute in this country, but he knew that if he wanted to raise taxes that would raise a hew and cry among the people. At that time, 1936/1937, the average life expectancy of Americans was 59 years. People still weren't living very long in this country. We had come a long way from the early part of the century, but still life expectancy was only 59 years of age. So they came up with a scheme to take money away from Americans and have it available to spend on social programs, and they came up with a Social Security fund. It was for every American to pay a small amount. It was designed to provide a retirement income, or at least that is the way it was sold to the American people. But what most people didn't realize again at the time, the life expectancy was 59 years of age. And when did they set Social Security up to be redeemed? Age 65. The idea was that they would take in a lot of money to develop the programs that they wanted to develop, and that very few people would ever draw on Social Security for their retirement. So that's why the average age was set at 65, way beyond the average life expectancy for Americans at the time.

And immediately the money was going into other programs other than into what most Americans thought would happen, which was a fund to pay for Social Security. That has continued to the present time under both Democrats and, I am sorry to say, under Republicans. Rather than putting that money into a special fund and leaving it alone just to pay for Social Security, most of that money is going into paying for government programs, and those programs have become dependent on that Social Security money, which

is why you find people very reluctant to create that mythical lock box that has been talked about so much. But we now have groups who are trying very hard to make sure that the money being paid into Social Security stays in the Social Security account. That's what I believe in, and I think that is what most Americans believe in.

The President proposed personal accounts so that people could take an interest in where their Social Security money was going and manage that money better than the Federal Government has been able to manage it. That has been demonized as a way to do something bad with the Social Security fund. But if people had a way to manage their own money, they would get a lot more from Social Security.

The average Social Security payment right now is about $1,000 a month, and I know of very, very few people who can live on that. And we know that Social Security is going to be in deep trouble in the next few years because there will be more people drawing on Social Security than are paying into Social Security. So not only are we going to have to come up with the money to pay for Social Security; we are going to have to either cut the funding that is dependent on the Social Security money or cut out programs or raise taxes. Republicans are opposed to raising taxes and continuing to fund those programs, most of which were begun in the 1930s.

What people can do in this country is to sign an online petition with the grass-roots group Freedom Works to support the initiative of the Taxpayer Bill of Rights. They can sign this petition at www.freedomworks.org/action/taxpayer. I am sure if you put in the words ''freedom works,'' you can probably find out how to get on to that. But we need to do everything we possibly can to keep the tax rate low, protect Social Security, and reduce the burden of government on our citizens.

I want to go back over the effects of the Democrat tax hike, which were in the budget that the Democrats passed 2 weeks ago here. They will be raising the 10 percent tax rate bracket to 15 percent. More than 15 million individuals and families, who previously owed no taxes under the Republican plan, would now become subject to the individual income tax if the Democrats were successful in raising the 10 percent tax rate bracket to 15 percent and reducing or eliminating other low-income tax benefits.

That budget eliminates the marriage penalty relief. Most Americans I think now know that if you are married and you file jointly, you pay a penalty for being married in this country. Twenty-three million taxpayers would see their taxes increase on average by approximately $500 when that goes into effect. As I said earlier, it would cut the child tax credit in half. Thirty-one million taxpayers would see their taxes increase on average by $859 when this goes into effect.

□ 1545

Elderly couples with $40,000 in income would see their tax bill rise by 156 percent from $583 to $1,489. And a single parent with two children and $30,000 in earnings would see their tax benefits decline by 67 percent. With tax relief, the single parent qualifies to get back $2,214. With the Democrat tax hike, this single parent would get back only $799.

So we would see a major impact on the American family with the effects of the budget that the Democrats passed here a couple of weeks ago. It is not the way we should be going in this country.

The tax cuts of 2001 and 2003 have brought us one of the most vibrant economies this country has ever seen. The stock market is at a new high. Home ownership is at a new high. Personal income is at a new high. Unemployment rates are at an all-time low. New business creations are at an all-time high. Job creations are at an all-time high. All of the things that should be positive in this country are positive; all of the things that should be negative are negative in terms of our economy, and those come as a result of the tax cuts that were made in 2001 and 2003.

I personally cannot take any credit for that because I was not here, but I applaud those who voted for those tax cuts in 2001 and 2003 because they have had an extremely positive effect on our economy and on American families.

I want to talk some more about the dysfunctional Tax Code that we have and the impact that it has on Americans. I mentioned earlier how much it costs to file income taxes and how much is being spent by Americans because they have to go to professionals to get their taxes done. But I want to put this into sort of an allegory.

Can you imagine a business that with every passing year grows more difficult to manage, gets harder for its customers to understand, and becomes increasingly susceptible to theft? You would be right to think that such an operation would quickly go out of business.

Unfortunately, this imaginary business is more of an apt description of the United States tax system. Every year the Federal Tax Code grows larger and more complex. New rules and guidelines are added. Deductions and special exemptions proliferate. As a result, each tax season more Americans are throwing up their hands in disgust and calling in a professional to do their taxes.

According to the IRS, more than 60 percent of tax returns are prepared by a professional; and if you add the number of Americans who use computer tax software to file a return, the proportion of people who seek outside help rises to 90 percent.

Congress puts out a little-known tax law report each session that serves as a chilling picture of the obscene complexity of our tax system. The most recent version entitled ''The General Explanation of Tax Legislation Enacted in the 109th Congress'' runs to 806 pages and purports to explain the 109th Congress' changes to tax law. As you might imagine, it is mind-numbing. That we need a publication of this size simply to explain the 109th Congress' Tax Code additions is ample evidence that we have a massive problem on our hands.

What ails our Tax Code is not just the fact that it is 7,000 pages long. Rather, the real ailment is the burden, above and beyond the actual financial burden of tax day, of complying with a chameleon Tax Code.

As I said earlier, the government's Office of Management and Budget estimated that we spent about 6.4 billion hours in 2006 complying with the Federal Tax Code. That many hours is the equivalent of a 40-hour work week for every employed person in America. While the tax cuts of 2001 and 2003 have lowered taxes across the board and encouraged investments that lead to job creation, we are still saddled with an incomprehensible Tax Code that costs more than $265 billion to comply with each year.

Our tax professionals can't even understand it. I am sure you have read and heard the horror stories about how 10 different people will call the IRS to ask for an interpretation of a rule, and get 10 different interpretations. That, again, is a really sad commentary on our Tax Code that you can't call 10 employees from the IRS and get the same answer from 10 different people on a code that millions of us are supposed to be adhering to because the way the Tax Code is written is so incomprehensible.

While the tax cuts of 2001 and 2003 have lowered taxes across the board and encouraged investments that lead to job creation, we are still saddled with this incomprehensible Tax Code.

The IRS reports that the tax gap, the difference between what people owe and what they pay is around $300 billion. This gap is composed of the cheaters and those who simply don't know any better because the system is too murky for the average taxpayer to accurately decipher.

Realities like the tax gap, the 6 billion hours of annual compliance time, and the thousands of pages of rules and regulations have led me to join with the approximately 100 fiscal conservatives of the Republican Study Committee in support of the American Taxpayer Bill of Rights. We need a taxpayer bill of rights passed. Many States have passed a taxpayer bill of rights, and we need to do that at the Federal level.

Those of us who have signed that pledge have pledged to work towards scrapping the Tax Code in order to build a new one that promotes transparency and commonsense. I have also promised to work to balance the budget. I have done that every chance that I have had since I have been in Congress, to exercise the fiscal discipline needed to rein in the growth of the Federal Government.

I want to say that 2 years ago, when we dealt with the Hurricane Katrina relief, I am very proud to say that I pushed for an offset in Federal spending at that time. We were faced with spending outside the budget, $52 billion in one fell swoop, to offer relief to the victims of Hurricane Katrina. We had no good plan for how that money was going to be spent, and we needed a plan. We did not have an offset set up when we first passed that $52 billion. I urged the Republican Study Committee to demand offsets.

In just a few weeks' period of time, we were able to come up with $39 billion in offsets to the $52 billion. We weren't able to come up with $52 billion, but we came up with $39 billion. One of my colleagues who gives me the credit for that, calls me the ''mother of offsets.'' It is a title I wear proudly. All of us need to be doing that here in the Congress. We all need to make sure that when we ask for any funding, that we are looking for ways to offset that funding, and certainly any new funding.

Unfortunately, the war supplemental that was passed 3 weeks ago did not have offsets in it because the rules here in the House say that emergency spending, such as the Katrina bill, don't have to have offsets in them; and yet our Democratic colleagues promised that in this session of Congress they would not do what the Republicans did and that was spend outside the budget and expand the growth of the Federal Government.

They just ignored that. They had $24 billion in new spending, pork-barrel spending, I would call it, spending to buy votes to pass the war supplemental, which were outside the budget and expanded the scope of spending, violating all of the promises that they made last year to do PAYGO. They found ways to get around those promises to pay as you go and not expand spending by putting it within the supplemental which was supposedly for the war and is emergency spending. That, to me, is one of the most cynical things that a person can do.

But as we file our taxes on April 17, we need to imagine the alternatives to piles of tax forms and schedules and endless hours calculating Uncle Sam's take. We need a system that is fair, simple and transparent. It is time for radical change in the way we collect taxes.

The first step is ditching the leviathan code we have inherited from decades of congressional tinkering and start a real tax debate over how to collect taxes responsibly, efficiently and fairly. I challenge my colleagues on the other side of the aisle to bring forth legislation that will relieve the burden that so many Americans feel at this time of the year where they have to spend hours and hours and weeks at a time preparing their taxes and paying a lot more out to the Federal Government than we should be paying.

Many years ago I read an article in the Wall Street Journal where they had done a survey of every segment of our society and asked, what do you think would a fair amount of money that you should be paying to the Federal Government in taxes. Most people felt 25 percent was about the fair amount that they should pay, and they would pay that willingly. But once you get beyond that, then people begin to begrudge it and avoid trying to pay their taxes.

We have way too many people in this country at this stage of the game paying approximately 48 percent of all of their income in taxes at all three levels, so we are at twice the level that most people feel is the fair amount to pay. I think most people would say that much of their money is being wasted. Not only do they think that they should pay only approximately 25 percent, but they want to know that the Federal Government is spending their money wisely.

I want to say that as far as I am concerned what we should be doing at the Federal level is funding primarily defense, the Federal system of interstate highways, and national parks. Beyond that, we should not be doing it.

Our Constitution shows that the things that are not mentioned in the Constitution, and in the 10th amendment we say those things not mentioned in the Constitution are the responsibility of the States. What we have done at the Federal level is we have taken on many, many more responsibilities than the framers and the founders of this country envisioned that we would do. What we need to do is step back, look at what we are funding at the Federal Government level and say, is it constitutional, is it something that we should be funding, and if not, then how can we get out of funding this and allow the States to do it. If it is a project that is worthy to be funded, then the States and localities should be doing it and not the Federal Government.

Our Federal Government was formed to provide for the defense of this Nation. The States and localities cannot do that; only the Federal Government can do it. That is our responsibility.

When people talk about the fact that we are taking money from education and putting it into the war effort, that is not accurate. We should not be funding education at all at the Federal level because that is not one of the parts of the Constitution that we should be funding. So I say if we could take the Federal Government back to its roots, to those things that we should be funding, then we would be able to lower the tax burden tremendously because much of the money that is taken at the Federal level is wasted.

President Jefferson said: ''The government which governs least governs best,'' and I think that is accurate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. MILLENDER-MCDONALD (at the request of Mr. HOYER) for today through May 25, 2007.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SMITH of Nebraska) to revise and extend their remarks and include extraneous material:)

Mr. JONES of North Carolina, for 5 minutes, today and April 17, 18, and 19.

Mr. POE, for 5 minutes, April 17, 18, and 19.

Mr. PAUL, for 5 minutes, April 17, 18, and 19.

Mr. BURTON of Indiana, for 5 minutes, today and April 17, 18, and 19.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 30. An act to intensify research to derive human pluripotent stem cell lines; to the Committee on Energy and Commerce.

S. 229. An act to redesignate a Federal building in Albuquerque, New Mexico, as the ''Raymond G. Murphy Department of Veterans Affairs Medical Center''; to the Committee on Veterans' Affairs.

S. 801. An act to designate a United States courthouse located in Fresno, California, as the ''Robert E. Coyle United States Courthouse''; to the Committee on Transportation and Infrastructure.

S. 1104. An act to increase the number of Iraqi and Afghani translators and interpreters who may be admitted to the United States as special immigrants; to the Committee on the Judiciary.

SENATE ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mr. VAN HOLLEN on Wednesday, April 11, 2007, announced his signature to an enrolled bill of the Senate of the following title:

S. 1002. An act to amend the Older Americans Act of 1965 to reinstate certain provisions relating to the nutrition services incentive programs.

□ 1600

ADJOURNMENT

Ms. FOXX. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 1 minute p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, April 17, 2007, at 10:30 a.m., for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1035. A letter from the Principal Deputy Under Secretary, Personnel and Readiness,

Department of Defense, transmitting the Department's report on the Critical Skills Retention Bonus (CSRB) program, pursuant to 37 U.S.C. 323 (h) Public Law 106-398, section 633 (a); to the Committee on Armed Services.

1036. A letter from the Secretary of the Army, Department of Defense, transmitting a determination that the Nunn-McCurdy Unit Cost thresholds for the enclosed programs' Program Acquisition Unit Cost and Average Procurement Unit Cost metrics have been breached, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

1037. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement Vice Admiral James D. McArthur, Jr., United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

1038. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the grade of brigadier general accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

1039. A letter from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting the Department's report for 2006 in accordance with Section 361(b) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, pursuant to 31 U.S.C. 5314; to the Committee on Financial Services.

1040. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Revisions to the Public Access to HUD Records Under the Freedom of Information Act (FOIA) Regulations [Docket No. FR-5069-F-02] (RIN: 2501-AD22) received March 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1041. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Timeliness Expenditures Standards for the Insular Areas Program [Docket No. FR-5012-F-02] (RIN: 2501-AD15) received March 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1042. A letter from the Secretary, Federal Trade Commission, transmitting the Twenty-Ninth Annual Report to Congress consistent with Section 815 of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. 1692m; to the Committee on Financial Services.

1043. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Technical Amendments to Regulations S-T [Release No. 34-55502] received March 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1044. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Alternative Fuel Transportation Program; Replacement Fuel Goal Modification (RIN: 1904-AB67) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1045. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 03-07 informing of an intent to sign the Project DIAMOND Memorandum of Understanding between the United States and the United Kingdom, pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

1046. A letter from the Under Secretary for Policy, Department of Defense, transmitting the Department's FY 2008 Cooperative Threat Reduction Annual Report, pursuant to Public Law 106-398, section 1308; to the Committee on Foreign Affairs.

1047. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1048. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1049. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1050. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1051. A letter from the Presidential Appointments Officer, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1052. A letter from the Presidential Appointments Officer, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1053. A letter from the Presidential Appointments Officer, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1054. A letter from the Presidential Appointments Officer, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1055. A letter from the Presidential Appointments Officer, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1056. A letter from the Assistant Administrator, Environmental Protection Agency, transmitting the Agency's report on the amount of the acquisitions made from entities that manufacture the articles, materials, or supplies outside of the United States in fiscal year 2006, pursuant to Public Law 109-115, section 837(a); to the Committee on Oversight and Government Reform.

1057. A letter from the EEO Director, Securities and Exchange Commission, transmitting a report about the Commission's activities in FY 2006 to ensure accountability for antidiscrimination and whistleblower laws related to employment, pursuant to Public Law 107-174, section 203 of Title II; to the Committee on Oversight and Government Reform.

1058. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule — Best Efforts in Administrative Fines Challenges [Notice 2007-7] received March 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

1059. A letter from the Secretary, Department of Commerce, transmitting the Department's report entitled, ''Chesapeake Bay Science, Service, and Stewardship: A Biennial Report to Congress,'' pursuant to Public Law 107-372 section 401(a)(307)(b)(7); to the Committee on Natural Resources.

1060. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Boating and Water Use Activities (RIN: 1024-AD07) received March 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1061. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Curecanti National Recreation Area, Personal Watercraft Use (RIN: 1024-AC99) received March 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1062. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Cape Lookout National Seashore, Personal Watercraft Use (RIN: 1024-AD44) received March 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1063. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Dry Tortugas National Park-Special Regulations (RIN: 1024-AD45) received March 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1064. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Glacier Bay National Park, Vessel Management Plan Regulations (RIN: 1024-AD25) received March 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1065. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; South Portland, Maine, Gulf Blasting Project [CGD01-07-012] (RIN: 1625-AA00) received March 29, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1066. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No. 30538; Amdt. No. 466] received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1067. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, Weather Takeoff Minimums; Miscellaneous Amendments [Docket No. 30530 Amdt. No. 3200] received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1068. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Vocational Rehabilitation and Employment Program — Initial Evaluations (RIN: 2900-AM25) received March 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1069. A letter from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, transmitting the Bureau's final rule — Establishment of the Snake River Valley Viticultural Area (2005R-463P) [T.D. TTB-59; Re: Notice No. 60] (RIN: 1513-AB22) received March 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1070. A letter from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and

Trade Bureau, transmitting the Bureau's final rule — Green Valley of Russian River Valley Viticultural Area (2005R-412P) [T.D. TTB-60; Re: Notice No. 58] (RIN: 1513-AB18) received March 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1071. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Weighted Average Interest Rates Update (Notice 2007-27) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1072. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Bureau of Labor Statistics, Department Store Inventory Price Indexes By Department Groups — received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1073. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Request for Comments and Interim Guidance Regarding Allocation of Costs under the Simplified Methods of Accounting under 263A (Notice 2007-29) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1074. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Hospital Conditions of Participation: Requirements for Approval and Re-approval of Transplant Centers to Perform Organ Transplants [CMS-3835-F] (RIN: 0938-AH17) received March 29, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

1075. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; Competitive Acquisition for Certain Durable Medical Equipment, Prosthetics Orthotics, and Supplies (DMEPOS) and Other Issues [CMS-1270-F] (RIN: 0938-AN14) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RANGEL: Committee on Ways and Means H.R. 1677. A bill to amend the Internal Revenue Code of 1986 to enhance taxpayer protections and outreach, with an amendment (Rept. 110–84). Referred to the Committee of the Whole House on the State of the Union.

Mr. GORDON: Committee on Science and Technology. H.R. 362. A bill to authorize science scholarships for educating mathematics and science teachers, and for other purposes, with an amendment (Rept. 110–85). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRANK: Committee on Financial Services. H.R. 1515. A bill to amend the Housing and Community Development Act of 1974 to treat certain communities as metropolitan cities for purposes of the community development block grant program (Rept. 110–86). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANTOS: Committee on Foreign Affairs. H.R. 1681. A bill to amend Congressional Charter of The American National Red Cross to modernize its governance structure, to enhance the ability of the board of governors of The American National Red Cross to support the critical mission of The American National Red Cross in the 21st century, and for other purposes, with an amendment the (Rept. 110–87). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRANK: Committee on Financial Services. H.R. 1257. A bill to amend the Securities Exchange Act of 1934 to provide shareholders with an advisory vote on executive compensation, with an amendment (Rept. 110–88). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CULBERSON (for himself, Mr. BARTLETT of Maryland, Mr. GARRETT of New Jersey, Mr. HOEKSTRA, and Mr. PAUL):

H.R. 1857. A bill to restore State sovereignty over public elementary and secondary education; to the Committee on Education and Labor.

By Mr. GOHMERT (for himself, Mr. CULBERSON, and Mr. REGULA):

H.R. 1858. A bill to provide for the retrocession of the District of Columbia to the State of Maryland, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MCCARTHY of New York:

H.R. 1859. A bill to reinstate the prohibition on the possession or transfer of large capacity ammunition feeding devices, and to strengthen that prohibition; to the Committee on the Judiciary.

By Mrs. MCCARTHY of New York:

H.R. 1860. A bill to amend the Internal Revenue Code of 1986 to provide a 100 percent deduction for expenses related to identity theft; to the Committee on Ways and Means.

By Ms. MCCOLLUM of Minnesota:

H.R. 1861. A bill to urge the Government of the Republic of Armenia to resolve the murder case of Joshua Haglund, a United States citizen, in Yerevan, Armenia, and to fund scholarships at the University of Minnesota in the memory of Joshua Haglund for study abroad and diversity training; to the Committee on Foreign Affairs, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LORETTA SANCHEZ of California:

H.R. 1862. A bill to amend the Internal Revenue Code of 1986 to encourage new school construction through the creation of a new class of bond; to the Committee on Ways and Means.

By Mr. RANGEL:

H. Con. Res. 111. Concurrent resolution expressing the sense of Congress that Lionel Hampton should be honored for his contributions to American music; to the Committee on Education and Labor.

By Mr. LARSON of Connecticut:

H. Res. 296. A resolution supporting the goals and ideals of National Eosinophil Awareness Week, and for other purposes; to the Committee on Education and Labor.

By Mr. RANGEL:

H. Res. 297. A resolution expressing the sense of the House of Representatives that A. Philip Randolph should be recognized for his lifelong leadership and work end discrimination and secure equal employment and labor opportunities for all Americans; to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEARNS (for himself, Ms. WASSERMAN SCHULTZ, Mr. BUCHANAN, Mr. MARIO DIAZ-BALART of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MILLER of Florida, Mr. KELLER, Ms. ROS-LEHTINEN, Mr. BILIRAKIS, Mr. MACK, Mr. YOUNG of Florida, Ms. CORRINE BROWN of Florida, Mr. MAHONEY of Florida, Mr. PUTNAM, Ms. GINNY BROWN-WAITE of Florida, Mr. CRENSHAW, Mr. BOYD of Florida, Mr. WEXLER, Ms. CASTOR, Mr. FEENEY, Mr. MEEK of Florida, Mr. MICA, Mr. KLEIN of Florida, Mr. WELDON of Florida, and Mr. HASTINGS of Florida):

H. Res. 298. A resolution to commend the University of Florida Gators for their historic win in the 2007 National Collegiate Athletic Association Division I Men's Basketball Tournament; to the Committee on Education and Labor.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 18: Mr. HARE.

H.R. 39: Ms. WATERS, Ms. ROYBAL-ALLARD, and Mr. DOYLE.

H.R. 74: Mr. WYNN and Mr. BOSWELL.

H.R. 82: Mr. WEINER.

H.R. 89: Mr. HAYES, Mr. ROSS, Mr. FILNER, and Mr. MARSHALL.

H.R. 96: Mr. SHERMAN.

H.R. 111: Mr. COBLE, Mr. FILNER, Mr. SIRES, Mr. MEEK of Florida, Mr. JACKSON of Illinois, Mr. BARRETT of South Carolina, Mr. WEXLER, Ms. WATSON, Mr. PERLMUTTER, Mr. COSTA, Mr. BOUSTANY, Mr. SHULER, Mr. PATRICK MURPHY of Pennsylvania, Mr. CARNEY, Mr. LEVIN, Mr. YARMUTH, Mr. WEINER, and Ms. LEE.

H.R. 145: Mr. GORDON.

H.R. 156: Ms. HOOLEY.

H.R. 171: Mr. WAXMAN and Mr. ETHERIDGE.

H.R. 176: Ms. CLARKE and Mr. FATTAH.

H.R. 197: Mr. WU, Mr. WALDEN of Oregon, Mr. RODRIGUEZ, and Mrs. CAPPS.

H.R. 211: Ms. MATSUI, Ms. SHEA-PORTER, Mr. HIGGINS, Mr. ISRAEL, and Mr. MORAN of Virginia.

H.R. 260: Mrs. CAPPS.

H.R. 297: Mr. SHERMAN.

H.R. 303: Mr. RAHALL, Mr. PASCRELL, Mrs. CUBIN, and Mr. ROSS.

H.R. 322: Mr. PICKERING.

H.R. 358: Mr. GINGREY, Mr. MURPHY of Connecticut, and Mr. COURTNEY.

H.R. 362: Ms. HERSETH SANDLIN, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WOOLSEY, Mr. UDALL of Colorado, Mr. BARTLETT of Maryland, Mr. SHAYS, and Mr. CHANDLER.

H.R. 442: Mr. BOOZMAN, Mr. ROSS, and Mr. SNYDER.

H.R. 473: Mr. MANZULLO.

H.R. 522: Mr. GUTIERREZ, Mr. FATTAH, Ms. CASTOR, and Mr. RANGEL.

H.R. 526: Mr. CARNEY.

H.R. 563: Ms. FALLIN.

H.R. 579: Mr. TIM MURPHY of Pennsylvania, Mr. HODES, Mr. HIGGINS, Mrs. MCMORRIS RODGERS, Mr. HILL, Mr. KAGEN, Mr. RODRIGUEZ, Mr. ELLSWORTH, Mr. PATRICK MURPHY of Pennsylvania, Mr. ADERHOLT, and Mr. BUTTERFIELD.

H.R. 621: Mr. KUHL of New York and Mr. ADERHOLT.

H.R. 661: Ms. ESHOO, Mr. MARKEY, Mr. PRICE of North Carolina, and Ms. MOORE of Wisconsin.

H.R. 664: Mr. GARY G. MILLER of California.

H.R. 694: Ms. CORRINE BROWN of Florida, Mr. ROSS, and Mr. MEEKS of New York.

H.R. 699: Mr. CALVERT, Mr. GRAVES, Mr. TIBERI, and Mr. LINCOLN DAVIS of Tennessee.

H.R. 717: Mr. BLUMENAUER.

H.R. 725: Ms. FOXX.

H.R. 728: Mr. BOYD of Florida, Mr. KING of New York, Mr. MURTHA, Mr. WEINER, Mr. WU, Mr. BOOZMAN, Mr. ABERCROMBIE, Ms. BERKLEY, Mr. RAHALL, and Ms. CLARKE.

H.R. 768: Mr. DEAL of Georgia.

H.R. 776: Mr. PLATTS.

H.R. 782: Ms. CORRINE BROWN of Florida, Mr. HIGGINS, Mr. GRIJALVA, Mr. ISSA, Mr. BROWN of South Carolina, Mr. DONNELLY, Mr. MCCAUL of Texas, Mr. CLAY, Mr. BONNER, Mr. DINGELL, Mr. WAMP, Mr. GOHMERT, Mr. PITTS, Mr. AL GREEN of Texas, Mr. BUTTERFIELD, Mr. KUCINICH, Mr. GEORGE MILLER of California, Mr. BOSWELL, and Mr. EDWARDS.

H.R. 783: Mr. UDALL of Colorado.

H.R. 840: Ms. WATSON, Mrs. MALONEY of New York, and Mr. SERRANO.

H.R. 853: Mr. TOWNS and Mr. MORAN of Virginia.

H.R. 861: Mr. CULBERSON, Mr. SAM JOHNSON of Texas, and Mr. BISHOP of Georgia.

H.R. 891: Ms. DELAURO, Mr. SERRANO, Mr. PALLONE, Mr. GONZALEZ, Mr. CLEAVER, Mr. EHLERS, and Mr. EMANUEL.

H.R. 899: Mr. THOMPSON of Mississippi.

H.R. 938: Mr. GOHMERT.

H.R. 943: Ms. MATSUI, Mr. LANTOS, Mrs. MYRICK, Mr. BRALEY of Iowa, Mr. POMEROY, Mr. MARSHALL, Mr. YARMUTH, Mr. ANDREWS, Mrs. LOWEY, Mr. ACKERMAN, Mr. OLVER, Mr. LOEBSACK, and Mr. DAVIS of Kentucky.

H.R. 951: Mr. MARSHALL.

H.R. 964: Mr. MCCAUL of Texas, Mr. MCCOTTER, and Mr. FARR.

H.R. 971: Mr. TIAHRT, Mr. GILCHREST, Mr. HINCHEY, Mr. FORTENBERRY, Mrs. CUBIN, Mr. LARSEN of Washington, Mr. SNYDER, and Ms. BALDWIN.

H.R. 998: Mr. WYNN.

H.R. 1014: Mr. MARKEY, Mr. SULLIVAN, Ms. MOORE of Wisconsin, Mr. MOORE of Kansas, Mr. ARCURI, and Mr. STUPAK.

H.R. 1022: Mr. ABERCROMBIE, Mr. FARR, and Mr. WAXMAN.

H.R. 1023: Mr. BRALEY of Iowa, Mr. JINDAL, Mr. ALTMIRE, and Mr. FILNER.

H.R. 1029: Mr. WAMP, Mr. EHLERS, Mr. GILLMOR, and Mr. ALLEN.

H.R. 1071: Mr. PALLONE.

H.R. 1076: Mr. ENGLISH of Pennsylvania, Mr. ETHERIDGE, Mr. OBERSTAR, and Mr. ROTHMAN.

H.R. 1084: Mr. DAVIS of Kentucky and Mr. PATRICK MURPHY of Pennsylvania.

H.R. 1088: Mr. OBERSTAR.

H.R. 1108: Ms. HERSETH SANDLIN, Ms. CARSON, Mr. LAMPSON, Ms. SHEA-PORTER, Mr. MITCHELL, Mr. DEFAZIO, Mr. JOHNSON of Georgia, and Mr. COSTELLO.

H.R. 1110: Mr. KINGSTON, Ms. MCCOLLUM of Minnesota, Mr. DAVIS of Kentucky, Mr. WALBERG, Mr. JOHNSON of Georgia, Mr. ABERCROMBIE, Ms. MOORE of Wisconsin, Mrs. CAPITO, Mr. HERGER, Mr. MCCOTTER, Mr. WEINER, Mr. EDWARDS, Mr. COOPER, Mr. BOOZMAN, Ms. VELÁZQUEZ, Mr. RUSH, Mr. MELANCON, Mr. CLEAVER, Mr. RUPPERSBERGER, Mr. JOHNSON of Illinois, Mr. TERRY, Mr. BURTON of Indiana, Mr. DEFAZIO, Mr. PRICE of North Carolina, and Ms. ESHOO.

H.R. 1125: Ms. FOXX, Mr. CALVERT, and Mr. FEENEY.

H.R. 1134: Mr. PITTS, Mr. BISHOP of Georgia, Mr. RAHALL, and Mr. JINDAL.

H.R. 1137: Ms. JACKSON-LEE of Texas and Ms. CARSON.

H.R. 1153: Mr. COLE of Oklahoma.

H.R. 1164: Mr. PAYNE.

H.R. 1170: Mr. FRANK of Massachusetts.

H.R. 1191: Mr. PASTOR.

H.R. 1192: Ms. SCHAKOWSKY, Mr. GOODE, Mr. PRICE of North Carolina, Mrs. MALONEY of New York, Mr. WEXLER, Mr. HARE, Mr. PLATTS, Mr. GORDON, and Ms. ESHOO.

H.R. 1199: Mr. WAMP, Mr. ABERCROMBIE, Ms. JACKSON-LEE of Texas, and Mr. HINOJOSA.

H.R. 1224: Mr. FILNER, Ms. JACKSON-LEE of Texas, Ms. NORTON, Ms. ZOE LOFGREN of California, Mr. ROTHMAN, and Mr. GORDON.

H.R. 1225: Mr. CARNAHAN, Mr. GEORGE MILLER of California, Mr. FILNER, Ms. ZOE LOFGREN of California, Mrs. DAVIS of California, Mr. ALLEN, Mr. COHEN, Mr. WAXMAN, Mr. ELLISON, and Mr. DEFAZIO.

H.R. 1236: Mr. KILDEE, Mr. GONZALEZ, Ms. SCHAKOWSKY, Mr. AL GREEN of Texas, Ms. BEAN, Mr. LOEBSACK, Mr. CONYERS, Ms. MOORE of Wisconsin, Mr. DINGELL, Ms. SUTTON, Mr. SCOTT of Virginia, Ms. SHEA-PORTER, Ms. ROS-LEHTINEN, Mr. CUMMINGS, Mr. DELAHUNT, Mr. OBERSTAR, Mr. JEFFERSON, Mr. GUTIERREZ, Mr. LEWIS of Georgia, Mr. STARK, Mr. UDALL of Colorado, Ms. HARMAN, and Ms. KILPATRICK.

H.R. 1237: Mr. BURTON of Indiana and Mr. SHUSTER.

H.R. 1240: Mr. PATRICK MURPHY of Pennsylvania.

H.R. 1246: Mr. SIRES and Ms. CLARKE.

H.R. 1260: Mrs. BLACKBURN and Mr. COOPER.

H.R. 1261: Mr. BURGESS and Mr. TIAHRT.

H.R. 1279: Mr. LATHAM, Mr. ROTHMAN, and Mr. BRALEY of Iowa.

H.R. 1280: Mr. ROTHMAN, Ms. MCCOLLUM of Minnesota, Ms. ESHOO, Mr. INSLEE, Mr. COHEN, Mr. EMANUEL, Mr. PALLONE, Mr. FARR, and Ms. SHEA-PORTER.

H.R. 1281: Mr. WYNN.

H.R. 1283: Mr. ADERHOLT, Mr. ETHERIDGE, Mr. EVERETT, Mr. ISSA, Mr. JINDAL, Mr. KLEIN of Florida, Ms. ZOE LOFGREN of California, Mr. LYNCH, Ms. MOORE of Wisconsin, Mr. MORAN of Virginia, and Mr. NEAL of Massachusetts.

H.R. 1286: Mr. BISHOP of New York and Mr. EHLERS.

H.R. 1300: Mr. COURTNEY and Mr. HILL.

H.R. 1307: Mr. GINGREY.

H.R. 1330: Ms. SUTTON, Mr. BRADY of Pennsylvania, Mr. DOYLE, and Mr. MEEKS of New York.

H.R. 1332: Ms. LINDA T. SÁNCHEZ of California.

H.R. 1344: Mr. LEWIS of Kentucky, Ms. SUTTON, Ms. BALDWIN, Mr. THOMPSON of Mississippi, Mr. KAGEN, Mr. JACKSON of Illinois, Ms. KAPTUR, and Mr. JOHNSON of Georgia.

H.R. 1350: Ms. MOORE of Wisconsin.

H.R. 1354: Mr. SARBANES.

H.R. 1355: Mrs. DRAKE and Mr. FORBES.

H.R. 1380: Ms. HIRONO, Mr. FILNER, and Mr. FARR.

H.R. 1390: Mr. BROWN of South Carolina and Mr. INGLIS of South Carolina.

H.R. 1391: Mr. CONYERS, Ms. SCHAKOWSKY, Mr. NADLER, Ms. SUTTON, Mr. FILNER, Mr. MCDERMOTT, and Mrs. CAPPS.

H.R. 1400: Mr. LATHAM, Ms. DEGETTE, Mr. FEENEY, Mr. NUNES, Mr. SAM JOHNSON of Texas, Mr. MELANCON, Mr. SHAYS, Mr. BACA, Ms. ZOE LOFGREN of California, Mr. MCHENRY, Mr. CHANDLER, Mr. NEUGEBAUER, Ms. GIFFORDS, Mr. ROGERS of Alabama, Mr. PATRICK MURPHY OF PENNSYLVANIA, Mr. SULLIVAN, Mr. MEEK of Florida, Mr. SIMPSON, Mr. THOMPSON of Mississippi, and Mr. BILIRAKIS.

H.R. 1414: Mr. GRIJALVA and Mr. ISRAEL.

H.R. 1415: Mrs. CAPPS, Ms. ZOE LOFGREN of California, Ms. NORTON, Mr. HONDA, and Mr. ARCURI.

H.R. 1416: Mrs. CAPPS, Mr. FATTAH, Ms. ZOE LOFGREN of California, Ms. NORTON, and Mr. ARCURI.

H.R. 1431: Mr. MCCOTTER.

H.R. 1434: Ms. SCHAKOWSKY, Mr. BLUMENAUER, Mrs. CAPPS, and Mr. PAYNE.

H.R. 1436: Mrs. JO ANN DAVIS of Virginia and Mr. GOODE.

H.R. 1439: Mrs. LOWEY, Ms. SUTTON, Mr. WEINER, Ms. MOORE of Wisconsin, and Mr. GINGREY.

H.R. 1440: Mr. WOLF, Mr. HINCHEY, Mr. BURTON of Indiana, Mr. REYES, and Mr. HINOJOSA.

H.R. 1453: Mr. INSLEE.

H.R. 1465: Mr. NADLER.

H.R. 1467: Mr. LANGEVIN.

H.R. 1469: Mr. FILNER, Ms. SCHAKOWSKY, Mr. ABERCROMBIE, Ms. JACKSON-LEE of Texas, Ms. SLAUGHTER, and Mr. RAHALL.

H.R. 1474: Mr. FRANK of Massachusetts, Mr. ETHERIDGE, Mr. BRALEY of Iowa, Mr. BARTLETT of Maryland, Mr. HAYES, Mr. GILCHREST, Mr. JINDAL, Ms. MCCOLLUM of Minnesota, and Mr. BRADY of Pennsylvania.

H.R. 1479: Mr. ABERCROMBIE.

H.R. 1506: Mrs. LOWEY, Ms. SCHAKOWSKY, Mr. CROWLEY, Mr. MEEHAN, Mr. BAIRD, Ms. MOORE of Wisconsin, Ms. MCCOLLUM of Minnesota, Mr. EMANUEL, Mr. ELLISON, Mr. SIRES, Mr. FILNER, Mr. ABERCROMBIE, Mr. JOHNSON of Georgia, and Mr. FATTAH.

H.R. 1512: Ms. GIFFORDS, Mr. WEINER, Mrs. CHRISTENSEN, and Mr. UDALL of Colorado.

H.R. 1522: Mr. LOBIONDO, Ms. WASSERMAN SCHULTZ, Mr. HOLDEN, Mr. SOUDER, Ms. HIRONO, Mr. GENE GREEN of Texas, Mr. BROWN of South Carolina, Mr. EDWARDS, and Mr. EHLERS.

H.R. 1537: Ms. LEE, Ms. WATSON, Mr. ROHRABACHER, Mr. MILLER of Florida, Mr. HINCHEY, Mr. FARR, Mr. KILDEE, Ms. SLAUGHTER, Mr. MCHUGH, Ms. KAPTUR, Mr. CONYERS, Mr. LEWIS of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WOOLSEY, Mr. BISHOP of Georgia, Mr. MCCOTTER, Mr. HUNTER, Mr. GEORGE MILLER of California, Mr. UDALL of Colorado, Mr. PALLONE, Mr. RUPPERSBERGER, Mr. GRIJALVA, Mr. BARTLETT of Maryland, Mr. RYAN of Ohio, Mr. BILBRAY, Ms. SCHAKOWSKY, Mr. REYES, Mrs. LOWEY, Mr. KUHL of New York, Mr. BACA, Ms. CORRINE BROWN of Florida, Ms. BALDWIN, Mr. HARE, Mr. TANCREDO, and Mr. LANTOS.

H.R. 1554: Mr. LATHAM and Mr. LOEBSACK.

H.R. 1560: Mr. MORAN of Virginia.

H.R. 1565: Mr. VAN HOLLEN.

H.R. 1566: Mrs. LOWEY.

H.R. 1568: Mr. MCCOTTER.

H.R. 1582: Mr. COHEN.

H.R. 1589: Mrs. JO ANN DAVIS of Virginia, Mrs. DRAKE, Mr. ALLEN, Mr. GOODE, Ms. GINNY BROWN-WAITE of Florida, and Mr. MARSHALL.

H.R. 1590: Mr. PATRICK MURPHY of Pennsylvania and Mr. LARSEN of Washington.

H.R. 1593: Mr. CLAY, Mr. COHEN, Mr. ELLISON, Mr. GUTIERREZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MYRICK, Mr. RAMSTAD, Mr. PAYNE, Mr. PENCE, Mr. SHIMKUS, Mr. STARK, Mr. THOMPSON of Mississippi, Mrs. SCHMIDT, Mr. DELAHUNT, Ms. MOORE of Wisconsin, Mr. VAN HOLLEN, Ms. CORRINE BROWN of Florida, Mr. FRANKS of Arizona, Mr. NADLER, Mr. BOUCHER, Mr. BERMAN, Ms. LEE, Ms. LORETTA SANCHEZ of California, Mr. EHLERS, Mr. JEFFERSON, Mr. MOORE of Kansas, Mr. REYES, Ms. DEGETTE, Mr. RUPPERSBERGER, Mr. MCDERMOTT, Mr. ROGERS of Alabama, Mr. BOSWELL, Mr. MCNULTY, Mr. PASTOR, Mr. TOWNS, Ms. CARSON, Mr. SHAYS, Ms. MCCOLLUM of Minnesota, Mr. RANGEL, Mr. MEEKS of New York, Mr. JONES of North Carolina, Mr. LEWIS of Georgia, Mr. LANGEVIN, Ms. NORTON, Mr. MORAN of Virginia, Mr. KENNEDY, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Ms. BERKLEY, Mr. PITTS, Mr. GERLACH, Mr. PRICE of North Carolina, Mr. CARNAHAN, Mr. TOM DAVIS of Virginia, and Mr. HASTINGS of Florida.

H.R. 1636: Mr. MURPHY of Connecticut.

H.R. 1653: Mr. ABERCROMBIE, Mr. LEVIN, Ms. HIRONO, Mr. PATRICK MURPHY of Pennsylvania, Mr. COHEN, Mr. PRICE of North Carolina, Ms. HARMAN, Mr. LARSEN of Washington, Mr. FRANK of Massachusetts, and Ms. SOLIS.

H.R. 1671: Mr. MELANCON and Mr. JOHNSON of Georgia.

H.R. 1678: Mr. MCNERNEY, Ms. ZOE LOFGREN of California, Mr. WALZ of Minnesota, Ms. JACKSON-LEE of Texas, and Mr. WAXMAN.

H.R. 1681: Mr. MCHUGH.

H.R. 1687: Mr. WU, Mr. HOLT, Mr. MORAN of Virginia, Mr. ANDREWS, and Mr. HINOJOSA.

H.R. 1731: Mr. WALDEN of Oregon, Mr. RENZI, Mr. MCCOTTER, Mr. DAVID DAVIS of Tennessee, Mr. EHLERS, Mr. UDALL of Colorado, Mr. WAXMAN, Mrs. NAPOLITANO, Mr. SNYDER, Mr. RAMSTAD, Mr. DEFAZIO, Mrs. CAPITO, Mr. THOMPSON of California, Mr. SHAYS, Mr. BROWN of South Carolina, Mr. MOORE of Kansas, Ms. MCCOLLUM of Minnesota, Mr. ABERCROMBIE, Mr. KILDEE, Mr. ROTHMAN, Ms. SHEA-PORTER, Mr. COSTA, Mr. REICHERT, Mr. WYNN, and Ms. SCHAKOWSKY.

H.R. 1732: Ms. FOXX and Mr. BARTON of Texas.

H.R. 1738: Mr. KENNEDY.

H.R. 1742: Mr. HIGGINS, Mr. BISHOP of Georgia, Ms. SCHAKOWSKY, Mrs. MCCARTHY of New York, Mr. MILLER of North Carolina, Mr. MOORE of Kansas, and Mr. EMANUEL.

H.R. 1756: Mr. GARRETT of New Jersey, Mrs. CAPITO, Mr. MOLLOHAN, Mr. SAXTON, Mr. SOUDER, Mr. RYAN of Ohio, Mr. PLATTS, and Mr. WOLF.

H.R. 1760: Mr. KAGEN.

H.R. 1791: Mr. WAMP and Mr. FRANKS of Arizona.

H.R. 1810: Mr. CANTOR, Mr. EMANUEL, and Mr. MEEK of Florida.

H.R. 1823: Mr. LARSON of Connecticut.

H.R. 1833: Mrs. MUSGRAVE.

H.J. Res. 12: Mr. LINDER, Mr. LOBIONDO, Mr. BOYD of Florida, Mr. HAYES, Mr. GOODE, and Mr. BROWN of South Carolina.

H. Con. Res. 28: Mr. KING of New York.

H. Con. Res. 39: Mr. HINCHEY, Ms. HIRONO, Mr. INSLEE, Mr. MCDERMOTT, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Ms. SCHAKOWSKY, Mr. SHAYS, and Mr. HARE.

H. Con. Res. 48: Mrs. MCCARTHY of New York, Mr. CLEAVER, Mr. HAYES, Mrs. CHRISTENSEN, Mr. BURGESS, Mr. SHAYS, and Mr. RYAN of Ohio.

H. Con. Res. 71: Mrs. CAPPS, Mr. RAHALL, Ms. DEGETTE, Ms. DELAURO, and Ms. ROS-LEHTINEN.

H. Con. Res. 72: Mr. GUTIERREZ, Mr. BISHOP of New York, Ms. SOLIS, and Mr. LANTOS.

H. Con. Res. 73: Mr. ANDREWS.

H. Con. Res. 75: Mr. STARK, Ms. MOORE of Wisconsin, Ms. CLARKE, and Mr. WAXMAN.

H. Con. Res. 92: Mr. HIGGINS, Mr. PATRICK MURPHY of Pennsylvania, and Mr. KIND.

H. Con. Res. 102: Mr. MANZULLO and Ms. CLARKE.

H. Con. Res. 108: Mr. NADLER, Mr. FERGUSON, and Mr. HARE.

H. Res. 106: Mr. SALAZAR, Mr. HUNTER, Mr. REICHERT, and Ms. CLARKE.

H. Res. 111: Mr. MCNULTY, Mr. OBERSTAR, Mr. TANCREDO, and Mr. YARMUTH.

H. Res. 137: Mr. LANTOS, Mr. SHERMAN, Mr. DELAHUNT, Ms. LINDA T. SÁNCHEZ of California, Ms. JACKSON-LEE of Texas, Mr. KLEIN of Florida, Mr. VAN HOLLEN, and Mr. MCCOTTER.

H. Res. 146: Mr. HARE, Mr. JEFFERSON, Mr. HINOJOSA, Mr. HASTINGS of Florida, Mr. ABERCROMBIE, Mr. BUTTERFIELD, Mr. PAYNE, and Mr. WAXMAN.

H. Res. 154: Mr. KUHL of New York and Mr. GRIJALVA.

H. Res. 179: Mr. FORBES, Mr. AKIN, Mr. SALAZAR, Ms. GIFFORDS, Mr. SCHIFF, and Mr. WOLF.

H. Res. 185: Mr. WAXMAN.

H. Res. 189: Mr. WOLF, Mr. ROSS, and Mr. MEEKS of New York.

H. Res. 194: Mr. SCOTT of Virginia and Mr. VAN HOLLEN.

H. Res. 231: Mr. TIAHRT.

H. Res. 263: Mr. SCHIFF.

H. Res. 264: Mr. WILSON of Ohio, Mr. MCNULTY, and Mr. PAYNE.

H. Res. 272: Mr. CONYERS, Ms. JACKSON-LEE of Texas, Ms. CORRINE BROWN of Florida, Mr. AL GREEN of Texas, Mr. COHEN, Ms. WATSON, Mr. CUMMINGS, Mr. SCOTT of Virginia, Mr. DELAHUNT, Mr. MEEKS of New York, Ms. MCCOLLUM of Minnesota, and Mr. WEXLER.

H. Res. 273: Mr. WILSON of Ohio, Mr. LAMBORN, and Mr. CUMMINGS.

H. Res. 289: Mr. POE, Mrs. MALONEY of New York, Mr. BOUCHER, Mr. NADLER, Mr. COSTA, Ms. MATSUI, Mr. MOORE of Kansas, Ms. ZOE LOFGREN of California, and Mr. GRIJALVA.

H. Res. 292: Mr. REGULA.

H. Res. 295: Mr. SESSIONS, Mr. TIAHRT, Mrs. MYRICK, Mrs. MCCARTHY of New York, and Mr. GARRETT of New Jersey.

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PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, MONDAY, APRIL 16, 2007 No. 60

Senate

The Senate met at 2 p.m. and was called to order by the Honorable MARIA CANTWELL, a Senator from the State of Washington.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, evermore creating: About us today are needs unattended and problems unsolved. Use the hearts and hands of our lawmakers to lift burdens and liberate lives. Give our Senators the wisdom that will lead them to know what must be done to make a better world. Open their ears to hear the cries of those on life's margins. Infuse them with courage to act by bringing relief and release to those who are bruised by life's storms. Whisper words of counsel to our leaders, particularly during their moments of important decisionmaking. As they seek to honor You, give them a deeper understanding of Your ways.

And, Lord, help them to do the very best they can each day, leaving the results to You.

We end this prayer by asking You to comfort those affected by the tragedy at Virginia Tech.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARIA CANTWELL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will read a communication to the Senate from the President pro tempore (Mr. BYRD).

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington DC, April 16, 2007.

To the Senate:

Under the provisions of rule 1, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARIA CANTWELL, a Senator from the State of Washington, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Ms. CANTWELL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, today the Senate will conduct morning business for a period of 60 minutes, with Senators permitted to speak for up to 10 minutes each. Following morning business, the Senate will resume consideration of S. 372, the Intelligence authorization bill.

Once the Senate resumes the bill, Senator ROCKEFELLER, the majority manager, will be recognized to offer a managers' amendment on behalf of himself and Senator BOND. A cloture vote on the bill will occur this afternoon at 5:30. That will be the first vote of the week. Members have until 2:30 to file any first-degree amendments.

ORDER OF PROCEDURE

I ask unanimous consent that Members have until 5 p.m. today to file second-degree amendments.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Also, during today's session I will move to proceed to S. 3, the prescription drug bill that was reported by the Finance Committee last evening.

I ask unanimous consent, regarding any germane and timely filed first-degree amendment under rule XXII, with respect to cloture on S. 372, that it be in order for the amendment instruction line to be modified to comport to the managers' amendment.

Before the Chair rules on my request, I make this request since we are in a situation where the managers will offer an amendment at 3 p.m., which must be filed by 2:30, the filing deadline for first-degree amendments, and Members will not have an opportunity to review the amendment prior to the time for filing their amendments.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRAGEDY AT VIRGINIA TECH

Mr. REID. Madam President, as mentioned in the prayer by Admiral Black, today America suffered a tragedy that defies our ability to comprehend. The news out of Virginia Tech and Blacksburg is still breaking. We don't know yet all the facts except there are 22 dead, at least 28 wounded. But what we do know breaks our hearts and shakes us to our very core. For now, we can only offer our thoughts and our prayers in our individual ways.

One of my good friends is the athletic director of Virginia Tech. He formerly was the athletic director at UNLV—Jim Weaver, a wonderful man. He has done such a great job with that program. The Virginia Tech program has received such notoriety—positive in recent years because of their athletic program. They also have a great academic program.

We all pray for the students, faculty members, and the families of the Virginia Tech community and do hope for a speedy recovery of the wounded.

We pray that America can find the strength, which we will find, to overcome our grief and outrage as we face yet another tragedy.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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I think it would be appropriate, Madam President, if the distinguished Republican leader wishes to say something about this tragedy, that after he does, I ask for a moment of silence for the faculty, the students, the administration, and everyone in Virginia Tech—and our country, really. A moment of silence.

Does the Senator wish to speak?

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

TRAGEDY AT VIRGINIA TECH

Mr. McCONNELL. Madam President, let me just, on this side of the aisle, offer my condolences for this unspeakable tragedy to which the majority leader has been referring and join him in calling for a moment of silence.

(Moment of silence.)

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

JACKIE ROBINSON

Mr. REID. Madam President, in July of 1944, 11 years before Rosa Parks became the mother of the civil rights movement, an African-American second lieutenant of the U.S. Navy was court-martialed on charges of insubordination for refusing to move to the back of a segregated military bus. Three years later, and 60 years ago yesterday, that second lieutenant was insubordinate to bigotry once again—this time by breaking Major League Baseball's color barrier. His name was Jackie Robinson.

When Dodgers owner Branch Ricky brought Jackie Robinson to the Major Leagues, many asked: Why Jackie Robinson? After all, the Negro League was filled with talented players from whom to choose. Many were much younger than Jackie Robinson; some, perhaps, even better athletes. The answer, of course, was integrity, character.

Branch Ricky knew that this trailblazing ballplayer would have to be both an athlete and a role model—a role model for African Americans and for all Americans—and no one was better suited to that great challenge than Jackie Robinson.

When Jackie Robinson crossed the chalk lines at Ebbitt's Field that day, he carried the weight of a nation along with him. On one shoulder were the catcalls, obscene gestures, and even threats from fans, opposing players, and even some of his own teammates. But on the other shoulder were the dreams of Blacks, and all Americans, that our country could one day fulfill its destiny of equality in deeds and not just in words.

Jackie's career accomplishments alone would have been enough to earn our admiration: Rookie of the Year, 6 All-Star games, Most Valuable Player Award, and a World Series championship.

Yesterday, I was visiting my daughter, and especially my grandchildren, here in the Washington, DC, area. I have three grandchildren here. My 16-year-old grandchild, Mattie, was going to have to give a talk to a group of young people. She said she only needed to talk for a couple of minutes. What could she talk about?

I said: Mattie, why don't you talk about Jackie Robinson? Tell them what a great athlete he was. But he isn't known today because he was a great athlete and stole home more than any other baseball player and did all the great things athletically; he is famous today because of his integrity. So that is what Mattie spoke to her friends about.

Jackie Robinson is now a legend. He taught a generation of African-American children that they, too, must be, on occasion, insubordinate to injustice whenever they find it, whether on a bus or on a ballfield or in a board room. Sixty years later that lesson still rings true, from Brooklyn to Los Angeles and every town and city in between.

America is a better place because of the integrity of Jackie Robinson.

The ACTING PRESIDENT pro tempore. The minority leader.

Mr. McCONNELL. Madam President, when I was a youngster, I became a fan of the Brooklyn Dodgers for two reasons. One was because of Jackie Robinson. The distinguished majority leader was just referring to his history-making appearance in a Major League uniform for the first time. The other was for a Louisville teammate of his named Pee Wee Reese. He was the one who made, really, a kind of public display of welcoming Robinson amid some of the boos and catcalls he got in the early games when he first played.

Reese went over and put his hand on Jackie Robinson's shoulder. Since he was from the South, I think it was an indication that Robinson was certainly going to be accepted by his teammates and by the rest of the league shortly thereafter and certainly ought to be accepted by the fans as well.

It was a period during which the character of people was being measured; the character of Jackie Robinson in being willing to take on this challenge and tear down this barrier for the first time in American history, and the character of those with whom he was going to be playing. Would they accept him or would they not?

It was a great Kentuckian, Pee Wee Reese, who made it clear that Jackie Robinson was going to be accepted. It was the beginning of a great thing that our country did and, of course, was a breakthrough for many of the subsequent developments that occurred over the years in improving race relations in our country. We are proud to honor the memory of Jackie Robinson.

HONORING OUR ARMED FORCES

SPECIALIST MICHAEL R. HAYES

Mr. McCONNELL. Madam President, our Nation owes a debt of gratitude to the brave men and women who fight to preserve it, a debt so great that a tribute befitting their sacrifice may well lie beyond our power to express it. Nevertheless, I ask the Senate to pause today in loving memory of SPC Michael R. Hayes of Morgantown, KY. He was 29 years old.

Specialist Hayes of the Kentucky National Guard died in support of Operation Iraqi Freedom on June 14, 2005, when a rocket-propelled grenade struck his humvee while he was securing a roadside bomb site in Baghdad.

Earlier that year, he had served valiantly in a brutal 30-minute firefight in which 10 guardsmen fought off dozens of Iraqi attackers, killing 26 anti-American fighters.

For his actions as a guardsman, Specialist Hayes earned several medals and awards, including the Bronze Star and the Purple Heart.

It is certainly sad but perhaps fitting that Mike would be taken from us while helping his fellow soldiers. Helping others was one of the defining features of Michael Hayes' life.

When Mike wasn't yet 5 years old, he was joined by his little brother, Jamie. Soon after returning home from the hospital, his mother, Barkley Hayes, heard newborn Jamie crying in his crib.

Before she could get to him, however, Mike met her in the hallway, Jamie in his arms, saying, ''Mommy, help him to stop crying!''

Mike continued to look after Jamie and younger sister Melissa when all three served in the Guard's 617th Military Police Company and were stationed in Iraq at the same time. His loving relationship with his family was something Mike cherished.

Mike was also part of another family, his soccer family. David Hocker, a friend that Mike was close to, described Mike's love for the game succinctly: ''I have never in my life met anyone who loved soccer more than that man.''

Mike was a member of the inaugural soccer team during his sophomore year at Greenwood High School in Bowling Green, KY, where he was born and raised. A leader on and off the field, he helped solidify the fledgling program.

He wasn't a bad player, either. Mike earned All-Region and Player of the Year honors at Greenwood, and to this day remains the first and only member of the school's Athletics Hall of Fame.

According to his coach, Todd Tolbert, Mike was the kind of player that made a coach's job easier. Coach Tolbert wanted his other players to watch and emulate his dedication, effort and sportsmanship. In the words of Coach Tolbert, Mike ''reached as far as he could reach, and got there. ''

His determination and leadership, Coach Tolbert recalls, helped establish Greenwood soccer's reputation among

the students and throughout the region.

After graduation, Mike stayed with the soccer program as an assistant coach. Not only did he serve as a role model for the younger players, he also gained valuable coaching experience that could help him reach his goal of becoming a college soccer coach.

Mike did all of that on top of attending Western Kentucky University and graduating with a degree from the Kentucky Advanced Technology Institute.

During this time, Mike learned that nearby Butler County High School was preparing to start a girls' soccer program. Mike jumped at the opportunity to become their first ever head coach.

The impact that Mike had on the players at Butler County High, and that they had on him, is hard to overstate. One of his players, a young lady named Tina Laverack, described him this way:

''He never gave up on any of us,'' she said. ''He thought we all had potential in anything. . . I think everyone should have had the chance to meet him; they would have loved him.''

Mike's friend David Hocker recalled that ''If a girl wanted to work extra, he'd come in early or stay late. He spent his own money, buying food for the team or taking them someplace for team building.''

Mike's brother Jamie told the Butler County players at Mike's funeral, ''He talked about you guys in his down time more than you guys will ever know.''

Mike's commitment to his players knew no bounds. On what would be his last trip home, he spent 12 of his 15 days playing soccer with them.

And Mike's influence in his players' lives extended far beyond the soccer field. On more than one occasion, he intervened to help a player be removed from a troubled home or beat an addiction problem.

The night before leaving for Iraq, Mike sat down with his players, addressing them as his ''ladies,'' like always. He told them he was going to Iraq because he wanted his players to be able to walk out onto the soccer field and not be afraid.

Specialist Hayes joined the Guard in 2002 and completed more than 135 missions, including over 30 actions with the enemy, during his service. MG Donald Storm, Kentucky's adjutant general, said he ''epitomized what it means to be a citizen-soldier.''

CPT Todd Lindner, commander of the 617th Military Police Company, called Specialist Hayes ''the consummate soldier, always in the right place doing the right thing.''

When the battles were over, Mike enjoyed playing soccer and baseball with Iraqi children during his down time. He would bring them Cokes, chips and candy. It has even been suggested that with time, he might have started a soccer program for Iraqi children.

Soon before he left Kentucky for Iraq for the last time, a friend asked Mike in confidence if he thought we really ought to be involved over there. Mike told his friend of the women he saw wearing colorful clothes and no veil, smiling as they walked down the street.

He recounted watching young children running to school with pencils and paper and big smiles. ''Yes,'' he told his friend unequivocally. ''We're doing good there.''

Although Specialist Hayes can no longer be with us, or his beloved family, he is loved and remembered by his mother Barkley, his brother Jamie, his sister Melissa Stewart, his nieces Charlotte Stewart and Jocelyn Hayes, and other beloved family members.

I want to thank his mother Barkley for sharing her memories of Michael with us, and for traveling to the Capitol to meet with me today.

Specialist Hayes struck everyone he met with his selflessness, dedication, and devotion to helping others.

Although he is gone, the example he set for others won't be forgotten. Not by his family. Not by his fellow soldiers. And not by the young children he taught to play his favorite game, whether in the rural bluegrass of Kentucky or the desert sands of Iraq.

I ask my colleagues to keep the family of SPC Michael R. Hayes in their thoughts and prayers. I know they will be in mine.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 60 minutes, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Oregon is recognized.

ORDER OF PROCEDURE

Mr. WYDEN. Madam President, I ask unanimous consent to speak in morning business for up to 20 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Madam President, would the Senator yield to me for a unanimous consent request?

Mr. WYDEN. I would be glad to yield.

MEDICARE PRESCRIPTION DRUG PRICE NEGOTIATION ACT OF 2007—MOTION TO PROCEED

Mr. REID. I ask unanimous consent that upon disposition of S. 372, the Senate proceed to the consideration of Calendar No. 118, S. 3, the prescription drug legislation.

Mr. McCONNELL. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

CLOTURE MOTION

Mr. REID. Madam President, I now move to proceed to S. 3 and send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 118, S. 3, Prescription Drugs.

Dick Durbin, Amy Klobuchar, Ken Salazar, Edward Kennedy, Mark Pryor, Blanche L. Lincoln, Daniel K. Inouye, Byron L. Dorgan, Chuck Schumer, Max Baucus, Kent Conrad, Jeff Bingaman, John F. Kerry, Ron Wyden, Debbie Stabenow, Jay Rockefeller, Maria Cantwell, Harry Reid.

Mr. REID. Madam President, I ask unanimous consent that the mandatory quorum call required under rule XXII be waived.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I now withdraw the motion to proceed.

The ACTING PRESIDENT pro tempore. The motion is withdrawn.

The Senator from Oregon is recognized.

VIRGINIA TECH MASSACRE

Mr. WYDEN. Madam President, the Virginia Tech community is grieving this afternoon, and our country grieves with them. To see so many young people taken from us with their lives ahead of them is an unspeakable horror, one that words simply cannot capture.

Oregonians saw a horrible school shooting in 1998, and I know that across my State, Oregonians this afternoon are sending their prayers to the Virginia Tech community. I join with those Oregonians in sending our prayers to the Virginia Tech family, and on behalf of the people of my State, I want those at Virginia Tech to know they are in our hearts and minds at this critical hour and during this time of unspeakable tragedy.

(The remarks of Mr. WYDEN pertaining to the introduction of S. IIII are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER (Mr. WEBB). The Senator from Texas.

Mr. CORNYN. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX REFORM

Mr. CORNYN. Mr. President, I thank the Senator from Oregon. I walked in on the tail end of his remarks, but he

and I are going to be on a consistent theme today, and that is, the importance of tax reform. I look forward to reviewing his proposal because we are all on the same side.

The current IRS Code is broken. We, the Congress, need to fix it.

This last weekend, I was at a small business in Dallas, TX, called the Manda Machine Company. This small employer employs about 20 people in the Dallas area. We talked about the burdens on small businesses that make it harder for them to create jobs. In particular, we talked about the IRS Code and the importance to make it fairer, simpler, and flatter.

Common sense also tells us we need to make the IRS Code a whole lot more transparent; in other words, ''readily understood,'' ''clear,'' ''easily detected'' or ''perfectly evident,'' which is the dictionary definition of ''transparent.'' But according to that definition, it is clear the IRS Code fails the transparency test.

Now, I believe we ought to continue to let in a little bit more sunshine in how the Government operates and how the people's money is being spent. I think we also need to add a little bit of sunshine to how the Federal Government taxes the American people. The Federal Government should not be playing a game of ''gotcha'' with the owners of the American Government; and that is, we the people.

For example, the vast majority of Americans now require professional assistance to help fill out tax documents. Why it is the Code is so complex is simply beyond me. Even taxpayers who want to try to figure out how to do the right thing have a hard time doing it on their own and require the assistance of lawyers and accountants to try to figure out how to comply with the law. Six out of every 10 taxpayers in America today require the help of an outside expert to figure out how to do their duty when it comes to paying taxes.

Families and entrepreneurs alike spend billions of dollars and thousands of hours trying to figure out how to comply with the IRS Code. In fact, it is estimated taxpayers in America will spend 6 billion hours complying with the IRS Code at an estimated compliance cost of $265 billion. This has more than doubled in just over the past 10 years, and estimates are it will continue to increase at a faster rate in the future. This is a statistic that is staggering.

The number of pages in the Federal tax rules has exploded by more than 50 percent in the last decade alone. In fact, since the last major reform effort in 1986, there have been more than 14,000 changes to the IRS Code. The Federal Government and Congress in particular should not be in the business of picking winners and losers when it comes to taxpayers in this country. But that is what an exceedingly complex IRS Code does. It provides exemptions, credits to a variety of different taxpayers under a variety of different circumstances, picking winners and losers in the process. That is not what the IRS Code should be doing.

Changes, we all know, are long overdue. There can be no doubt the IRS Code and accompanying forms are burdensome, onerous, and unduly complicated. The complicated system comes at a cost. Every year, the National Taxpayer Advocate highlights this complexity in one way or another as one of the top 10 problems that taxpayers face when trying to figure out how to comply with the law.

The IRS Code, as I indicated a moment ago, is full of special interest loopholes. With every year that passes, American taxpayers spend more and more time to try to figure out how to comply with these burdensome provisions. Taxpayers will also work longer this year to pay for the government—a total of 120 days of their income will be used to fund the government. In other words, Tax Freedom Day will not come until the end of April. That means for the first 120 days of the year we all work for Uncle Sam, and then we get to the fruits of our labor thereafter, where we get to keep it, use it on our families, or save it, however we may see fit.

But this year, taxpayers will work longer to pay for Government than they will work to provide for food, housing, and clothing combined, which is 105 days, for those three essentials of life—food, housing, and clothing.

Taxpayers will work longer to pay their Federal taxes—79 days—than they will work to pay for housing, which is roughly 62 days. For health and medical care, the estimate is, it takes 52 days to work to provide for those essentials. Transportation is 30 days, and clothing is 13 days.

Whatever our tax system, be it a flat tax, sales tax, or income tax, it ought to be based on three fundamental ideas: simplicity, fairness, and transparency. I think these simple ideas should be our guide in reforming and simplifying our tax laws.

While comprehensive tax reform may not be right around the corner, the last thing we should do is to raise taxes on families and entrepreneurs and let the tax relief Congress passed in 2001 and 2003 expire. So until we come to the time that we can actually simplify and make the IRS Code fairer, the last thing we ought to do is raise taxes on the American people.

But the truth is that is what the new majority in Congress, elected last November, decided to do a month ago. The Senate passed a 5-year budget, with Democrats carrying the day, that effectively raises taxes, over the next 5 years, by over $700 billion. Unfortunately, this is the kind of tax increase that is the most odious and the most regrettable because it will not even require Members of Congress to come on the floor and vote for the tax increase so they can then be held accountable at the polls.

Instead, what Democrats have chosen to do is to have silent tax increases so that when the tax relief that was passed in 2001 and 2003 expires, we will see taxes go up higher than they ever have before at one time in our Nation's history.

I guess it is not good enough that those who are in the top 40 percent pay 99.1 percent of all income taxes, and that in 2004, the top 10 percent paid 70.8 percent of all income tax—an increase from their share of 48.1 percent in 1979.

Instead, Democrats in Congress want to see everybody end up paying more. If this trend continues—in a perverse way, the only way Democrats will be able to pay for their plans to grow the Federal Government is for the rich to grow richer.

Instead of raising taxes, we should make the President's tax relief passed by a majority of Congress a permanent part of the IRS Code. If Congress fails to make the tax relief permanent that has been the driving force in the economy, helping to create 7.9 million new jobs since August 2003—if Congress fails to make this tax relief permanent, a family of 4 making $65,000 a year would see their tax bill increase by 58 percent. Small businesses that file as individuals would see their taxes increase by 13 percent. Things such as the $1,000 child tax, relief from the marriage tax penalty, and the new low 10-percent tax bracket put money back into the pockets of working parents, while small business expensing and dividend and capital gains tax relief have helped America's entrepreneurs expand their businesses and create jobs.

Then there is perhaps the ugliest tax of all, which is the death tax. This is double taxation, because we all know we pay taxes on income as earned. But the death tax, set to rear its ugly head in 2011, will hit family businesses, farmers, and ranchers alike, forcing many to sell their farm to pay the IRS. Death should not be a taxable event.

The numbers speak for themselves in terms of the progrowth, low-tax policies: 21 consecutive quarters of growth, unemployment at historic lows—4.4 percent—and 7.9 million new jobs over the past 3½ years.

We should remember the words of former Chief Justice John Marshall, who said:

> The power to tax is the power to destroy.

The last thing we should do is to destroy this great economy, which is literally the goose that has laid all of the golden eggs.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEMORIAL TRIBUTE TO BETTY BURGER

Mr. GRASSLEY. Mr. President, today I pay tribute to Betty Burger, a remarkable public servant and extraordinarily devoted congressional staffer. Betty died on Saturday at the age of 87. Betty was my chief caseworker and my oldest and longest serving staff person. She was still on the payroll as of Saturday.

Although I am deeply saddened by her departure, it brings me comfort to know this devoted mother, grandmother, and great-grandmother slipped peacefully into the hands of her Maker.

It is fitting that Betty's loved ones kept vigil at her bedside. For nearly 40 years, Betty Burger kept vigil for the people of Iowa. She started on Capitol Hill working for Iowa Representative Fred Schwengel. After Congressman Schwengel left office, she worked for an Illinois Congressman by the name of Hanrahan for 2 years. Then she wanted to work for an Iowa Congressman again, and she joined my staff on my first day on the job in Washington after I was elected to the House of Representatives in 1974. Since then, for the last 32 years, Betty has worked as a congressional staffer for the people of Iowa.

If Congress needed any rationale for eliminating mandatory retirement age in 1986, Betty Burger is that example. As my chief caseworker, Betty earned a lifetime of experience on the job mastering the ins and outs of the Federal bureaucracy. Her countless contacts within Federal agencies put a face on the so-called faceless bureaucracy. No one knew how to cut through redtape more swiftly and surely. Betty was a masterful detective the way she tracked down disability claims and benefit errors at the Social Security Administration. She decoded the maze of paperwork at the Veterans Affairs Department, and navigated Byzantine immigration rules for constituents struggling with citizenship, employment status, and deportation issues. Betty Burger knew how to cut to the chase at the State Department for Iowans who were traveling, working, or studying abroad.

Most of Iowa's 2.9 million residents didn't know Betty Burger personally, but I want them to understand how this dedicated public servant made a difference for Iowans. Betty did her job for them with remarkable efficiency, tenacity, and integrity. I heard firsthand gratitude about Betty's work from individual Iowans nearly every time I went home and held town meetings. Betty also touched the lives of Iowans and their families through her work to nominate outstanding young people to our Nation's service academies. She would always talk about what a great group we had this year. Let me tell my colleagues something about Betty. We always had a great group of academy nominees as far as Betty was concerned. These young high school kids and their parents had several conversations with Betty as they maneuvered through the nomination process. They were an inspiration to her and she knew with good young people in her academies, such as the ones she helped nominate, our country from a national security standpoint would be left in good hands.

In my office, Betty served as a role model for young staffers and seasoned colleagues alike. Her work ethic taught others to keep one's nose to the grindstone. Her professional attire taught others appearances do make a positive impression in the workplace. Her sharp-witted humor elicited laughter and taught us we could count on Betty to put a smile on everybody's face. Her uncanny grasp of cultural trends and current events taught others how to embrace aging and use one's work and life experiences for the greater good.

I can't talk about Betty without making it clear she was a fiercely loyal and proud Republican. She modeled compassionate conservatism each and every day she helped an Iowan. Day in and day out, Betty untangled a knot at a Federal agency for those who may have felt at the end of their rope trying to get an answer.

I often tell Iowans that representative government is a two-way street. Well, Betty Burger lived and breathed the spirit of representative government. She was the capable, no-nonsense person on the other end of the phone who brought thousands upon thousands of Iowans hope and peace of mind. She paved the street between Iowans and the Federal agencies from which they required service.

As her boss, I owe Betty a debt of gratitude for her tireless commitment, unwavering loyalty to this country, to the people of Iowa, and to me. As Iowa's senior Senator, I place a premium on constituent service. Betty understood this as well as anyone and exceeded my expectations.

As her friend, Barbara and I extend our heartfelt sympathies to Betty's family and the loved ones she leaves behind. As they remember their beloved mother, grandmother, sister, aunt, friend, and neighbor, please know we will dearly miss this classy and spirited Iowan who became part of our family during her honorable tenure—a lifetime—on Capitol Hill.

In the last four decades, many Iowans have felt touched by a guardian angel when Betty worked her magic on their behalf. May God's blessings continue to shine upon this guardian angel from Fairfield, IA, as she rests in peace alongside her husband John.

If I could give some advice to my colleagues, I last saw Betty in early January. If we hadn't been in session in early January of this year, probably the last time I would have seen her would have been before Christmas.

Betty got sick about that time and was going to the doctor. We were keeping in touch with her by phone but always waiting for her to get better and come back to work. Then, all of a sudden, she got very weak. We actually thought she would come back to work, but she got weak and then suddenly died.

My advice to colleagues would be this: I didn't get to see her since that last time she was in my office in January. Don't make the mistake I did. I should have been there by her bedside sometime during the period of her last week in hospice. I am sorry I wasn't. To my colleagues, take a lesson from me: When people are sick, see them. They may not come back to the office as you expect.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the remaining time for morning business be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered. Morning business is closed.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 372, which the clerk will report.

A bill (S. 372) to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

Mr. ROCKEFELLER. Mr. President, first, let me express my disappointment that we are here under these circumstances. This is not the way we should be handling this important national security legislation.

The fiscal year 2007 Intelligence authorization bill should have been considered by the Senate, in fact, 7 months ago when it was reported unanimously by the Intelligence Committee. That is usually the way things are meant to work. For reasons that are still not clear to me, it was never brought before the Senate.

Because of the importance of this legislation, Vice Chairman BOND and I made the Intelligence bill the first order of business this January when the new Congress convened. We hoped the Senate could act swiftly on the bill so we could move to the conference with the House, but an anonymous hold on the other side prevented us from bringing up the bill and passing it by unanimous consent. Again, I am not

clear what the reason for that might have been, but it was discouraging to us and, in any event, it precluded our taking any action whatsoever.

Fortunately, Senator REID understands how important this legislation is. So last week he attempted to call up the bill. But even that simple motion to proceed to the bill was blocked, forcing the Senate to invoke cloture by a vote of 94 in favor and 3 against.

The Senate, after 7 months of delay, is finally considering the legislation that sets the policy framework for the Nation's intelligence efforts, but because of the inordinate number of obstacles put in the path of the bill to date, the majority leader has been forced to file a motion to invoke cloture on this legislation. I agree with him that this is the only way to force the Senate to finally do its job and pass this very important bill. It is unfortunate, but it has to happen. This is national security legislation.

I strongly encourage all of my colleagues to support cloture so that we can move this bill forward to a conference with the House. I know I am joined by my colleague, the vice chairman. I understand that some, both in the Senate and in the administration, have expressed concern with a number of the provisions of the bill. The Office of Management and Budget issued a Statement of Administration Policy last Thursday including a veto threat, and unfortunately that statement ignored several important developments and several changes Vice Chairman BOND and I have proposed in a managers' amendment, which I am going to talk about briefly.

The administration complains about the magnitude of the fences and other restrictions contained in the classified annex to the bill. They ignore the fact that the classified annex was drafted last September with a view to having it in full effect for the full fiscal year. Vice Chairman BOND and I decided in January that the best approach to achieve swift passage was to simply bring up and pass the bill as it had been reported unanimously last year.

We have always known that many of these provisions have become outdated or have been overtaken by events. Of course, they will be adjusted, or perhaps dropped, when we go to conference. We have no intention of fencing 50 percent of a program with only 4 or 5 months left in this year. Please give us some credit.

Perhaps the more important omission in the OMB statement is the effort that Vice Chairman BOND and I have made to address, through a managers' amendment, many of the administration's specific concerns with those legislative provisions. I will run through these provisions quickly.

As reported by the committee, the bill requires two actions related to the public disclosure of intelligence budgets. First, it requires the public release of an overall budget request authorization and appropriation, the so-called top line, one number for all intelligence spending.

The second action is a study and report by the Director of National Intelligence on whether the top line for each intelligence community element; that is, the CIA, NSA, et cetera, can always be declassified without harming national security. This was a recommendation, in fact, of the 9/11 Commission.

The managers' amendment; that is, the amendment by Senator BOND and myself, struck that requirement for a study and a report on the agency-level declassification. The study and report alarmed some who believed that declassification itself would cause no harm but worry that it could lead to a ''slippery slope'' of revealing too much information.

The managers' amendment returns the bill language to the specific stated objective; that is, the declassification of the overall national intelligence budget. This is something the Senate has voted for twice in the last 2½ years, including last month when it passed S. 4.

This concurrent version of the authorization bill includes another provision that has passed the Senate twice but which concerns the administration and some of our colleagues. That provision in section 108 provides additional authority for congressional committees, including the Intelligence Committees of both the House and Senate, to obtain intelligence documents and information.

The managers' amendment modifies section 108 in three ways. First, it doubles the amount of time the administration will have to respond to these priority requests from 15 to 30 days.

Second, section 108 currently applies to requests from any committee—any committee—that has jurisdiction over any part of intelligence, not just the Intelligence Committees of full jurisdiction in the House and Senate. This amendment will limit the provision to requests from the Intelligence Committees.

Third, it would make clear the Intelligence Committee could specify a greater number of days than 30 for intelligence community responses. We are not unreasonable people, and if more time is needed, we would, obviously, want to be helpful.

Let me be clear to my colleagues on other committees with jurisdiction that touches on intelligence matters, because some of them are sensitive about this issue. These changes will in no way limit their ability to ask for and receive intelligence-related information. In fact, any Senator can ask for such information.

The amendment sets up an expedited procedure available to the Intelligence Committees, but it does not change existing relations or procedures for obtaining such information for other committees. That should be of comfort. If another committee were to encounter difficulty in obtaining intelligence information, they could easily ask the intelligence community to request the information under this expedited procedure. It sounds wordy; in fact, it is very easy. I think this is a sensible modification to alleviate the concern that the Intelligence Committee would be overwhelmed with requests requiring short turnaround times. Vice Chairman BOND and I are sensitive to that concern and modified the matter.

A second provision of the bill dealing with the provision of information to Congress is section 304. That section tightens up the requirement for the President to fully inform the Intelligence Committees about intelligence activities, including covert actions. Section 304, as reported, requires if the President does not inform all members of the committee about intelligence activity, the DNI must provide all members with a summary with sufficient information to permit members to assess the legality, benefits, cost, and advisability of these activities. This is on a case-by-case basis.

There was a discussion of this provision during our markup, and the administration has objected that this requirement is too detailed. The managers' amendment seeks to resolve that objection by providing instead that the DNI submit a classified notice with ''a description that provides the main features of the intelligence activities.'' This standard is sufficiently broad to allow the notification of members, but at the same time protects sensitive sources and methods or ongoing operations.

Section 310 of this bill, as reported, would establish a pilot program on access by the intelligence community to information protected by the Privacy Act. This provision was controversial and several members expressed reservations. We subsequently learned the administration is no longer seeking this authority, so the managers' amendment strikes section 310 from the bill.

Finally, the managers' amendment modifies one of the reporting requirements included in the bill. Section 314 requires a classified report from the Director of National Intelligence about clandestine prisons. One part of that provision called for reporting on the location of any clandestine detention facility. Vice Chairman BOND and I agreed this particular information was of such sensitivity it should not be included in this report. The managers' amendment strikes that one requirement.

Mr. President, might I ask before calling up the managers' amendment, does the distinguished vice chairman wish to speak?

Mr. President, will the vice chairman have adequate time to speak?

Mr. BOND. Mr. President, if the chairman wishes to offer the amendment, I will be happy for him to do that. I will talk as long or short as I have the opportunity.

The PRESIDING OFFICER. There is no time limit on the bill at this point.

AMENDMENT NO. 843

Mr. ROCKEFELLER. Mr. President, I offer the managers' amendment.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from West Virginia [Mr. ROCKEFELLER], for himself and Mr. BOND, proposes an amendment numbered 843.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. ROCKEFELLER. I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I am very pleased to join my distinguished colleague, the chairman of the Intelligence Committee, Senator ROCKEFELLER, in not only bringing before this body the Intelligence authorization bill, S. 372, but also offering the managers' amendment. This is an important first step for the Senate to return to and enhance its responsibilities of coordinating oversight and conducting aggressive oversight of intelligence activities and programs.

The committee has not been able to pass an authorization bill in the last 2 years, which means the work that has gone on in the committee cannot be reflected in guidance to the committee or in carrying out our oversight responsibilities.

Some Members may recall, others have been informed, that 30 years ago the Senate Select Committee on Intelligence was formed to address a serious problem. There had been a complete lack of congressional oversight of U.S. intelligence operations. Then when we reviewed the attacks of September 11, the findings of our committee and the findings of the 9/11 Commission confirmed that congressional oversight of intelligence was not what it should be.

We firmly believe that enacting S. 372 will move us a long way in restoring the Senate's legitimate role in oversight of U.S. intelligence. I believe we must be in a position where we can assure our colleagues and the people of the United States that the intelligence activities necessarily conducted in secret do comply with the Constitution, the treaties and the laws of the United States and other mandates and limitations placed on the exercise of that secret power.

Make no mistake about it, intelligence in this global war on terror, which has been declared on us by al-Qaida and other Islamic groups, is one that can only be countered with effective intelligence. Intelligence is the most important weapon we have in keeping our homeland safe and protecting U.S. interests and citizens abroad. We need to make sure it is done properly. We need to make sure it is done effectively.

Having studied the intelligence community and having gone through exhaustive reviews over the last 4 years of shortcomings pointed out in the intelligence community operations, we believe we can work with the intelligence community and provide necessary legislative support to ensure that the intelligence activities not only are staying within the road lines—staying on the road in the path—but also being carried out effectively. That is why we feel it is tremendously important we pass this legislation.

The chairman has pointed out there are concerns that have been voiced by the administration about this bill. To be candid, there are some provisions in the bill I do not favor or at least question. I hope in the amendment process and in the House-Senate conference we can develop a good bill that will be signed into law. But it is important to remember—and my colleagues who have expressed concerns particularly about the administration's objections should know—that what has been outlined by the chairman in the managers' amendment begins to deal with the major questions they have. The chairman and I have agreed it makes sense, for example, to declassify the top line number of the intelligence budget.

I have talked with leaders in the intelligence community and I said: Does that cause you any problems? They said: No. It is only when you get below that. Were you to go down the slippery slope of disclosing amounts going into particular units or particular programs of the intelligence community, you give away vital secrets.

This body has twice gone on record and was stated by the chairman and the 9/11 Commission has recommended disclosing the overall number so that the people of America will know whether we are continuing to support the intelligence community adequately, whether we are supporting it with the kinds of resources needed.

In our managers' amendment, we took out a study that would purport to look at the possibility of declassifying further details, other than the top line. We both agreed that should be out. The administration also was concerned about identifying certain sites, and we agreed, and in our managers' amendment we will take out any reference or any requirement of identifying those certain sites. The administration also was concerned about the number of people, the manner of informing members of the committee about certain activities that were highly classified. We are working to remedy that. The administration also had concerns about getting reports filed, the potential for a large number of requests being dumped on the intelligence community, and we have dealt with that.

So there are other items the administration has concerns about, and we may be able to address some of those here. We may be able to address some of those when we get to conference, if they still are not properly solved. But I would say one thing. The administration, like every administration, sometimes feels that congressional oversight goes further than they would like. Well, our job is to conduct oversight, and we do so with an aim of improving intelligence, the products that come out, and also ensuring that procedures are properly contained within the rules of the road, and we will continue to seek those legislative oversight tools.

We are going to accommodate the reasonable concerns of the Executive in every instance that we can because we want to make sure we don't, either by overt or inadvertent action, compromise intelligence sources, intelligence methods, or other essential intelligence programs that are necessary for the safety of our homeland and the safety of our troops in the field.

In addition to the measures contained in the managers' amendment, I have filed nine amendments, some of which overlap with the managers' amendment that we can discuss on the Senate floor. Some of these may be necessary to ameliorate and alleviate the administration's concerns. We were disadvantaged in filing this managers' amendment because the time that we had to do it was the time when most Members were out of Washington, DC, in their home State, which has led to some confusion.

I hope everybody who had a first-degree amendment that they wanted filed was able to file it by 2:30. We hope we will be able to deal with those amendments, and also we look forward to a good, robust debate on the floor of the Senate.

I hope we will have ready a description, at least for our side, of the provisions in the managers' amendment. Most of the concerns I have heard about this bill are concerns that should be alleviated by the managers' amendment, so I would ask all of my colleagues to read carefully the provisions in the managers' amendment to ensure that we have resolved those concerns.

In addition, Senator ROCKEFELLER and I are always willing to discuss with colleagues, in this unclassified setting, the unclassified portions and our reasoning for it. Our invitation to Members still stands; that if Members want to be briefed on classified portions of the intelligence bill or on matters that cannot be discussed on the Senate floor, we stand ready with our staffs to have briefings set up in the intelligence facilities to fill them in on questions that they may legitimately have.

We will look forward to conducting the debate in the time ahead.

I thank the Chair, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOVING AMERICA FORWARD

Mr. REID. Mr. President, my distinguished counterpart, the Senator from

Kentucky, Senator MCCONNELL, held a press conference at 2:30, talking about what the Senate has not accomplished this year. I, of course, am very disappointed in that because I thought we had done a lot. I believe we have produced.

The minority talk a lot about their desire to see this Congress pass meaningful legislation. They talk a lot about supporting our troops. We have heard a lot from them about the need to defeat terrorists and make the country more secure. Their actions do not match their rhetoric. In far too many instances, our Republican colleagues say one thing and do another.

Last week, the 110th Congress reached its 100th day. In that time, the Senate has passed a series of bills that would move our country forward. With bipartisan support, we passed the toughest lobbying ethics reform legislation in the entire history of our country. With bipartisan support, we voted to give working Americans a much deserved and long overdue raise in the minimum wage. With bipartisan support, we passed a continuing resolution that enacted tough spending limits and eliminated earmarks for this year. With bipartisan support, we passed every single recommendation of the 9/11 Commission, after it languished in the Republican-controlled Congress for 2½ years. With bipartisan support, we passed a responsible, balanced, pay-as-you-go budget that reduces taxes for working Americans and invests more in education, veterans, and health care. With bipartisan support, we passed legislation that would fully fund our troops while forcing the President to change course in Iraq. And, last week, with bipartisan support, once again, we passed legislation to open the promise of stem cell research in a responsible and ethical way.

The American people want Congress to put petty bickering aside. This is exactly what I believe this Congress has done. It has not been easy. My Republican colleagues have, time and time again, allowed a small minority in their caucus to block progress that the American people, and a bipartisan majority of the Senate, demand. On every piece of legislation I mentioned, we have had to file cloture.

Sadly, on the most important issue facing our country, national security, this has been especially apparent. The minority forced us to come up with 60 votes to pass the 9/11 Commission recommendations. They required the same for the Iraq supplemental bill.

Now it appears this same group of Republicans will attempt to block passage of the Intelligence Authorization bill, the bill they wrote when they were in the majority but failed to pass for 2 years. As everyone knows, the Intelligence Authorization bill funds the operation of 16 agencies of the U.S. intelligence community, including the CIA, the FBI, the National Security Agency, the Defense Department, and all the critical work they do in fighting the war on terror. We are so fortunate that we have bipartisan cooperation of the management of the Intelligence Committee. Senator ROCKEFELLER and Senator BOND have worked closely together. They want this legislation to move forward.

This should not be a partisan issue. We had to vote to get 60 votes to proceed to the legislation. I said at that time, if you want to offer amendments while we are in the 30 hours postcloture time, do it. Now I am told the ability for us to get on the bill is going to be thwarted by not allowing us to have 60 votes.

I was upstairs this afternoon in room 407, getting a briefing on issues that are important to our country. It is so important that we move forward on this legislation and support our people who are making America safe and secure and protecting our interests all around the world. Sixteen agencies, I repeat, of the U.S. intelligence community want this legislation passed.

We are in a battle around the world on terrorism. Shouldn't our intelligence community be able to move forward with this legislation? I repeat: It was written by the Republicans. Why would they not let us go forward on this legislation? Is it because—I don't know. Is it because Vice President CHENEY thinks he is going to lose a little of his power directing everything covert that goes on in the intelligence community? Is he the one stopping this? Why? Why can't we pass legislation that was written by the Republicans to improve our intelligence operations?

This legislation includes essential initiatives that would improve our efforts to fight terrorism and control weapons of mass destruction, enhance our intelligence collection capabilities, and strengthen intelligence oversight. Does anybody dispute that? For 27 years, since we first started doing an Intelligence bill, we passed it every year. But not the last 2 years. Blocking passage of the bill leaves Congress silent on these important matters, dealing with terrorism, weapons of mass destruction, intelligence collection capabilities, and intelligence oversight. It is so important to pass this bill. This is not a partisan issue. I don't think there are political points to be scored on either side.

I hope my friends on the other side of the aisle will let this legislation go forward. We have a managers' amendment that Senator ROCKEFELLER and Senator BOND worked on that would be accepted. I cannot imagine why we would be stopped on an Intelligence authorization. I have been told that the word is out, the Republicans are not going to support cloture on this most important bill.

My friend, the distinguished Republican leader, pointed out this afternoon that we filed cloture a number of times this year. We surely have. We surely have, because there has been a minority of people on the other side who forced us to do this. The bills we passed have been bipartisan: Ethics/lobbying reform got a big bipartisan vote; minimum wage, big bipartisan vote; the continuing resolution, a big bipartisan vote—we had to do that to fund the Government—the 9/11 Commission recommendations, big bipartisan vote; stem cell, big bipartisan vote; the supplemental, a bipartisan vote. Sure, we have had to file cloture because there has been a minority of Senators on the other side who forced us to do that on these bipartisan bills.

My friend, the minority leader, is right, we have filed cloture a number of times. The fact is, his side forced us to do so rather than let us proceed directly to these bills—and this bill. We have been forced to jump through a number of procedural hoops designed to block legislation that enjoyed bipartisan support.

I will continue to do that. I understand the rights of just a few Senators and if a few Senators want to stop us from moving forward, that is fine. But to think that we couldn't get 10 Republicans to support us on a motion to invoke cloture on an Intelligence authorization bill? That is beyond my ability to comprehend, why the Republicans would stop us from moving forward on an Intelligence authorization bill. I have said they can offer amendments to the bill. Even though I thought it was absolutely wrong that we had to vote cloture on the motion to proceed, I said, during the 30 hours, if you want to offer amendments, go ahead and do so. ''No.''

This is not ethics reform, it is not minimum wage, it is not stem cell research, it is not the continuing resolution—it is the ability of our intelligence agencies to do their work: the CIA, FBI, NSA, Defense Department. I urge the minority to not stop this bill from going forward. The vote is at 5:30. But that is what I am told is going to happen. Their actions, if in fact they follow through on this, are not in the best interests of the American people. Anyone who has been told that they are being stymied from offering amendments is not being told the truth.

We will continue to work in a bipartisan manner to move our country forward. The bills that passed this body so far this year have been bipartisan, with overwhelming support, and, yes, we did have to file cloture because a small number of people held us up from moving on this most important piece of legislation.

I hope there will be people who will move away from this madding crowd who will not allow us to help these agencies do their work.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Virginia.

VIRGINIA TECH MASSACRE

Mr. WARNER. Mr. President, I am joined on the floor by my distinguished colleague, Senator WEBB. We wish to address the Senate, indeed speak with all America, for we Virginians have

suffered today one of the most grievous incidents ever to occur in our State or, indeed, in America.

I speak to the tragic loss of life and tragic injury of so many students and faculty at the distinguished and venerable institution of Virginia Tech in Blacksburg, VA.

All America joins to mourn these young people whose lives of promise have been cut so short, and those injured as they, hopefully and prayerfully, recover from their wounds. I must say, I have been privileged to serve in this institution for many years. I served in many other posts of public service in my lifetime. This tragedy, this tragedy is an incomprehensible situation, an incomprehensible, senseless act of violence.

In time, be it days or weeks, Americans will learn more about the circumstances of today in Blacksburg, VA. For now, however, and forever after, our hearts and our prayers are with the victims, their families, and the other students and faculty at Virginia Tech and, indeed, their families.

Virginians are proud of this historic university. I have known it all my lifetime and how it has served our State and Nation for nearly a century and a half as an exemplary institution of learning, one that has contributed many fine young men and women to the Armed Forces of our United States.

For the moment, I simply close by saying that the historic and proud tradition of Virginia Tech will carry on. Our State embraces them as does all America. We will work with them to make sure they can carry on.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia, Mr. WEBB, is recognized.

Mr. WEBB. Mr. President, I would like to thank the senior Senator from Virginia for having taken the initiative to bring this matter briefly to the floor today as we consider other issues.

As we have learned more facts about this incident during the time that I was presiding over the Senate, I am sure that over the next day or so we are going to learn a lot more that will help us understand, perhaps, how this incredibly tragic incident occurred.

We will have time to reach out to the grieving families and hopefully begin to heal ourselves and to again regain the confidence and the respect of the people who go to that institution. But I thank the senior Senator for bringing this matter to the floor. I want to associate myself fully with his comments. There is very little I can add in terms of describing the depth of our feelings and our regret over the fact that this incident has occurred.

It is an incredible human tragedy. As I said, there will be, I am sure, many stories over the coming days about how it occurred and the implications of it. But it is very fitting for us to pause for a few moments as we consider all of these other issues that are on the table, some of them which obviously divide us by party, but certainly on an issue such as this we are all together in extending our compassion and our regrets to the families of those who are involved.

This is a great institution. The lives that were lost today were of those people who had in their early days demonstrated an enormous amount of promise, and we again express our regrets to the families and our determination that we will help the people of the community around Virginia Tech regain the sense of purpose and vitality once we reach more understanding of what happened.

Again, I thank the senior Senator and I thank you, Mr. President, for allowing us to stop for a few moments in business today to mention this incident.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia, Mr. WARNER, is recognized.

Mr. WARNER. Mr. President, I thank my colleague. We do recognize, both of us, our gratitude to the bipartisan leadership of this institution in opening today's session with a prayer and a moment of silence to honor the victims; not only the victims involved but those at this great university and throughout the State.

I also thank our Governor. Our Governor is en route quickly returning from a trip to Japan. He has been in contact and received a call from the President of the United States, George Bush. We have talked with his chief of staff throughout the day and have waited until this time, until such facts have been gathered, the few that are known about this tragedy, before addressing the Senate.

I thank the Chair. I thank my colleagues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, before the two Senators from the Commonwealth of Virginia leave the floor, let me express to them our sympathy and sorrow over the tremendous tragedy suffered in their State today.

A member of my staff has a son who attends this fine institution. Fortunately, she has learned that he is fine, but you can imagine her anxiety as she was waiting to hear from her son and had the television on hearing the reports.

I say to both of the Senators from Virginia that our hearts go out to them, to the members of this fine institution in Virginia, and to those who are affected by this terrible violence.

Before I turned to the issue that has brought me to the Senate floor, I just want to extend my condolences on behalf of the people of Maine to the people of Virginia.

The PRESIDING OFFICER. The Senator from Virginia, Mr. WARNER, is recognized.

Mr. WARNER. Mr. President, I thank my colleague and dear friend from Maine. I thank other colleagues who have spoken to me and to my distinguished colleague, Senator WEBB. We thank the Senate for its compassion in this matter. Each Senator feels deeply that it could have happened, I suppose, this sort of tragic situation, in any State in the Union. So we are all sharing this tragic moment in the life of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, can the Chair inform me of whether there is an amendment pending at the current time?

The PRESIDING OFFICER. Only the managers' substitute.

AMENDMENT NO. 847 TO AMENDMENT NO. 843

Ms. COLLINS. Mr. President, I call up amendment No. 847, which is pending at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for herself, Mr. LIEBERMAN, Mr. CARPER, Mr. COLEMAN, and Mr. AKAKA, proposes an amendment numbered 847 to amendment No. 843.

Ms. COLLINS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To reaffirm the constitutional and statutory protections accorded sealed domestic mail, and for other purposes)

At the appropriate place, insert the following:

SEC. _____. SENSE OF CONGRESS RELATING TO CONSTITUTIONAL AND STATUTORY PROTECTIONS ACCORDED SEALED DOMESTIC MAIL.

(a) FINDINGS.—Congress finds that—

(1) all Americans depend on the United States Postal Service to transact business and communicate with friends and family;

(2) postal customers have a constitutional right to expect that their sealed domestic mail will be protected against unreasonable searches;

(3) the circumstances and procedures under which the Government may search sealed mail are well defined, including provisions under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), and generally require prior judicial approval;

(4) the United States Postal Inspection Service has the authority to open and search a sealed envelope or package when there is immediate threat to life or limb or an immediate and substantial danger to property;

(5) the United States Postal Service affirmed January 4, 2007, that the enactment of the Postal Accountability and Enhancement Act (Public Law 109–435) does not grant Federal law enforcement officials any new authority to open domestic mail;

(6) questions have been raised about these basic privacy protections following issuance of the President's signing statement on the Postal Accountability and Enhancement Act (Public Law 109–435); and

(7) the Senate rejects any interpretation of the President's signing statement on the Postal Accountability and Enhancement Act (Public Law 109–435) that in any way diminishes the privacy protections accorded sealed

domestic mail under the Constitution and Federal laws and regulations.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress reaffirms the constitutional and statutory protections accorded sealed domestic mail.

Ms. COLLINS. Mr. President, I am calling up this amendment on behalf of myself, Senator LIEBERMAN, Senator CARPER, Senator COLEMAN, and Senator AKAKA.

Our bipartisan amendment reaffirms the fundamental constitutional and statutory protections accorded to sealed domestic mail, even as we make provisions for sustaining our vital intelligence-gathering activity in the interests of advancing the goals of protecting our homeland from attack.

I am very pleased to have the distinguished chairman of the Senate Homeland Security Committee, Senator LIEBERMAN, as a cosponsor, as well as Senator CARPER of Delaware, who was the coauthor with me of the postal reform legislation that passed and was signed into law last year.

Senator COLEMAN and Senator AKAKA have also been very active on postal issues. I have also had the opportunity to talk with the distinguished chairman and the ranking member of the Intelligence Committee about this proposal.

For those who may not have followed this issue, let me first provide some brief background. On December 20, President Bush signed into law the Postal Accountability and Enhancement Act that Senator CARPER and I introduced last year. This new law makes the most sweeping changes in the Postal Service in more than 30 years.

The act will help the Postal Service meet the challenges of the 21st century, establish a new rate-setting system, help ensure a stronger financial future for the Postal Service, provide more stability and predictability in rates, and protect the basic features of universal service.

One of the act's many provisions provides continued authority for the Postal Service to establish a class of mail sealed against inspection.

Now, let me make very clear, this is not new authority. This is a continuation of authority that the Postal Service already has.

Regrettably, on the day that he signed the Postal Reform Act into law, the President also issued a signing statement which has created some confusion about the continued protection of sealed domestic mail. He construed that particular provision in our bill to permit ''searches in exigent circumstances, such as to protect life and safety.''

Now, since that time, the President's spokesman has made very clear that the President's signing statement was not intended in any way to change the scope of the current law. But the statement caused confusion and concern about the President's commitment to abide by the basic privacy protections afforded sealed domestic mail. For some, it raised the specter of the Government unlawfully monitoring our mail in the name of national security.

Given this unfortunate and inaccurate perception, I wish to be very clear, as the author of the postal reform legislation; nothing in the Postal Reform Act nor in the President's signing statement in any way alters the privacy and civil liberty protections provided to a person who sends or receives sealed mail.

In fact, the President's signing statement appears to do nothing more than restate current law. By issuing the signing statement, however, the President, unfortunately, generated questions about the administration's intent.

I am confident the administration does not intend to interpret the law differently or change the constitutional or statutory protections. But, unfortunately, this is the case, again, of where the President stepped forward and issued a signing statement, upon signing this bill into law, that has created concern and confusion where none existed before. I think it is unfortunate the President did so.

Under current law, mail sealed against inspection is entitled to constitutional protection against unreasonable searches. With only limited exceptions, the Government needs a court warrant before it can search sealed mail. This is true whether the search is conducted to gather evidence under our Criminal Code or to collect foreign intelligence information under the Foreign Intelligence Surveillance Act of 1978, perhaps better known as the FISA Act.

Exceptions to the warrant requirements of the fourth amendment are limited. When there is an immediate danger to life or limb or an immediate and substantial danger to property, then the Postal Service can search a domestic sealed letter or package without a warrant. Let me give you examples of what we are talking about. What we are talking about when we are talking about immediate threats could include wires protruding from a package that gives one the reasonable belief there may be a bomb inside. Another example might be odors or stains that indicate the presence of a hazardous material.

Americans depend upon the U.S. Postal Service to transact business and to communicate with friends and family. If there is any doubt in the public's mind that the Federal Government is not protecting the constitutional privacy accorded their mail, if there is a suspicion that the Government is unlawfully opening mail, then our people's confidence in the sanctity of our mail system and even in our Government itself will be undermined.

That is why I have joined my colleagues in offering this amendment today. It makes clear to all law-abiding Americans that the Federal Government will not invade their privacy by reading their sealed mail, absent a court order or exigent circumstances. Any contrary interpretation of the Postal Reform Act is just plain wrong. I think it is important that the Senate go on record affirming this basic constitutional privacy—statutory privacy, as well—that Americans have always counted on.

Our amendment will do nothing to weaken the vital protections we have created against terrorist attacks, but it will remove any doubt that our fundamental protections of privacy rights have in some way been weakened by the signing statement that, unfortunately, the President chose to issue.

So I urge my colleagues to remove any doubt, to make it clear that the new law, on which we worked so hard for 3 years and which was signed into law last December, does not change this in any way.

Again, I thank the chairman of the Intelligence Committee and the ranking member for their willingness to discuss this issue.

Mr. President, I yield the floor.

Mr. ROCKEFELLER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, first, I see the distinguished chairman of the committee and the vice chairman of the committee on the floor. I commend both of them for their excellent work on this legislation. I particularly wish to commend Chairman ROCKEFELLER and Vice Chairman Bond for the bipartisan approach the two of them have brought to tackling these important issues in this session of the Senate.

It is extremely important that intelligence is conducted in a bipartisan fashion and the chairman and vice chairman have set a model in terms of approaching these issues in that fashion.

In the 1970s, Members of Congress realized there was not nearly enough oversight of our Nation's spy agencies, and this lack of oversight led to a number of serious abuses. In response to the abuses, the Senate created the Select Committee on Intelligence, on which I am proud to serve. Each year, for 29 straight years, our committee has produced an intelligence authorization bill, and this annual legislation has given Congress a means by which to exercise oversight of the classified intelligence budget and provide guidance to the Central Intelligence Agency, National Security Agency, and various other important intelligence agencies.

In 2005 and 2006, regrettably, the Congress failed to pass the Intelligence authorization legislation. In my view, this is inexcusable. At a time when

Americans were questioning our intelligence agencies' ability to keep them safe, the Congress failed to provide the necessary support. At a time when the intelligence community was undergoing major reorganization, Congress failed to provide sufficient guidance. At a time when our allies and our own citizens were raising serious questions about our detention policies, the Congress failed to conduct oversight. At a time when Americans were opening their morning papers and reading about the aggressive new forms of Government surveillance, such as the President's warrantless wiretapping program, the Congress failed to demand accountability.

The committee did report Intelligence authorization bills for fiscal years 2006 and 2007, but they were blocked repeatedly by anonymous holds. Regrettably, the previous leadership failed to make passing this legislation a top priority. The new leadership of the Senate has decided that ensuring national security and protecting Americans' rights and values is a major concern and, as a result, we are now dealing with this year's Intelligence Authorization Act, and it comes, in my view, to a great extent because of the cooperation of Chairman ROCKEFELLER and Vice Chairman Bond, who has also assisted me in a number of critical areas throughout this session of the Senate, for which I am very appreciative.

This legislation contains a number of important provisions which I am proud to have worked on with my colleagues on the committee. It clarifies many of the authorities of the Director of National Intelligence, establishes a new national space intelligence center, and creates a strong independent inspector general for the intelligence community. It strengthens congressional oversight by clarifying the President's responsibility to keep the Congress informed of all intelligence activities. In addition, it contains three amendments that I offered and that I believe are going to improve the functioning of our intelligence agencies.

The first of these amendments would make public the total amount of the national intelligence budget. In my view, it is ridiculous to suggest that Osama bin Laden is going to gain some sort of advantage from knowing that the national intelligence budget is one specific number or another. But declassifying this number would increase, in my view, transparency and public accountability. It would increase public accountability without sacrificing the national security needs of this country and also permit a more informed debate about funding for defense and national security.

The second of these amendments which I offered with the distinguished chairman of the committee, Senator ROCKEFELLER, would increase resources to support the Committee on Foreign Investments in the United States. After investigating the proposed takeover of the management of several United States ports by Dubai Ports World, I became convinced that the process for approving these foreign purchases did not include sufficient due diligence. There ought to be more room in this process for input from the intelligence community, and these additional resources that have come about as a result of this amendment I developed with Chairman ROCKEFELLER would support that.

The last of these amendments would maximize the criminal penalty for knowingly and intentionally disclosing the identity of a covert agent. Like many Americans, I was shocked and disappointed to learn that members of the administration exposed the identity of an undercover CIA officer for partisan political purposes. Undercover officers perform a vital and demanding service for the Nation, and the very nature of their work prevents them from receiving public praise or recognition. Deliberately exposing an undercover officer for any reason, in my view, is unacceptable, and to do it for a political purpose is simply reprehensible. This provision will send a message to men and women of the CIA and other human intelligence services that the Congress values them and their work and takes any threat to them or to their identity very seriously.

I also note that the version of this legislation that was reported by the Intelligence Committee also creates a new exemption to the Privacy Act. In the additional views to the committee report, Senator FEINGOLD and I expressed our view that the impact of this provision had not been considered carefully enough. I am pleased the managers' amendment prepared by Chairman ROCKEFELLER and Vice Chairman BOND removes this provision and, in my view, that is going to make our conference with the House of Representatives easier.

In sum, I am pleased with the work—the bipartisan work—our committee put into this legislation, and I hope the Senate will support cloture this afternoon. This is extremely important legislation. It ought to be passed on a bipartisan basis. It should not be subject to a filibuster. Congress has surrendered its national security responsibilities for too long and too often, and it is time for the Congress to stand up and do its job.

Chairman ROCKEFELLER and Senator BOND have made it possible for the Senate Intelligence Committee to bring this legislation before the Senate. I am very hopeful this legislation will move forward today and that the Senate will support cloture.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank the Senator from Oregon for his kind comments. As I said earlier today, we are most grateful to the leadership for having brought up S. 372. This is a very important and necessary first step for the Senate to return to its responsibility of conducting oversight of U.S. intelligence activities and programs. Enacting S. 372 into law will help restore the Senate's legitimate role in oversight of U.S. intelligence.

As I said, the administration has voiced some concerns about provisions in the bill, and the chairman and I have made a good-faith attempt to address those concerns. We have a managers' amendment, plus several other amendments on which the chairman and I agree that we think are legitimate and measured modifications that don't change the basic purpose of our provisions but meet some of their objections.

As I said before, there are provisions in the bill that we do believe need such changes. Should any Member, however, feel we have not gone far enough, we invite them to come to the floor and join in the debate.

Is S. 372 perfect? I have never seen a piece of legislation that was and don't expect to see one. That being said, we should all remember that the perfect is the enemy of the good. There is no such thing as perfect legislation. We can today, however, begin the process of improving our oversight with a good piece of legislation.

Again, will the administration agree with everything in the bill? No. On the other hand, I do not remember many times in my political career when any executive branch has invited the legislative branch, Congress—or a State legislature with which I am also familiar—to conduct rigorous oversight of its actions and policies.

Unfortunately for executive branch officials, that is our constitutional role as laid down by the Founding Fathers. It does not mean we will refuse to accommodate the executive branch's legitimate concerns. After all, the President does have the power to veto any legislation that he feels unduly intrudes upon his authority.

In an effort to ensure the administration's concerns are addressed, I have filed an additional nine amendments to S. 372, some of which overlap with the managers' amendment the chairman and I have presented. I believe the chairman and I are in agreement on almost all of these amendments, if not all of them. Through that process, I think we can alleviate the concerns the administration has with the bill.

I am concerned, however, that the process by which we had to draft the managers' amendment, combined with the fact that the preparation had to be undertaken largely when Members were in their home State, has led to some confusion among our colleagues. That is why we are handing out a one-page summary that I hope all Members will review so they understand how this measure has been changed. We will be happy to talk with them privately or discuss it with them on the floor, and our staffs are available to work with their staffs if they have any other concerns.

I also want to make it clear to all of my colleagues that I support full and open debate on S. 372 and the timely consideration of all germane amendments. We ask that the amendments be germane. We would have great difficulty in conferencing this bill on nongermane amendments and the possibility that they would be accepted in the final report I would say is doubtful. If confusion over the amendment filing process has prevented any Senator from getting a germane amendment considered, I will certainly work with that Member to see if we could get the amendment brought to the floor for consideration.

Again, I thank my chairman who has worked in a very cooperative manner. We are seeking to achieve a good bipartisan consensus on how we in this body exercise our very important constitutional role of providing oversight for a critically important factor in our responsibility, and that is oversight and legislation with respect to the national intelligence program and the intelligence community which administers it.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. STABENOW). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROCKEFELLER. Madam President, in essence, what I will do is repeat what my valued and distinguished vice chairman said. It is a fact of life. The vice chairman and I have both been Governors. It is a fact of life that Governors don't like to have oversight. They don't get it. The legislatures don't get it. They get it by the people every 4 years.

It is a little different here. The President sends legislation. We look at it. It gets passed or not. But the country is so huge, and there are innumerable problems, none of which are more important than the national security. It is incredibly important not just to take the President's decision and assume that it is right. Maybe that works at the State level, but it doesn't work here.

We have an absolutely sacred obligation—and in this case a life-and-death obligation—to review, to do oversight, to ask questions, to call people in and to have closed hearings. We have endless numbers of closed hearings which are attended by members of the committee. Suddenly, this committee has come together, it is alive, and this sense of oversight is felt and appreciated by the intelligence community.

This single sheet of paper which every single Member will get when they come to the Chamber shows how Vice Chairman BOND and I, working together as we always do, made five major amendments to try to accommodate the administration with respect to the managers' amendment, which is the pending amendment. We worked those through very carefully, we agreed upon them, and they are now before us.

Then there is a separate list of five more individual amendments where we try to be responsible and responsive. That is all we can do.

The great sadness to this Senator over the past several years has been the inability of the Intelligence Committee to do oversight. That is our obligation. We need to know what is happening. There are certain areas which become so sensitive that it may be that only the vice chairman and I can be informed. People grumble about that, and so be it. That is national security protection. But we have to know what is going on, and that is the purpose of this legislation.

It has been a long time coming. The majority leader has spoken to that point. I recommend to my colleagues who come to the Chamber to vote that they take a look at this paper.

We have worked to try to accommodate the administration's objections. I am sure we have not accommodated all of them, but we have addressed some important ones without in any way interfering with our ability to do proper oversight.

Mr. LEAHY. Madam President, will the Senator yield to me, without losing his right to the floor, to make an announcement of some importance?

Mr. ROCKEFELLER. Yes.

POSTPONEMENT OF JUDICIARY COMMITTEE HEARING

Mr. LEAHY. Madam President, I just arrived back in Washington about an hour ago. I was on a flight for a number of hours and heard the horrific news of the tragedy at Virginia Tech. We had scheduled tomorrow morning before the Senate Judiciary Committee a hearing with Attorney General Gonzales. I have discussed this with the ranking member of the Senate Judiciary Committee, my friend Senator ARLEN SPECTER of Pennsylvania, and I called the Attorney General and spoke to him. All three of us agree—and they agree with my proposal—that we will postpone that hearing.

The hearing with the Attorney General will not be held tomorrow. We will postpone it until Thursday. The exact time we are working out. The Attorney General certainly was agreeable to that. I am sure he would want to be dealing with the matters of the shooting. Both Senator SPECTER and I felt this is a matter where our whole Nation is going to be grieving tomorrow and many individual Members in both bodies will be joining in that grieving and that concern for the families, for the victims of this horrible, horrible tragedy.

So the Judiciary Committee, I have decided, will not hold its hearing. It will be held Thursday.

I thank my friend from West Virginia for yielding to me so I could make that announcement.

Mr. ROCKEFELLER. Madam President, I thank the Senator and yield to the Senator from Massachusetts such time as he may require.

EXPRESSION OF SORROW FOR VIRGINIA TECH TRAGEDY

Mr. KENNEDY. Madam President, with a heavy heart, I rise to express my tremendous sorrow for the growing number of victims impacted by a terrible tragedy on a Virginia college campus today.

My deepest condolences and prayers go out to the students, faculty and their families at the Virginia Tech campus who have been affected by this horrific crime, especially those who lost loved ones.

The Nation is stunned by the loss of so many young lives. The tragedy is felt all the more because these were young people—children in the prime of their lives, with so much to offer—and who gave so much to their families—and now they are gone. They were sons and daughters, brothers and sisters, friends and neighbors. They were a part of all of us—and we will feel their loss. There will be time to debate the steps needed to avert such tragedies. But today our thoughts and prayers go to their families.

Today, the world weeps for the victims at Virginia Tech. Our thoughts and prayers are with you.

I thank the good Senator from West Virginia.

COURT SECURITY IMPROVEMENT ACT OF 2007—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Madam President, the distinguished Republican leader is not on the floor, so I move to proceed to S. 378, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 107, S. 378, the Court Security Improvement bill.

Harry Reid, Jeff Bingaman, Chuck Schumer, Jack Reed, Byron L. Dorgan, Ron Wyden, Maria Cantwell, Dianne Feinstein, Daniel K. Inouye, Daniel K. Akaka, Jim Webb, Dick Durbin, Jay Rockefeller, Sheldon Whitehouse, Barbara A. Mikulski, Ken Salazar, Edward M. Kennedy, Patrick Leahy.

Mr. REID. Madam President, I ask unanimous consent that the mandatory quorum call be waived, as provided under rule XXII.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I now withdraw the motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRAGEDY AT VIRGINIA TECH

Mr. SCHUMER. Madam President, I join so many of my colleagues today to rise in sadness and horror at what happened in Virginia at Virginia Tech. To see the picture of one of the young women, who was allegedly slain, go on the TV screen and see her young beautiful face and realize her life has been taken and thinking of her family and then magnifying this at least 30 times, it is almost too much to bear. This is a terrible tragedy for all of us.

We pray and mourn for those who were lost. At times such as this, the only solace one can take is that God works in ways we don't understand. But I wish to add my condolences to those families who lost loved ones, pray for the recovery of those who were injured, and to all the people of the Virginia Tech community, our hearts go out to you on this sad day.

I yield the floor.

Mr. ROCKEFELLER. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2007—Continued

Mr. MCCONNELL. Madam President, I rise to oppose cloture on the Intelligence authorization. There are plenty of things wrong with this bill, but our primary objection, once again, is the way it is being handled on the floor.

The Democratic majority has filed 21 cloture motions so far this session. At this rate, we will have 160 cloture motions by the end of the 110th Congress. This would shatter the old record of 82 back in 1995 and 1996.

The purpose of filing cloture early is to end debate and accelerate the passage of a measure, but abusing this privilege has the opposite effect. If the minority is shut out of the debate, it will block participation until their Members are respected and their voices are given an opportunity to be heard. We have seen this happen again and again over the last 3½ months as the majority has repeatedly struggled and failed to move legislation.

Republicans take no joy in this, but we will continue to defend our right to be heard. The Senate, as we have learned over the years, is not the House. Contrast this torpid pace of legislation in this Congress with the first 3½ months of the last one, when Republicans passed some of the most far-reaching civil justice reforms in decades. Republicans knew that the price of passing laws was to work with the minority, to have an open debate, and to vote on amendments the other side had to offer.

On bankruptcy reform, for example, we allowed 30 votes, including final passage. On this date, in the first session of the 109th Congress, Republicans had filed only four cloture motions. Looking back to the previous Congress on this date, we had only filed four cloture motions. We have had 21 filed by the new majority.

On this date in the first session of the 108th Congress, we had filed 5 cloture motions, as compared to 21 at this point with the new majority. On this date in the first session of the 107th Congress, we had only filed one cloture motion.

I think the message is pretty clear. I started this session by expressing the hope that we would do big and important things for the country. The realities of divided Government and the rules of the Senate make that supremely possible, and I thought the bipartisan meeting we had that first week in the Old Senate Chamber was a sign of good things to come. I still have that hope, and I see a real opportunity opening with the early steps the majority leader has taken on immigration reform. We are going to that the last 2 weeks before the Memorial Day recess. I think that is a good thing. I commend him for it.

It is my hope that this trend of limited debate and limited amendments—which, of course, leads to the limitation of minority rights—will soon come to an end. Madam President, 3½ months is not that long a time. We can still correct course and accomplish very important things for our country.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on Calendar No. 20, S. 372, the Intelligence Authorization bill of 2007.

Harry Reid, Chuck Schumer, Russell D. Feingold, Jay Rockefeller, Evan Bayh, Patty Murray, Dick Durbin, Jeff Bingaman, Robert Menendez, B.A. Mikulski, Dianne Feinstein, Bill Nelson, E. Benjamin Nelson, S. Whitehouse, Byron L. Dorgan, Blanche L. Lincoln, Ron Wyden.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived. The question is, Is it the sense of the Senate that debate on S. 372, a bill to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. DODD), the Senator from Iowa (Mr. HARKIN), the Senator from South Dakota (Mr. JOHNSON), the Senator from Massachusetts (Mr. KERRY), the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Florida (Mr. NELSON), and the Senator from Illinois (Mr. OBAMA), are necessarily absent.

I further announce that, if present and voting, the Senator from Iowa (Mr. HARKIN) and the Senator from Massachusetts (Mr. KERRY) would each vote ''yea.''

LOTT. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from Mississippi (Mr. COCHRAN), the Senator from Wyoming (Mr. CRAIG), the Senator from South Carolina (Mr. DEMINT), the Senator from Nevada (Mr. ENSIGN), the Senator from South Carolina (Mr. GRAHAM), the Senator from New Hampshire (Mr. GREGG), the Senator from Florida (Mr. MARTINEZ), the Senator from Arizona (Mr. MCCAIN), and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from South Carolina (Mr. DEMINT) would have voted ''nay.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 41, nays 40, as follows:

[Rollcall Vote No. 130 Leg.]

YEAS—41

Akaka	Durbin	Murray
Baucus	Feingold	Nelson (NE)
Bayh	Feinstein	Pryor
Bingaman	Inouye	Reed
Boxer	Kennedy	Rockefeller
Brown	Klobuchar	Salazar
Byrd	Kohl	Sanders
Cantwell	Leahy	Schumer
Cardin	Levin	Stabenow
Carper	Lieberman	Tester
Casey	Lincoln	Webb
Clinton	McCaskill	Whitehouse
Conrad	Menendez	Wyden
Dorgan	Mikulski	

NAYS—40

Alexander	Crapo	Lugar
Allard	Dole	McConnell
Bennett	Domenici	Murkowski
Bond	Enzi	Reid
Bunning	Grassley	Sessions
Burr	Hagel	Shelby
Chambliss	Hatch	Smith
Coburn	Hutchison	Snowe
Coleman	Inhofe	Specter
Collins	Isakson	Stevens
Corker	Kyl	
Cornyn	Lott	

Sununu	Thune	Voinovich
Thomas	Vitter	Warner

NOT VOTING—19

Biden	Graham	Martinez
Brownback	Gregg	McCain
Cochran	Harkin	Nelson (FL)
Craig	Johnson	Obama
DeMint	Kerry	Roberts
Dodd	Landrieu	
Ensign	Lautenberg	

The PRESIDING OFFICER. On this vote, the yeas are 41, the nays are 40. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. REID. Madam President, I move to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

The Senator from West Virginia is recognized.

Mr. ROCKEFELLER. Madam President, I have to declare myself absolutely a series of things: furious, double-crossed, misled, minimized—in terms of my role as a Senator and as chairman of the Intelligence Committee—shocked by the arrogance of the technique that was used between the White House and the minority leader to say to Republicans, after weeks in which Vice Chairman BOND and I worked out a compromise on a managers' amendment on which we worked in good faith—I dropped things he did not like, he dropped things I did not like—but it was a genuine effort.

Vice Chairman BOND, whom I respect greatly, stood here praising the managers' amendment. Then the word came down from the White House—not from Vice Chairman BOND but from the White House—through the minority leader, that this vote was to be a test of Republican Party loyalty and that therefore all Republicans were instructed to vote against it.

In all of my years in the Senate, and certainly all of my years on the Intelligence Committee, I have never seen something so repugnant, putting politics over national security. That is the bottom line. Politics was put over national security.

An order came down: This is a test of Republican Party loyalty. When it comes to that, by golly, you put politics over national security.

Thirty-one people, at least, died at Virginia Tech University this afternoon. All of my kids went to camp there. I know a number of students down there. I called to find out that they were OK, and there was grief everywhere. Republicans were standing up, Democrats were standing up expressing they were horrified.

I was just trying to figure out how many intelligence agents, how many soldiers—because of inadequate intelligence or because of some slip-up or something we had not done, something which we were prepared to correct or did correct in the managers' amendment—died, and I suspect the number was essentially greater than 31.

Now, my heart goes out to those 31. I know some of them who were spared. I was in despair until I knew they were OK.

But this act of cynicism, this act for the third year in a row, blocking intelligence legislation is beyond me. We all understand nothing can happen in military action without intelligence leading the way in; to scout out the territory, to get the feeling, to get through language skills, et cetera, to get the feeling of what is going on so we know what we are getting into.

I will not get into the importance of intelligence for Iraq or Afghanistan, but this is a real crusher. I am not shocked or discouraged with the intelligence. I am more fired up than ever on intelligence. I am shocked because something like this happens in the United States Senate for any reason at any time. I have been in this body for 24 years.

I have been in this body for 24 years, and on one occasion a majority leader called me at home—I happened to be shaving, and it was not a convenient phone call—and asked me to vote against a particular piece of legislation, which I was going to vote against in any event. That has never happened since then. Not once have I been instructed by my party or by my minority or majority leader to vote a certain way.

Yet when it comes to national security, to funding intelligence agencies, where we change the authorities, where we spent weeks in trying to work out hard problems, and did so in the managers' amendment, with more amendments to come, which we would have agreed to, to alleviate the White House's concern—the White House decided they do not like oversight. Well, I understand that. When I was a Governor, I did not like oversight. Nobody likes oversight, but it is our constitutional responsibility. We do not have that choice. We have that duty.

One of the great things about the Intelligence Committee is it has come together in recent months to accept this responsibility and to reach out and take hold of it with a vigor and a lust that makes us want to do more—but not to overdo but to do. Then along comes this vote.

It certainly is the most disappointing day, the most disappointing vote, the most disappointing sign of where we are in this country—the most disappointing sense of the relationship between the executive branch and the legislative branch—the failure of the realization we exist for a reason, that we work hard, getting ready for this vote because we had a chance to do it. Then comes down the instruction: No. Politics trumps national security. Prove you are a loyal Republican. Vote no.

It is not a good day in the Senate.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I was fortunate enough to serve on the Intelligence Committee for 4 years and served with the Senator from West Virginia, as well as the Senator from Missouri. It is one of the toughest assignments in the Senate. It is time consuming. It is demanding. It takes a long time to even understand the nature of our intelligence community and the valuable work they do.

I salute all members of the Intelligence Committee on both sides of the aisle for sticking with it. They do not get a lot of public attention because these hearings and deliberations are behind closed doors. This is classified information. It is critically important for the security of the United States of America that this Intelligence Committee work and work closely with the intelligence agencies.

I want to say a word on behalf of the chairman of this Intelligence Committee on the Senate side, Senator ROCKEFELLER. I cannot think of a person who has put in more time—certainly on our side of the aisle but in the Senate—dedicated to doing this job right. It must be next to impossible to keep up with everything else he has to do, but he has dedicated himself to this. I know how much this bill means to him.

This reauthorization bill for the intelligence agencies is critically important to him personally, but, more importantly, it really means so much for our Nation. If our intelligence does not get it right, we are more vulnerable. If we are more vulnerable, it means that not just people living in Springfield, IL, but our troops in the field are more vulnerable. So he has worked overtime to bring this intelligence authorization bill to the floor in a spirit of bipartisanship, as he described.

This amendment, which was just stopped by this procedural motion, is a bipartisan amendment. It is from both the chairman of the committee, Senator ROCKEFELLER, and the vice chairman of the committee, Senator BOND—Democrat and Republican. I believe him when he says he has worked in a spirit of compromise to try to find a reasonable position.

Now, when we offer this amendment, this substitute amendment, to the Senate, and say, if you have something you want to offer to improve it—Senator REID said that earlier—I cannot think of a fairer way to approach an issue, which should not be political at all.

One amendment was offered. It is my understanding only one amendment was offered. It looked like we were finally going to get this reauthorization of intelligence agencies that are so important for our security. Along comes this procedural vote, which should have been a toss-away vote. It ends up virtually stopping the debate on this critical bill. Why? I cannot understand it.

We have said: Offer your amendments, and only one amendment was offered. Senator ROCKEFELLER has worked with the Republican side of the aisle for a bipartisan approach. You have given; the other side has given. It

was a good spirit of compromise, cooperation. That is what people want. Certainly, when it comes to the security of our Nation, you do not expect us to come in as Democrats and Republicans. We have a lot more responsibility.

So what happened now? When we tried to bring this to a point where it could pass, where the amendments would be limited to the most germane amendments that really get to the heart of the issue, the other side of the aisle, voted no, and now we are stuck.

They knew what they were doing. They were trying to kill this bill. But why would they want to stop this bill? This is a good bipartisan bill essential for the security of America that had been arrived at in a bipartisan manner, and they stopped it. I do not understand that.

I salute Senator ROCKEFELLER for his leadership. I understand his frustration. Certainly, the people who depend on us in the Senate, in a bipartisan fashion, to keep America safe were let down by this vote where the overwhelming majority of Republican Senators voted no.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. SANDERS). The majority leader.

Mr. REID. Mr. President, I came here earlier today anticipating there would be Republicans who would rise above the partisan clamor. I looked, as the vote was being cast: no, no, no, at the people I thought could do this.

Sixteen agencies are all responsible for gathering intelligence information for our country.

Mr. President, let's call it the way it is. Vice President CHENEY runs the intelligence operations of this administration. He has for 6 years. It apparently is not going to stop. We could not even improve the intelligence-gathering operations for the 16 agencies because it may interfere with the Vice President.

Mr. President, even the vice chairman of the committee voted against moving forward. I heard his conversation with the chairman, why he was doing this—because he had been asked to do it. We have had experiences in the past with the way the Republicans—everybody, hear that—have handled the intelligence-gathering information for our Nation. The Senate had to be closed using rule XXII to get some minimal information how the evidence was manipulated to take us to war in Iraq, and we got some of that information.

There has been a change in the leadership of the Senate. I was hopeful it would be better, and it has been for 3 months. There has been cooperation between the two Senators, the chairman and vice chairman. We are not dealing with—we have had to invoke cloture on everything we have done here because, as I said earlier today, I thought a minority of Republican Senators was standing in the way of our doing what we have done—minimum wage, stem cell, all that stuff.

But here we are dealing with our spies. That is what they are. We know from the situation where there has been an indictment and conviction that the White House was involved in that up to their neck with the ''Scooter'' Libby matter. Karl Rove appeared before the grand jury on three or four or five occasions trying to extricate himself. The President said anyone who had anything to do with leaking information would be dumped from the administration quickly. Of course, that has not happened. I guess there is nothing in the minds of Karl Rove and his minions that is not politics—even the spy operations of this country.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, there have been some insinuations which have been thrown around on the other side. Let me be clear. This was not a cloture vote on the managers' amendment. This was a cloture vote on the bill. Many Republican Senators had asked to have an opportunity to offer amendments. Some 35 amendments have been submitted. The time for submitting the amendments shut off at 2:30 today, and we have at least 10 or so Senators who could not get back here.

Now, this bill is a good bill. But we have no reason, before we even start work on the bill, to invoke cloture to shut off amendments. Nobody from the White House told us to do that. We have Republican Senators who wanted to have an opportunity to offer amendments and vote. This is a critically important bill for the intelligence community, and I believe we need to work on it at least a couple of days. Is that too much to ask, that we work on it a couple of days?

I know the leader has entered a motion to reconsider. And if there is any sense—if there is any sense—that there is dilatory action, if there is any sense that we are not moving quickly on this bill in very short order, I would join with him and urge my Republican colleagues to do so to move this bill forward. This bill is one that has to pass if we are to get our legitimate congressional oversight.

I am not going to get into the arguments between the leaders on how many times we have invoked cloture. But on this one—this one—I gladly urged everybody to vote for cloture to proceed to the bill. There may be some in the executive branch who did not want us to. There may be a lot of provisions in the bill on oversight that the executive branch does not want. I believe we have a responsibility—a responsibility—to consider this carefully.

Reference has been made to a number of things that were inaccurate. There was a reference made to having to shut down the Senate to get a process moving in one of the second-phase investigations. The staff work had essentially been completed. The staff, under bipartisan leadership, had worked on getting that done. Shutting down the Senate was a great show, but it did nothing to move forward that particular phase of the investigation.

Now, I want to see this committee—and I hope this body—operate on a bipartisan basis. But I was very disappointed when I saw that cloture had been filed before we even started the process of amendments. Cloture is necessary when you see there is a filibuster or you see there are nongermane amendments. some of the amendments are nongermane and I will ask that they be withdrawn or I will join in a tabling motion, but I think this subject, which has not been debated on the floor sufficiently in recent years, should be open to a thorough debate. We don't want to take up a lot of time. We need to get this bill to the House and work with them to get a good Intelligence authorization bill through.

The insinuation that we got an order from the White House is absolutely without basis. They are working with us in a cooperative way, and I hope to move forward on this bill, which is now open for amendment and debate. I look forward to the opportunity to proceed with that debate and votes on the bill.

I thank the Chair, and I yield the floor.

Mr. REID. Mr. President, I have the greatest respect for the senior Senator from Missouri, but his facts are all messed up. We tried to bring this bill to the floor for a full debate. In the Senate, as everyone knows, you have to move to proceed to the bill. We did that. They objected. We had to file cloture on even being able to proceed to the bill. They initially said: We are not going to give you cloture. Then they gave us cloture. The purpose of that was to stall for time. They voted to proceed. I said immediately: Why waste the 30 hours? The rule in the Senate is you have 30 hours after you complete the cloture. I said: Offer amendments during this period of time. Don't waste the time. We could have done that last week. I told everybody. All the staff knew that: But no, nothing. I indicated we would be happy to do relevant amendments on this bill.

I ask unanimous consent now that there be four relevant amendments in order for each side and that when they are disposed of, the Senate move to final passage of the bill.

The PRESIDING OFFICER. Is there objection?

Mr. BOND. Mr. President, reserving the right to object, I apologize.

Mr. REID. I will repeat the request. I ask unanimous consent that there be four relevant amendments in order for each side and that when they are disposed of, the Senate vote on final passage.

Mr. BOND. Reserving the right to object, we have 35 amendments. There are 10 amendments which I believe have the support of the chairman and the vice chairman. I will be happy to work tomorrow with the leaders, with the chairman, to develop a list of amendments and get a time agreement. But

the whole purpose was to move this bill forward and find out what amendments are coming from both sides. I don't know about amendments from people who are not here.

I object to that proceeding.

The PRESIDING OFFICER. Objection is heard.

The majority leader is recognized.

Mr. REID. Mr. President, let me say, it is a funny way of wanting to move forward on this bill by stopping cloture twice during the last 30 hours. I repeat, I said anybody who wanted to could offer amendments. We sat for 2 days doing nothing, for 30 hours doing nothing.

I hope the distinguished Senator from Missouri and my friend, my dear friend for life, the junior Senator from West Virginia, can work something out. That is why I moved to reconsider. I hope that on this very important piece of legislation, we are able to move forward. This has nothing to do with partisan politics. This is the security of our Nation and much of the world.

Mr. BOND. Mr. President, as I indicated earlier, I want to see this bill move forward. It is open for amendment and debate. I will work with the chairman, with the leaders on both sides to come to a short time agreement with amendments to be considered. If that cannot be accepted, if we have any indication that this bill is going to be drawn out, then I will work with the leadership to get us to a position to vote on the bill. I remain committed to seeing this bill go forward, but I believe we have the need for at least a day's debate. The objection to proceeding on the bill was withdrawn. There could have been debate on Friday, but we weren't in. Now we are back in session, and I hope both sides can come forward and offer their amendments and offer their debates, and have votes and move this bill to final passage and send it to conference.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. We weren't in session because there was no activity on this bill. No one was offering amendments. I would go one step further than the distinguished Senator from Missouri suggested. The amendments have been filed. Why don't we do the relevant amendments? I don't know how many there are. Let's do the ones that are in keeping with the rules of the Senate, go ahead and handle those, starting in the morning.

That is all I have, Mr. President.

Mr. BOND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the role.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that there now be a period for morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS DAVID NEIL SIMMONS

Mr. BAYH. Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from Kokomo. Neil Simmons, 20 years old, was killed on April 8 while deployed in Baghdad, when his convoy encountered an improvised explosive device and insurgent fire. He had been in Iraq for less than 2 weeks. With his entire life before him, Neil risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Neil attended Kokomo's Northwestern High School and followed the example set by his father and uncle by enlisting in the Army a few months before graduating in 2005. He enjoyed the structure of the military and felt a sense of duty to serve his community and country. His father described Neil as ''an avid outdoorsman who was happy and always had plenty of friends.''

Neil was killed while serving his country in Operation Iraqi Freedom. He was a member of the 2nd Battalion, 69th Armor Regiment, 3rd Brigade Combat Team, 3rd Infantry Division, in Fort Benning, GA. Neil's father reflected on his son's death, asking, ''What's the odds of, among 160,000 troops your only child is there one week and gets killed?'' Private First Class Simmons leaves behind his father David and uncle Jim Simmons.

Today, I join Neil's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Neil, a memory that will burn brightly during these continuing days of conflict and grief.

Neil was known for his dedication to his family and his love of country. Today and always, Neil will be remembered by family members, friends, and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Neil's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: ''We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.'' This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Neil's actions will live on far longer that any record of these words.

It is my sad duty to enter the name of David Neil Simmons in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy and peace. When I think about this just cause in which we are engaged and the unfortunate pain that comes with the loss of our heroes, I hope that families like Neil's can find comfort in the words of the prophet Isaiah who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Neil.

ARMENIAN GENOCIDE

Mrs. BOXER. Mr. President, I take this opportunity today to solemnly commemorate the 92nd Anniversary of the Armenian genocide.

The Armenian genocide was the first genocide of the 20th century. From 1915 until 1923, 1.5 million Armenians were brutally killed by the Ottoman Turks in a systematic effort to eradicate the Armenian people. There were unbearable acts of torture; men were separated from their families and murdered; women and children were put on a forced march across the Syrian desert without food or water.

Henry Morgenthau, the U.S. Ambassador to the Ottoman Empire from 1913 to 1916, recalled:

> When the Turkish authorities gave the orders for these deportations, they were merely giving the death warrant to a whole race; they understood this well, and, in their conversations with me, they made no particular attempt to conceal the fact . . . I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915.

However, we were to witness other such horrible genocides later, including the Holocaust and the genocide in Darfur, which is happening today.

As with later genocides, some have tried to deny that the Armenian genocide happened. Shamefully, the Government of Turkey still refuses to admit that genocide occurred.

In order for democracy and human rights to flourish, we must not support efforts to rewrite and deny history. In the United States, we strive to make human rights a fundamental component of our democracy. It is long overdue for our nation to demand that the truth be told. We must recognize the Armenian genocide in the name of democracy, fairness and human rights.

At the beginning of the 21st century, as genocide is waged in Darfur, it is

even more critical to recognize the first genocide of the 20th Century. We must send a message that genocide and genocide denial will never be tolerated.

To that end, I am proud to be an original cosponsor of Senator RICHARD DURBIN's S. Res. 106, calling on the President to accurately characterize the Armenian Genocide in his annual message around April 24 and to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian genocide.

It is important that we recognize the Armenian genocide while its survivors are still with us to tell their stories. We must recognize the genocide for the survivors. We must recognize the genocide because it is the right thing to do. We must recognize the Armenian genocide to help shed light on the darkness and move toward a more humane world.

VOTE EXPLANATION

• Mr. NELSON of Florida. Mr. President, I would like to take this opportunity to explain to the Senate my absence during today's vote to invoke cloture on S. 372, the Intelligence Authorization Act.

I am in Florida, and my flight was due to arrive in Washington this afternoon. However, because of the inclement weather, my flight was delayed and I am still in Tallahassee.

I am a member of the Senate Select Committee on Intelligence, and I have already voted in favor of this measure. As such, had I been present for the vote, I would have voted ''aye'' on the resolution.•

ADDITIONAL STATEMENTS

TRIBUTE TO GERALD E. HARMON, M.D.

• Mr. GRAHAM. Mr. President, today I ask the Senate to join me in recognizing Dr. Gerald E. Harmon, MD, on the occasion of his retirement from the South Carolina Air National Guard, SCANG. A native South Carolinian, ''Gamecock Doc'' joined the military in 1973 as a commissioned officer in the U.S. Air Force, USAF after graduating from the University of South Carolina USC. He began studying medicine at the Medical University of South Carolina through the Air Force Health Professions Scholarship Program achieving his M.D. in 1976.

Dr. Harmon completed his family practice residency at Eglin AFB in Florida. After fulfilling several USAF flight surgeon assignments in Texas and South Carolina, he transferred to the SCANG to serve as the commander of the 169th Tactical Clinic at McEntire Joint National Guard Base. Under his leadership, his unit was twice awarded the SCANG Outstanding Unit award and received ''Excellent'' evaluations by the USAF Inspection Agency.

In 1992, President George H. W. Bush recognized Dr. Harmon for his medical humanitarian work in Africa, and both in 1998 and 2003 the South Carolina General Assembly recognized him as the Doctor of the Day for his unselfish duty and devotion to the medical profession. Dr. Harmon was also a recipient of the American Heart Association Research Grant at the USC School of Medicine and was recognized as the Air National Guard's 1993 National Physician of the Year.

Over the last 7 years, Dr. Harmon served as the Air National Guard Assistant Surgeon General for the USAF providing critical advice and information on Air National Guard medical activities to the United States' Surgeon General. Part of his responsibilities included coordinating medical policies, plans, and programs for the Air National Guard. Dr. Harmon is the first South Carolinian to serve as the Air National Guard Assistant Surgeon General.

Dr. Harmon is currently a family practitioner the Waccamaw Medical Center on Pawleys Island, where he and his wife of 35 years reside. He is also President-elect of the South Carolina Medical Association having served on its board directors for many years.

A true patriot and a fine American, Dr. Harmon formally retired as a major general with over 700 flying hours on February 16, 2007. His military career will forever be marked by his extraordinary vision, sacrifice, and community spirit. I wish Dr. Harmon the very best in his retirement and ask that the Senate join me in thanking him for his service.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:04 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that pursuant to 22 U.S.C. 2761 and the order of the House of January 4, 2007, the Speaker appoints the following Member of the House of Representatives to the British-American Interparliamentary Group: Mr. CHANDLER of Kentucky, Chairman.

The message also announced that pursuant to 22 U.S.C. 276d, and the order of the House of January 4, 2007, the Speaker appoints the following Members of the House of Representatives to the Canada-United States Interparliamentary Group: Mr. OBERSTAR of Minnesota, Chairman, Mr. SMITH of Washington, Vice Chairman, Ms. SLAUGHTER of New York, Mr. STUPAK of Michigan, Ms. KILPATRICK of Michigan, Mr. HODES of New Hampshire, Mr. WELCH of Vermont.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1469. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''2005 Section 32 Hurricane Disaster Programs; 2006 Livestock Assistance Grant Program'' (RIN0560-AH45) received on April 11, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1470. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''2006 Emergency Agricultural Disaster Assistance Programs'' (RIN0560–AH62) received on April 11, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1471. A communication from the Regulatory Contact, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Rules of Practice Governing Proceedings Under the Packers and Stockyards Act'' (RIN0580–AA97) received on April 11, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1472. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving exports to India; to the Committee on Banking, Housing, and Urban Affairs.

EC–1473. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; State of Utah; State Implementation Plan Corrections'' (FRL No. 8300–1) received on April 12, 2007; to the Committee on Environment and Public Works.

EC–1474. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Regulation of Fuels and Fuel Additives: Renewable Fuel Standard Program'' (FRL No. 8299–9) received on April 12, 2007; to the Committee on Environment and Public Works.

EC–1475. A communication from the Assistant Secretary of Defense (Health Affairs), transmitting, pursuant to law, a report relative to the integration of mental health services into daily activities of Service members; to the Committee on Appropriations.

EC–1476. A communication from the Assistant Secretary of Defense (Health Affairs), transmitting, pursuant to law, an annual report relative to the TRICARE Program for fiscal year 2007; to the Committee on Armed Services.

EC–1477. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Department's ''National Call to Service'' program; to the Committee on Armed Services.

EC–1478. A communication from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Plans and Information—Protection of Marine Mammals and Threatened and Endangered Species'' (RIN1010–AD10) received on April 13, 2007; to the Committee on Energy and Natural Resources.

EC–1479. A communication from the Deputy Chief Human Capital Officer, Office of the Under Secretary, Department of Energy, transmitting, pursuant to law, the report of the designation of an acting officer for the position of Under Secretary, received on April 12, 2007; to the Committee on Energy and Natural Resources.

EC–1480. A communication from the Deputy Director, National Security Administration, Department of Energy, transmitting, pursuant to law, the report of a nomination for the position of Principal Deputy Administrator for Nuclear Security, received on April 12, 2007; to the Committee on Energy and Natural Resources.

EC–1481. A communication from the Deputy Chief Human Capital Officer, Office of the Under Secretary, Department of Energy, transmitting, pursuant to law, the report of a vacancy in the position of Under Secretary, received on April 12, 2007; to the Committee on Energy and Natural Resources.

EC–1482. A communication from the Deputy Director, National Nuclear Security Administration, Department of Energy, transmitting, pursuant to law, the report of a vacancy in the position of Principal Deputy Administrator, received on April 12, 2007; to the Committee on Energy and Natural Resources.

EC–1483. A communication from the Deputy Director, National Nuclear Security Administration, Department of Energy, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of Under Secretary for Nuclear Security, received on April 12, 2007; to the Committee on Energy and Natural Resources.

EC–1484. A communication from the Deputy Director, Office of the Chief Financial Officer, Department of Energy, transmitting, pursuant to law, the report of a nomination, discontinuation of service in an acting role and the designation of an acting officer for the position of Chief Financial Officer, received on April 12, 2007; to the Committee on Energy and Natural Resources.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–55. A joint resolution adopted by the Legislature of the State of Montana supporting the ''25 x 25'' Initiative to Increase Production of Renewable Energy by the Agricultural Community; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE JOINT RESOLUTION NO. 6

Whereas, having an affordable, clean, reliable, and plentiful energy supply is critical to Montana's economy, as well as the national and international food supply; and

Whereas, current and future risks to national energy security are mounting while domestic and global energy demands are growing exponentially; and

Whereas, Montana and the United States have tremendous renewable energy resources; and

Whereas, the development of a broad spectrum of renewable energy resources, including wind power, biofuels, biomass, methane digesters, ethanol, and solar, benefit the environment and will have a direct economic benefit to agricultural landowners and rural communities; and

Whereas, rural communities and agriculture will experience multiple benefits, including establishing additional markets for agricultural commodities, increasing farm income, creating added-value uses for crops, livestock, and their byproducts, encouraging more productive use of marginal lands, resolving air, water, and soil quality problems that may arise from agricultural operations, improving wildlife habitat, and creating many new job opportunities; and

Whereas, American agriculture is well positioned to play an expanded role in the development and implementation of new energy solutions and with appropriate technological innovation, incentives, and investments, America's farms and ranches can become the factories that produce a new generation of fuels to help meet the nation's energy needs; and

Whereas, ''25 x 25'' is an agriculturally led initiative that envisions America's farms and ranches producing 25% of America's energy supply by the year 2025 while continuing to produce abundant, safe, and affordable food and fiber; and

Whereas, agriculture's role as an energy producer will have a positive effect on national security and trade imbalances and will serve as a catalyst for rural development in Montana and the United States; and

Whereas, Governor Brian Schweitzer (D–MT), Governor Dave Heineman (R–NE), Governor Tim Pawlenty (R–MN), Governor Mitch Daniels (R–IN), Governor Ed Rendell (D–PA), former Governor Jeb Bush (R–FL), Governor Kathleen Sebelius (D–KS), former Governor Tom Vilsack (D–IA), former Governor George Pataki (R–NY), former Governor Robert Ehrlich (R–MD), Governor Jennifer Granholm (D–MI), former Governor James Risch (R–ID), Governor Jim Doyle (D–WI), Governor Jim Douglas (R–VT), Governor Ernie Fletcher (R–KY), Governor John Lynch (D–NH), former Governor Bob Taft (R–OH), Governor Tim Kaine (D–VA), Governor Arnold Schwartzenegger (R–CA), and Governor Rod Blagojevich (D–IL) have endorsed ''25 x 25''; and

Whereas, state legislatures from Colorado, Nebraska, Kansas, and Vermont have endorsed ''25 x 25'': Now, therefore, be it

RESOLVED by the Senate and the House of Representatives of the State of Montana, That the Montana Legislature endorses the ''25 x 25'' vision of agriculture providing 25% of the total energy consumed in the United States by the year 2025, while continuing to produce abundant, safe, and affordable food and fiber. Be it further

RESOLVED, That copies of this resolution be sent by the Secretary of State to the Honorable George W. Bush, President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Montana Congressional Delegation.

POM–56. A concurrent resolution adopted by the Senate of the Legislature of the State of Kansas urging Congress to allow interstate marketing of state inspected meat; to the Committee on Agriculture, Nutrition, and Forestry.

SENATE CONCURRENT RESOLUTION NO. 1604

Whereas, the Federal Wholesale Meat Act of 1967 allows states to have state meat inspection programs which are required to meet or exceed federal inspection standards of the United States Department of Agriculture for wholesomeness, cleanliness and food safety; and

Whereas, Kansas is in the majority of states which have elected to operate equivalent meat inspection programs allowing state-licensed and state-inspected meat processing facilities to engage in intrastate commerce. Other states are pursuing implementation of state inspection of their meat processing facilities; and

Whereas, State meat inspection programs are flexible and can efficiently and safely adapt their activities to small, local meat processors that cannot be duplicated by the federal inspection program because of its size and complexity; and

Whereas, State-inspected meat and poultry products are currently barred from interstate commerce under federal law, including neighboring local markets in other states, despite current meat safety and quality assurances, affecting long-range rural development and economic growth strategies within the meat processing industry; and

Whereas, such limitation on marketing of state inspected meat inhibits economic development and value-added agricultural activities in this nation's agricultural sector; and

Whereas, current policy of the National Association of State Departments or Agriculture supports the interstate shipment of state-inspected meat products: Now, therefore, be it

Resolved by the Senate of the State of Kansas, the House of Representatives concurring therein, That we urge the United States Congress to enact revisions to the Federal Meat Inspection Act and the Poultry Products Inspection Act to allow the interstate shipment and marketing of meat products by state inspected meat processing facilities; and be it further

Resolved, That the Secretary of State be directed to send an enrolled copy of this resolution to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the United States Department of Agriculture and each member of the Kansas Congressional delegation.

POM–57. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan memorializing Congress to invest in Head Start and Quality Child Care; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 40

Whereas, Head Start and high-quality child care prepare children for school and life success by narrowing the educational achievement gap between lower- and upper-income kids, increasing high school graduation rates, and reducing crime.

Whereas, studies show that at-risk children who attend Head Start and high-quality child care are better prepared for school. For example, Head Start narrows the literacy skills gap by nearly half between children in poverty and all children. The research is clear that quality early childhood education programs work to prevent crime. In Ypsilanti, Michigan, three- and four-year-olds from low-income families who were randomly assigned to a group that did not receive preschool preparation were five times more likely to have become chronic lawbreakers by age 27 than those who were assigned to the High/Scope Educational Research Foundation's Perry Preschool program; and

Whereas, currently, only about half of eligible low-income children can attend Head Start due to state and federal funding limitations, and even fewer infants and toddlers. Less than five percent of eligible children three years old and younger are able to participate in Early Head Start. Moreover, only one in seven eligible children in working, low-income families receives help paying for quality child care through the Child Care and Development Block Grant. The combination of state and federal money for preschool has helped Michigan reach two of three at-risk four-year-olds and one of five at-risk three-year-olds; and

Whereas, Real dollar funding levels for Head Start and child care have been cut for the last several years, falling far behind the rising costs that programs face. Instead of reaching more eligible kids with comprehensive health, nutrition, and early education services, Head Start programs have been forced to shorten program hours, cut back staff, reduce parent coaching, and reduce transportation and other services that help families participate: Now, therefore, be it

Resolved, by the House of Representatives, That we memorialize the Congress of the United States to increase discretionary funding in the federal budget for 2008 by $750 million in additional funding over current levels for Head Start and $720 million in additional funding over current levels for the Child Care and Development Block Grant (CCDBG). This request does not address the unmet need in Head Start and CCDBG, but simply restores services to children to the Fiscal Year 2002 level. This is a crucial first step toward meeting the need to provide quality early childhood education and care for at-risk children. Investing in Head Start and quality child care now will improve education outcomes for our nation's at-risk children and will save lives and money down the road: and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–58. A concurrent resolution adopted by the Legislature of the State of North Dakota encouraging a recommitment to the ratification of the Equal Rights Amendment in all states and final passage in Congress; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 3032

Whereas, the proposed Equal Rights Amendment provides ''equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex'' and Congress sent the Equal Rights Amendment to the states for ratification on March 22, 1972; and

Whereas, on February 11, 1975, North Dakota became the 34th state to ratify the Equal Rights Amendment, due to the efforts of a broad spectrum of supporters, including the Coordinating Council for the Equal Rights Amendment, the 44th Legislative Assembly, and Senate Concurrent Resolution No. 4007 sponsors Senators Redlin and Lips and Representatives Homuth and Pyle; and

Whereas, many women worked all of their lives for a constitutional amendment affirming that women had equal rights and protections under the United States Constitution, including Alice Paul, Elizabeth Cady Stanton, and Susan B. Anthony; and

Whereas, 35 of the needed 38 states ratified the Equal Rights Amendment and without ratification the United States Constitution fails to guarantee female citizens equal rights and equal justice: Now, therefore, be it

Resolved by the House of Representatives of North Dakota, The Senate Concurring Therein, That the Sixtieth Legislative Assembly acknowledges the actions of the 44th Legislative Assembly of North Dakota and the sponsors of Senate Concurrent Resolution No. 4007 affirming the equal application of the United States Constitution to all citizens through the passage of the Equal Rights Amendment; and be it further

Resolved, That the Sixtieth Legislative Assembly declares Friday, March 9, 2007, North Dakota Equal Rights Amendment Recognition Day; and be it further

Resolved, That the Sixtieth Legislative Assembly encourages a recommitment to the ratification of the Equal Rights Amendment in all states and final passage in Congress; and be it further

Resolved, That the Secretary of State forward copies of this resolution to the Governor, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to each member of the North Dakota Congressional Delegation.

POM–59. A joint resolution adopted by the Legislature of the State of New Mexico memorializing Congress to fully fund medical care and aid and attendant care services for Honey Sue Newby and the other Level Three Spina Bifida children of parents who served in Vietnam and who are totally disabled; to the Committee on Veterans' Affairs.

Whereas, the Federal Department of Veterans Affairs acknowledges that one thousand two hundred children of Vietnam War veterans have some degree of disability resulting from their birth parents' exposure to Agent Orange during military service in the Vietnam War; and

Whereas, approximately two hundred of these children of war veterans are designated as level three spina bifida children, who are considered to be totally disabled; and

Whereas, these children, designated as totally disabled as a result of their birth parents' exposure to Agent Orange during military service in Vietnam, are in a situation that is indistinguishable from that of any one hundred percent service-connected disabled veteran who is totally disabled as the result of military service; and

Whereas, these two hundred level three spina bifida children of Vietnam War veterans are not treated equally with the disabled military veterans as regards compensatory medical care and aid and attendant care; and

Whereas, the financial cost for families of these children can be crippling, and many proud American military veterans and their families must depend on welfare or charity to provide the vital medical care and attendant care their children need; and

Whereas, at least one of these children, Honey Sue Newby, whose birth father served three tours as a Marine Infantryman in Vietnam, resides in New Mexico; and

Whereas, the Legislature seeks to honor and encourage fair treatment of all persons who have made personal sacrifices in the military defense of our nation: Now, therefore, be it

Resolved by the Legislature of the State of New Mexico, That it urge the United States Congress to provide full medical care and attendant care to Honey Sue Newby and the other level three spina bifida children who are totally disabled as a result of their birth parents' military service in Vietnam; and be it further

Resolved, That the New Mexico Congressional Delegation be requested to work vigorously for adequate funding to provide full medical care and aid and attendant care to all level three spina bifida children who are totally disabled because of the effects of Agent Orange used in Vietnam; and be it further

Resolved, That copies of this memorial be transmitted to each member of the Congressional Delegation, the Chief Clerks of the United States House of Representatives and the United States Senate and the United States Department of Veterans Affairs.

POM–60. A resolution adopted by the Miami-Dade County Board of County Commissioners directing the County Manager to study the creation of a voluntary ''Miami-Dade Trans Fat Free Program'' and a program to provide education and guidance to restaurants, bakeries and the public regarding the negative health effects of trans fats; to the Committee on Agriculture, Nutrition, and Forestry.

POM–61. A resolution adopted by the Board of Commissioners of the County of Armstrong of the State of Pennsylvania urging Congress to place a moratorium on new free trade agreements, and to investigate and review current free trade agreements and policies of the United States; to the Committee on Finance.

REPORTS OF COMMITTEES

Under the authority of the order of the Senate of April 12, 2007, the following reports of committes were submitted on April 13, 2007:

By Mr. BAUCUS, from the Committee on Finance, with an amendment in the nature of a substitute:

S. 3. A bill to amend part D of title XVIII of the Social Security Act to provide for fair prescription drug prices for Medicare beneficiaries.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BAYH:

S. 1109. A bill to increase funding for the National Institutes of Health to carry out breast cancer research and to amend title XVIII of the Social Security Act to extend for 6 months the eligibility period for the ''Welcome to Medicare'' physical examination and to eliminate coinsurance for screening mammography and colorectal cancer screening tests in order to promote the early detection of cancer; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. BENNETT):

S. 1110. A bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for the conjunctive use of surface and ground water in Juab County, Utah; to the Committee on Energy and Natural Resources.

By Mr. WYDEN:

S. 1111. A bill to amend the Internal Revenue Code of 1986 to make the Federal income tax system simpler, fairer, and more fiscally responsible, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1112. A bill to allow for the renegotiation of the payment schedule of contracts between the Secretary of the Interior and the Redwood Valley County Water District, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BAYH (for himself and Mrs. CLINTON):

S. 1113. A bill to facilitate the provision of care and services for members of the Armed Forces for traumatic brain injury, and for other purposes; to the Committee on Armed Services.

By Mrs. FEINSTEIN (for herself and Mr. SPECTER):

S. 1114. A bill to reiterate the exclusivity of the Foreign Intelligence Surveillance Act of 1978 as the sole authority to permit the conduct of electronic surveillance, to modernize surveillance authorities, and for other purposes; to the Committee on the Judiciary.

By Mr. BINGAMAN (for himself, Mr. DOMENICI, Mr. DORGAN, Mr. LUGAR, Mr. AKAKA, Ms. MURKOWSKI, and Mr. CRAIG):

S. 1115. A bill to promote the efficient use of oil, natural gas, and electricity, reduce oil consumption, and heighten energy efficiency standards for consumer products and industrial equipment, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SALAZAR (for himself, Mr. BINGAMAN, Mr. DOMENICI, and Mr. THOMAS):

S. 1116. A bill to facilitate the use for irrigation and other purposes of water produced in connection with development of energy resources; to the Committee on Energy and Natural Resources.

By Mr. BOND (for himself and Mr. DODD):

S. 1117. A bill to establish a grant program to provide vision care to children, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DORGAN (for himself and Mr. CRAIG):

S. 1118. A bill to improve the energy security of the United States by raising average fuel economy standards, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MENENDEZ (for himself, Mrs. CLINTON, Mr. LAUTENBERG, and Mr. SCHUMER):

S. 1119. A bill to extend the time for filing certain claims under the September 11th Victim Compensation Fund of 2001, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WARNER (for himself, Mr. WEBB, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAIG, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TESTER, Mr. THOMAS, Mr. THUNE, Mr. VITTER, Mr. VOINOVICH, Mr. WHITEHOUSE, and Mr. WYDEN):

S. Res. 149. A resolution expressing the condolences of the Senate on the tragic events at Virginia Tech University; considered and agreed to.

ADDITIONAL COSPONSORS

S. 22

At the request of Mr. WEBB, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 22, a bill to amend title 38, United States Code, to establish a program of educational assistance for members of the Armed Forces who serve in the Armed Forces after September 11, 2001, and for other purposes.

S. 117

At the request of Mr. OBAMA, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 117, a bill to amend titles 10 and 38, United States Code, to improve benefits and services for members of the Armed Forces, veterans of the Global War on Terrorism, and other veterans, to require reports on the effects of the Global War on Terrorism, and for other purposes.

S. 211

At the request of Mrs. CLINTON, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2–1–1 telephone service for information and referral on human services, volunteer services, and for other purposes.

S. 231

At the request of Mrs. FEINSTEIN, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Ohio (Mr. BROWN) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 231, a bill to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012.

S. 311

At the request of Ms. LANDRIEU, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 311, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 413

At the request of Mrs. CLINTON, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 413, a bill to amend the Bank Holding Company Act of 1956 and the Revised Statutes of the United States to prohibit financial holding companies and national banks from engaging, directly or indirectly, in real estate brokerage or real estate management activities, and for other purposes.

S. 428

At the request of Mr. NELSON of Florida, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 428, a bill to amend the Wireless Communications and Public Safety Act of 1999, and for other purposes.

S. 522

At the request of Mr. BAYH, the name of the Senator from Connecticut (Mr. LIEBERMAN) was withdrawn as a cosponsor of S. 522, a bill to safeguard the economic health of the United States and the health and safety of the United States citizens by improving the management, coordination, and effectiveness of domestic and international intellectual property rights enforcement, and for other purposes.

At the request of Mr. BAYH, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 522, supra.

S. 545

At the request of Mr. LOTT, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 545, a bill to improve consumer access to passenger vehicle loss data held by insurers.

S. 625

At the request of Mr. KENNEDY, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 625, a bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products.

S. 634

At the request of Mr. DODD, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 634, a bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes.

S. 689

At the request of Mr. LUGAR, the names of the Senator from Oregon (Mr. SMITH) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 689, a bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory.

S. 694

At the request of Mrs. CLINTON, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 694, a bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury

and death occurring inside or outside of light motor vehicles, and for other purposes.

S. 773

At the request of Mr. WARNER, the names of the Senator from Nebraska (Mr. NELSON) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of S. 773, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 795

At the request of Mr. OBAMA, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 795, a bill to assist aliens who have been lawfully admitted in becoming citizens of the United States, and for other purposes.

S. 803

At the request of Mr. ROCKEFELLER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 803, a bill to repeal a provision enacted to end Federal matching of State spending of child support incentive payments.

S. 831

At the request of Mr. DURBIN, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 831, a bill to authorize States and local governments to prohibit the investment of State assets in any company that has a qualifying business relationship with Sudan.

S. 836

At the request of Mr. LAUTENBERG, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 836, a bill to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants.

S. 880

At the request of Mr. STEVENS, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 880, a bill to amend the Congressional Accountability Act of 1995 to provide for 8 weeks of paid leave for Senate employees giving birth, and for other purposes.

S. 881

At the request of Mr. SMITH, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 881, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 901

At the request of Mr. KENNEDY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 901, a bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act.

S. 904

At the request of Ms. SNOWE, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 904, a bill to provide additional relief for small business owners ordered to active duty as members of reserve components of the Armed Forces, and for other purposes.

S. 935

At the request of Mr. NELSON of Florida, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 935, a bill to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 937

At the request of Mrs. CLINTON, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 937, a bill to improve support and services for individuals with autism and their families.

S. 958

At the request of Mr. SESSIONS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 958, a bill to establish an adolescent literacy program.

S. 961

At the request of Mr. NELSON of Nebraska, the names of the Senator from Connecticut (Mr. DODD) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 961, a bill to amend title 46, United States Code, to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II, and for other purposes.

S. 1012

At the request of Ms. LANDRIEU, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 1012, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 1018

At the request of Mr. DURBIN, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 1018, a bill to address security risks posed by global climate change and for other purposes.

S. 1038

At the request of Mr. CORNYN, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 1038, a bill to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use.

S. 1065

At the request of Mrs. CLINTON, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1065, a bill to improve the diagnosis and treatment of traumatic brain injury in members and former members of the Armed Forces, to review and expand telehealth and telemental health programs of the Department of Defense and the Department of Veterans Affairs, and for other purposes.

S. 1074

At the request of Mr. AKAKA, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1074, a bill to provide for direct access to electronic tax return filing, and for other purposes.

S. 1084

At the request of Mr. OBAMA, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 1084, a bill to provide housing assistance for very low-income veterans.

S. 1088

At the request of Ms. STABENOW, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1088, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to market exclusivity for certain drugs, and for other purposes.

S. 1105

At the request of Mr. KENNEDY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1105, a bill to provide Federal assistance to States, local jurisdictions, and Indian tribes to prosecute hate crimes, and for other purposes.

S. RES. 106

At the request of Mr. SALAZAR, his name was added as a cosponsor of S. Res. 106, a resolution calling on the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide.

S. RES. 118

At the request of Mr. LEVIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Res. 118, a resolution urging the Government of Canada to end the commercial seal hunt.

S. RES. 141

At the request of Mrs. CLINTON, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. Res. 141, a resolution urging all member countries of the International Commission of the International Tracing Service who have yet to ratify the May 2006 amendments to the 1955 Bonn Accords to expedite the ratification process to allow for open access to the Holocaust archives located at Bad Arolsen, Germany.

S. RES. 146

At the request of Mr. ALEXANDER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. Res. 146, a resolution designating June 20, 2007, as ''American

Eagle Day'', and celebrating the recovery and restoration of the American bald eagle, the national symbol of the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATCH (for himself and Mr. BENNETT):

S. 1110. A bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for the conjunctive use of surface and ground water in Juab County, Utah; to the Committee on Energy and Natural Resources.

Mr. HATCH. Mr. President, I rise today to reinforce the importance of water resource development projects in Juab County, UT, by introducing the Juab County Surface and Ground Water Study and Development Act of 2007, S. 1110. This legislation would amend the Reclamation Projects Authorization and Adjustment Act of 2005 to include Juab County.

Juab County's inclusion in that Act would allow the County to use Central Utah Project funds to complete water resource development projects, thus enabling the County to better utilize their existing water resources. I hope that by passing this legislation, we will ensure that farmers, ranchers, and other citizens of Juab County will have a reliable water supply and a buffer in times of drought.

Under the original plan for the Bonneville Unit of the Central Unit Project, several counties in central Utah, including Juab, were to receive supplemental water through an irrigation and drainage delivery system. Over the years, however, many central Utah Counties have elected not to participate in the plan and no longer pay the requisite taxes to the Central Utah Water Conservancy District, the political division of the State of Utah established to manage Central Utah Project activities in Utah.

Juab County, on the other hand, remained active in the Central Utah Water Conservatory District's efforts and has paid millions in property taxes to the District in hopes of benefitting from its membership. Currently, most of the water allocated to the Bonneville Unit of the Central Utah Project is planned for use in Wasatch, Salt Lake, and Utah Counties. This legislation would simply ensure that the citizens of Juab County can benefit from the system that they have financially supported for so many years.

I urge my colleagues to support this bill.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1110

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Juab County Surface and Ground Water Study and Development Act of 2007''.

SEC. 2. CONJUNCTIVE USE OF SURFACE AND GROUND WATER, CENTRAL UTAH PROJECT.

Section 202(a)(2) of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102–575; 106 Stat. 4609) is amended by inserting ''Juab,'' after ''Davis,''.

By Mr. WYDEN:

S. 1111. A bill to amend the Internal Revenue Code of 1986 to make the Federal income tax system simpler, fairer, and more fiscally responsible, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Mr. President, I have come to the floor to talk a bit about taxes. Millions of Americans are scrambling today to file their taxes, trying to pull together their 1040 forms and ''schedule this'' and ''form that'' and are plowing through shoe boxes and filing cabinets trying to find the receipts they accumulated all through this year.

Millions of our citizens have to calculate their taxes twice to find out the hard way that they have been ensnared in the alternative minimum tax and that they have to pay a much larger burden than they had expected. I believe there is a better way for our country to handle taxes, one where most Americans do not have to fear tax day, do not have to shell out billions of dollars in order to file their taxes, do not have to worry about getting crushed by the alternative minimum tax that years ago, when it was created, was not supposed to clobber middle-class folks in the Pacific Northwest and across the country.

Today I am introducing the Fair Flat Tax Act, along with my colleague in the other body, Congressman RAHM EMANUEL of Illinois. What we are doing in our fair flat tax legislation is offering the country a proposal that offers the administrative simplicity of a flat tax with the sense of fairness and progressivity that our country has always wanted in our tax system.

The tax reform proposal we have developed is simpler because it is easier to understand and use. Our legislation will include a simplified 1040 form, one page, 30 lines for every individual taxpayer.

The folks at Money magazine, the financial publication, took this one-page 1040 form, and they were able to fill out their taxes in 15 minutes.

We also make the tax system flatter by collapsing the current system of six individual tax brackets down to three brackets of 15, 25 and 35 percent. We create a flat corporate rate of 35 percent.

The plan is fairer because we do more to make it possible for middle-class folks to get ahead. We are able to give a tax cut to millions of middle-class families because we eliminate scores and scores of special-interest tax breaks, close those loopholes, that, in effect, drain the country of revenue and never find their way to helping the middle class.

We make a radical statement about tax law in our legislation. We say something is out of whack when the cop who is walking the beat in this country pays a lot higher tax rate than the person who makes all their money in the stock market. I wish to make it clear: we want everybody to get ahead, we want everybody to do well, we never want to penalize success. But let's make it possible for all Americans to share the American dream and not just the fortunate few.

Under the current Federal Tax Code, all income is not treated fairly. My colleague in the other body, Congressman EMANUEL, and I would change that. We are not interested in soaking investors. We believe in markets. We believe in creating wealth. But we want everybody to be able to share in that wealth, and under the Fair Flat Tax, they would be able to do it.

The Fair Flat Tax adopts the flat tax idea to provide real relief to the middle class through fewer exclusions, exemptions, deductions deferrals, credits and special rates for certain favored businesses, very often, breaks that have been added to the Tax Code because those powerful interests have lobbyists that the middle-class folks we represent do not.

We triple the standard deduction for single filers from $5,000 to $15,000 and from $10,000 to $30,000 for married couples. As a result, the vast majority of Americans would be better off claiming the standard deduction than having to itemize their deductions, so their filing will be simplified. We do keep the key deductions most used by middle-income folks across the country. We keep the deduction for mortgage interest and charity. We keep the credits for children, for education, and earned income.

Nobody would have to calculate their taxes twice under the Fair Flat Tax Act. Our proposal eliminates the individual alternative minimum tax which could ensnare as many as 100 million taxpayers by the end of the decade. We eliminate an estimated $20 billion each year in special breaks for special interests.

Eliminating those breaks would sustain current benefits for our men and women in uniform, our veterans, our elderly, and our disabled, as well as those tax incentives that promote savings and help our families pay for medical care and for education.

I think an especially important feature of the Fair Flat Tax Act is it corrects one of the most glaring inequities in the current tax system; and that is regressive State and local taxes. Under current law, low- and middle-income taxpayers get hit with a double whammy. Compared to wealthier folks, they pay more of their income in State and local taxes. Poor families pay more than 11 percent and middle-income families pay about 10 percent of their

income in State and local taxes, while the wealthier pay only about 5 percent.

Because many low- and middle-income taxpayers do not itemize, they get no credit on their Federal form for paying State and local taxes. In fact, two-thirds of the Federal tax deduction for State and local taxes goes to those with incomes above $100,000 a year. Under the Fair Flat Tax Act, for the first time, the Federal Code would look at the entire picture of one's taxes, at an individual's combined Federal, State, and local tax burden, and give a credit to low- and middle-income individuals to correct for regressive State and local taxes.

Repealing some individual tax credits, deductions, and exclusions from income—along with eliminating some of those special interest favors in the corporate Tax Code—enables larger standard deductions and broader middle-class tax relief.

What this means is that, according to the Congressional Research Service, under our legislation, the vast majority of taxpayers would see their taxes go down. The Congressional Research Service has advised us that on average, middle-class families and individuals with wage and salary incomes up to $150,000 would see tax relief. Let me repeat that. We are talking about on average, tax relief for middle-class families and families with wage and salary incomes up to approximately $150,000. Middle-class folks in our country would get a tax break.

The legislation also makes concrete progress toward deficit reduction. Certainly, there is a long way to go to stop the hemorrhaging in the Federal budget, but this legislation makes a decent start by allowing us to start lowering the Federal deficit in 2011. It is essentially a revenue-neutral kind of system. But certainly, as we look to the future, this is going to allow us to start lowering the Federal deficit.

I also point out, by simplifying the Code, there are going to be other benefits. For example, we have heard a great deal about the tax gap in the Finance and Budget Committees. It is one of the most serious problems our country faces as it relates to finance in America. Upwards of $300 billion of money that is owed to our government is not collected. Given the fact we have a system today where people are able to flout the rules, change the system, why not go to a simpler system that makes it harder for individuals to cheat and easier for the IRS to catch those who do?

If you look at what I have proposed, the Fair Flat Tax Act—a 1040 form that is only 30 lines long—it is going to be a lot harder to cheat the system under a proposal such as this, and it is going to be a lot easier for the IRS to catch those who try to take advantage of something such as this.

I believe the Fair Flat Tax Act can make a significant contribution in helping this country collect those taxes that are owed and raise a significant amount of revenue from a source that does not increase taxes. What we are proposing with our fair flat tax legislation is a win for everybody except those who would try to rip off the system.

I am introducing the Fair Flat Tax Act of 2007 today to provide Americans a plan based on common sense principles that can make the Tax Code work better. We are going to have a system that is simpler and we are going to have a system that is fairer because it closes scores of those special interest loopholes. It gets rid of the despised alternative minimum tax, and it gives everybody a chance to get ahead in America.

It is not about class warfare. It is not about pitting one group against another. It is about giving everybody the opportunity to be a winner and to get ahead to provide for their family and ensure that when they are successful, their success can allow them to do well financially.

I do think it is important to make sure those who work for a wage get fair treatment. That has not been the case today. I want investors to do well. We all look to the stock market as a major barometer of economic prosperity in our country. But let's make sure everybody has an opportunity to get ahead. Something is seriously wrong when somebody who works for a wage gets hit with a lot higher tax rate than somebody who makes their money as an investor.

I hope we can go forward in a bipartisan way on the issue of tax reform. I am extremely disappointed the Bush administration has not chosen to follow up on tax reform. I think it is especially unfortunate, given the fact the President had a commission that had a number of good ideas as it relates to tax reform. I certainly did not agree with all of them, but let me talk about one example of how the Congress could work with the Bush administration in a bipartisan way.

I have shown this fair flat tax form I am proposing for a reason; and that is, because I think it is an ideal way for the administration and Democrats and Republicans to work together. My form is 30 lines long—30 lines long—and you can fill it out in under an hour. The President's commission had a form that is maybe six, seven lines longer—just a handful of additional lines. For purposes of Government work, there is virtually no difference between the simplified form I am proposing and what the President's commission has called for. We could get Democrats and Republicans together to work on tax reform and come up with a simplified form in a matter of days.

There is very little difference between what I am proposing and what came out of the President's commission.

But what is going to be important is that the President reach out to Democrats and Republicans in the Congress and say: Look, I want to work with you on simplifying the Tax Code. I want to work with you to hold down rates for everybody by closing out some of those special interest breaks. I want to see everybody have an opportunity to get ahead.

That certainly is what President Reagan did in 1986, when he worked with another tall fellow who served on the Senate Finance Committee, our former colleague Senator Bill Bradley. I went to school on a basketball scholarship. My jump shot is not quite as good as Bill Bradley's, but I sure know the value of bipartisan teamwork.

So today, the day before taxes are owed, I want to renew my offer to the Bush administration to work with them on the issue of tax reform. It is a natural for bipartisan leadership. We have a model; and that is, the reform of 1986, where, again, they simplified the system. They cleaned out the clutter. They got rid of some of those special interest loopholes. They held down rates for everybody. It was good for our country. We can do that again.

The fair flat tax legislation I am introducing today provides an opportunity for Democrats and Republicans to come together to fix the Tax Code in 2007, the way Democrats and Republicans did back in 1986, when the late President Reagan and Bill Bradley came together and led a bipartisan effort.

I think it is time to do that again. Most people clean out their attic every 20 years or so. We ought to clean the Tax Code every 20 years as well. I think we know how to proceed. The question is whether there is political will. I urge the Bush administration to work with Democrats and Republicans in the Congress because the current tax system, which has subjected our citizens to so much hassle and bureaucracy over the last few months, does not have to be that way. There is an alternative. I have presented one. The President's commission has presented one. Democrats and Republicans working together can do better.

I urge the President to look to the Congress, leaders of both political parties, to move forward on tax reform in the days ahead.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1111

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Fair Flat Tax Act of 2007''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; amendment of 1986 Code; table of contents.
Sec. 2. Purpose.
TITLE I—INDIVIDUAL INCOME TAX REFORMS
Sec. 101. 3 progressive individual income tax rates for all forms of income.
Sec. 102. Health care standard deduction.
Sec. 103. Increase in basic standard deduction.
Sec. 104. Refundable credit for State and local income, sales, and real and personal property taxes.
Sec. 105. Earned income child credit and earned income credit for childless taxpayers.
Sec. 106. Repeal of individual alternative minimum tax.
Sec. 107. Termination of various exclusions, exemptions, deductions, and credits.
TITLE II—CORPORATE AND BUSINESS INCOME TAX REFORMS
Sec. 201. Corporate flat tax.
Sec. 202. Treatment of travel on corporate aircraft.
Sec. 203. Termination of various preferential treatments.
Sec. 204. Elimination of tax expenditures that subsidize inefficiencies in the health care system.
Sec. 205. Pass-through business entity transparency.
Sec. 206. Modification of effective date of leasing provisions of the American Jobs Creation Act of 2004.
Sec. 207. Revaluation of LIFO inventories of large integrated oil companies.
Sec. 208. Modifications of foreign tax credit rules applicable to large integrated oil companies which are dual capacity taxpayers.
Sec. 209. Repeal of lower of cost or market value of inventory rule.
Sec. 210. Reinstitution of per country foreign tax credit.
Sec. 211. Application of rules treating inverted corporations as domestic corporations to certain transactions occurring after March 20, 2002.
TITLE III—OTHER PROVISIONS
Subtitle A—Improvements in Tax Compliance
Sec. 301. Information reporting on payments to corporations.
Sec. 302. Broker reporting of customer's basis in securities transactions.
Sec. 303. Additional reporting requirements by regulation.
Sec. 304. Increase in information return penalties.
Sec. 305. E-filing requirement for certain large organizations.
Sec. 306. Implementation of standards clarifying when employee leasing companies can be held liable for their clients' Federal employment taxes.
Sec. 307. Modification of collection due process procedures for employment tax liabilities.
Sec. 308. Expansion of IRS access to information in National Directory of New Hires for tax administration purposes.
Sec. 309. Disclosure of prisoner return information to Federal Bureau of Prisons.
Sec. 310. Modification of criminal penalties for willful failures involving tax payments and filing requirements.
Sec. 311. Understatement of taxpayer liability by return preparers.
Sec. 312. Penalties for failure to file certain returns electronically.
Sec. 313. Penalty for filing erroneous refund claims.
Subtitle B—Requiring Economic Substance
Sec. 321. Clarification of economic substance doctrine.
Sec. 322. Penalty for understatements attributable to transactions lacking economic substance, etc.
Sec. 323. Denial of deduction for interest on underpayments attributable to noneconomic substance transactions.
Subtitle C—Miscellaneous
Sec. 331. Denial of deduction for punitive damages.
TITLE IV—TECHNICAL AND CONFORMING AMENDMENTS; SUNSET
Sec. 401. Technical and conforming amendments.
Sec. 402. Sunset.

SEC. 2. PURPOSE.

The purpose of this Act is to amend the Internal Revenue Code of 1986—

(1) to make the Federal individual income tax system simpler, fairer, and more transparent by—

(A) recognizing the overall Federal, State, and local tax burden on individual Americans, especially the regressive nature of State and local taxes, and providing a Federal income tax credit for State and local income, sales, and property taxes,

(B) providing for an earned income tax credit for childless taxpayers and a new earned income child credit,

(C) repealing the individual alternative minimum tax,

(D) increasing the basic standard deduction and maintaining itemized deductions for principal residence mortgage interest and charitable contributions,

(E) reducing the number of exclusions, exemptions, deductions, and credits, and

(F) treating all income equally,

(2) to make the Federal corporate income tax rate a flat 35 percent and eliminate special tax preferences that favor particular types of businesses or activities, and

(3) to partially offset the Federal budget deficit through the increased fiscal responsibility resulting from these reforms.

TITLE I—INDIVIDUAL INCOME TAX REFORMS

SEC. 101. 3 PROGRESSIVE INDIVIDUAL INCOME TAX RATES FOR ALL FORMS OF INCOME.

(a) MARRIED INDIVIDUALS FILING JOINT RETURNS AND SURVIVING SPOUSES.—The table contained in section 1(a) is amended to read as follows:

"If taxable income is:	The tax is:
Not over $30,000	15% of taxable income.
Over $30,000 but not over $120,000.	$4,500, plus 25% of the excess over $30,000
Over $120,000	$27,000, plus 35% of the excess over $120,000''.

(b) HEADS OF HOUSEHOLDS.—The table contained in section 1(b) is amended to read as follows:

"If taxable income is:	The tax is:
Not over $16,000	15% of taxable income.
Over $16,000 but not over $105,000.	$2,400, plus 25% of the excess over $16,000
Over $105,000	$24,650, plus 35% of the excess over $105,000''.

(c) UNMARRIED INDIVIDUALS (OTHER THAN SURVIVING SPOUSES AND HEADS OF HOUSEHOLDS).—The table contained in section 1(c) is amended to read as follows:

"If taxable income is:	The tax is:
Not over $15,000	15% of taxable income.
Over $15,000 but not over $60,000.	$2,250, plus 25% of the excess over $15,000
Over $60,000	$13,500, plus 35% of the excess over $60,000''.

(d) MARRIED INDIVIDUALS FILING SEPARATE RETURNS.—The table contained in section 1(d) is amended to read as follows:

"If taxable income is:	The tax is:
Not over $15,000	15% of taxable income.
Over $15,000 but not over $60,000.	$2,250, plus 25% of the excess over $15,000
Over $60,000	$13,500, plus 35% of the excess over $60,000''.

(e) CONFORMING AMENDMENTS TO INFLATION ADJUSTMENT.—Section 1(f) is amended—

(1) by striking ''1993''in paragraph (1) and inserting ''2008'',

(2) by striking ''except as provided in paragraph (8)'' in paragraph (2)(A),

(3) by striking ''1992'' in paragraph (3)(B) and inserting ''2007'',

(4) by striking paragraphs (7) and (8), and

(5) by striking ''PHASEOUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET;'' in the heading thereof.

(f) REPEAL OF RATE DIFFERENTIAL FOR CAPITAL GAINS AND DIVIDENDS.—

(1) REPEAL OF 2003 RATE REDUCTION.—Section 303 of the Jobs and Growth Tax Relief Reconciliation Act of 2003 is amended by striking ''December 3, 2008'' and inserting ''December 31, 2007''.

(2) TERMINATION OF PRE-2003 CAPITAL GAIN RATE DIFFERENTIAL.—Section 1(h) is amended (after the application of paragraph (1)) by adding at the end the following new paragraph:

''(13) TERMINATION.—This section shall not apply to taxable years beginning after December 31, 2007.''.

(g) ADDITIONAL CONFORMING AMENDMENTS.—

(1) Section 1 is amended by striking subsection (i).

(2) The Internal Revenue Code of 1986 is amended by striking ''calendar year 1992'' each place it appears and inserting ''calendar year 2007''.

(3) Section 1445(e)(1) (after the application of subsection (g)(1)) is amended by striking ''(or, to the extent provided in regulations, 20 percent)''.

(h) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 102. HEALTH CARE STANDARD DEDUCTION.

(a) IN GENERAL.—Section 62(a) (defining adjusted gross income) is amended by inserting after paragraph (21) the following new paragraph:

''(22) INDIVIDUAL SHARED RESPONSIBILITY PAYMENTS.—

''(A) IN GENERAL.—In the case of a taxpayer with gross income for the taxable year exceeding 100 percent of the poverty line (adjusted for the size of the family involved) for the calendar year in which such taxable year begins and who is enrolled in a HAPI plan under the Healthy Americans Act, the deduction allowable under section 213 by reason of subsection (d)(1)(D) thereof (determined without regard to any income limitation under subsection (a) thereof) in an amount equal to the applicable fraction times, in the case of—

''(i) coverage of an individual, $6,025,

''(ii) coverage of a married couple or domestic partnership (as determined by a State) without dependent children, $12,050,

''(iii) coverage of an unmarried individual with 1 or more dependent children, $8,610, plus $2,000 for each dependent child, and

''(iv) coverage of a married couple or domestic partnership (as determined by a State) with 1 or more dependent children, $15,210, plus $2,000 for each dependent child.

''(B) APPLICABLE FRACTION.—For purposes of subparagraph (A), the applicable fraction is the fraction (not to exceed 1)—

''(i) the numerator of which is the gross income of the taxpayer for the taxable year expressed as a percentage of the poverty line

(adjusted for the size of the family involved) minus such poverty line for the calendar year in which such taxable year begins, and

''(ii) the denominator of which is 400 percent of the poverty line (adjusted for the size of the family involved) minus such poverty line.

''(C) PHASEOUT OF DEDUCTION AMOUNT.—

''(i) IN GENERAL.—The amount otherwise determined under subparagraph (A) for any taxable year shall be reduced by the amount determined under clause (ii).

''(ii) AMOUNT OF REDUCTION.—The amount determined under this clause shall be the amount which bears the same ratio to the amount determined under subparagraph (A) as—

''(I) the excess of the taxpayer's modified adjusted gross income for such taxable year, over $62,500 ($125,000 in the case of a joint return), bears to

''(II) $62,500 ($125,000 in the case of a joint return).

Any amount determined under this clause which is not a multiple of $1,000 shall be rounded to the next lowest $1,000.

''(D) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2009, each dollar amount contained in subparagraph (A) and subparagraph (C)(ii)(I) shall be increased by an amount equal to such dollar amount, multiplied by the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2008' for 'calendar year 1992' in subparagraph (B) thereof. Any increase determined under the preceding sentence shall be rounded to the nearest multiple of $50 ($1,000 in the case of the dollar amount contained in subparagraph (C)(ii)(I)).

''(E) DETERMINATION OF MODIFIED ADJUSTED GROSS INCOME.—

''(i) IN GENERAL.—For purposes of this paragraph, the term 'modified adjusted gross income' means adjusted gross income—

''(ii) determined without regard to this section and sections 86, 135, 137, 199, 221, 222, 911, 931, and 933, and

''(iii) increased by—

''(I) the amount of interest received or accrued during the taxable year which is exempt from tax under this title, and

''(II) the amount of any social security benefits (as defined in section 86(d)) received or accrued during the taxable year.

''(F) POVERTY LINE.—For purposes of this paragraph, the term 'poverty line' has the meaning given such term in section 673(2) of the Community Health Services Block Grant Act (42 U.S.C. 9902(2)), including any revision required by such section.''.

(b) CONFORMING AMENDMENT.—Section 213(d)(1)(D) is amended by inserting ''amounts paid under section 3421 and'' after ''including''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 103. INCREASE IN BASIC STANDARD DEDUCTION.

(a) IN GENERAL.—Paragraph (2) of section 63(c) (defining standard deduction) is amended to read as follows:

''(2) BASIC STANDARD DEDUCTION.—For purposes of paragraph (1), the basic standard deduction is—

''(A) 200 percent of the dollar amount in effect under subparagraph (C) for the taxable year in the case of—

''(i) a joint return, or

''(ii) a surviving spouse (as defined in section 2(a)),

''(B) $26,250 in the case of a head of household (as defined in section 2(b)), reduced by any deduction allowed under section 62(a)(22) for such taxable year, or

''(C) $15,000 in any other case, reduced by any deduction allowed under section 62(a)(22) for such taxable year.''.

(b) CONFORMING AMENDMENT TO INFLATION ADJUSTMENT.—Section 63(c)(4)(B)(i) is amended by striking ''(2)(B), (2)(C), or''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 104. REFUNDABLE CREDIT FOR STATE AND LOCAL INCOME, SALES, AND REAL AND PERSONAL PROPERTY TAXES.

(a) GENERAL RULE.—Subpart C of part IV of subchapter A of chapter 1 (relating to refundable credits) is amended by redesignating section 36 as section 37 and by inserting after section 35 the following new section:

''SEC. 36. CREDIT FOR STATE AND LOCAL INCOME, SALES, AND REAL AND PERSONAL PROPERTY TAXES.

''(a) ALLOWANCE OF CREDIT.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to 10 percent of the qualified State and local taxes paid by the taxpayer for such year.

''(b) QUALIFIED STATE AND LOCAL TAXES.—For purposes of this section, the term 'qualified State and local taxes' means—

''(1) State and local income taxes,

''(2) State and local general sales taxes,

''(3) State and local real property taxes, and

''(4) State and local personal property taxes.

''(c) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) STATE OR LOCAL TAXES.—A State or local tax includes only a tax imposed by a State, a possession of the United States, or a political subdivision of any of the foregoing, or by the District of Columbia.

''(2) GENERAL SALES TAXES.—

''(A) IN GENERAL.—The term 'general sales tax' means a tax imposed at one rate with respect to the sale at retail of a broad range of classes of items.

''(B) APPLICATION OF RULES.—Rules similar to the rules under subparagraphs (C), (D), (E), (F), (G), and (H) of section 164(b)(5) shall apply.

''(3) PERSONAL PROPERTY TAXES.—The term 'personal property tax' means an ad valorem tax which is imposed on an annual basis in respect of personal property.

''(4) APPLICATION OF RULES TO PROPERTY TAXES.—Rules similar to the rules of subsections (c) and (d) of section 164 shall apply.

''(5) NO CREDIT FOR MARRIED INDIVIDUALS FILING SEPARATE RETURNS.—If the taxpayer is a married individual (within the meaning of section 7703), this section shall apply only if the taxpayer and the taxpayer's spouse file a joint return for the taxable year.

''(6) DENIAL OF CREDIT TO DEPENDENTS.—No credit shall be allowed under this section to any individual with respect to whom a deduction under section 151 is allowable to another taxpayer for a taxable year beginning in the calendar year in which such individual's taxable year begins.

''(7) DENIAL OF DOUBLE BENEFIT.—Any amount taken into account in determining the credit allowable under this section may not be taken into account in determining any credit or deduction under any other provision of this chapter.''.

(b) TECHNICAL AMENDMENTS.—

(1) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting ''or from section 36 of such Code'' before the period at the end.

(2) The table of sections for subpart C of part IV of subchapter A of chapter 1 is amended by striking the item relating to section 36 and inserting the following:

''Sec. 36. Credit for state and local income, sales, and real and personal property taxes

''Sec. 37. Overpayments of tax''.

(c) REPORT REGARDING USE OF CREDIT BY RENTERS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives recommendations regarding the treatment of a portion of rental payments in a manner similar to real property taxes under section 36 of the Internal Revenue Code of 1986 (as added by this section).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 105. EARNED INCOME CHILD CREDIT AND EARNED INCOME CREDIT FOR CHILDLESS TAXPAYERS.

(a) IN GENERAL.—Subsection (a) of section 32 (relating to earned income) is amended to read as follows:

''(a) ALLOWANCE OF EARNED INCOME CHILD CREDIT AND EARNED INCOME CREDIT.—

''(1) IN GENERAL.—There shall be allowed as a credit against the tax imposed by this subtitle for the taxable year—

''(A) in the case of any eligible individual with 1 or more qualifying children, an amount equal to the earned income child credit amount, and

''(B) in the case of any eligible individual with no qualifying children, an amount equal to the earned income credit amount.

''(2) EARNED INCOME CHILD CREDIT AMOUNT.—For purposes of this section, the earned income child credit amount is equal to the sum of—

''(A) the credit percentage of so much of the taxpayer's earned income for the taxable year as does not exceed the earned income limit amount, plus

''(B) the supplemental child credit amount determined under subsection (n) for such taxable year.

''(3) EARNED INCOME CREDIT AMOUNT.—For purposes of this section, the earned income credit amount is equal to the credit percentage of so much of the taxpayer's earned income for the taxable year as does not exceed the earned income limit amount.

''(4) LIMITATION.—The amount of the credit allowable to a taxpayer under paragraph (2)(A) or (3) for any taxable year shall not exceed the excess (if any) of—

''(A) the credit percentage of the earned income amount, over

''(B) the phaseout percentage of so much of the adjusted gross income (or, if greater, the earned income) of the taxpayer for the taxable year as exceeds the phaseout amount.''.

(b) SUPPLEMENTAL CHILD CREDIT AMOUNT.—Section 32 is amended by adding at the end the following new subsection:

''(n) SUPPLEMENTAL CHILD CREDIT AMOUNT.—

''(1) IN GENERAL.—For purposes of subsection (a)(2)(B), the supplemental child credit amount for any taxable year is equal to the lesser of—

''(A) the credit which would be allowed under section 24 for such taxable year without regard to the limitation under section 24(b)(3) with respect to any qualifying child as defined under subsection (c)(3), or

''(B) the amount by which the aggregate amount of credits allowed by subpart A for such taxable year would increase if the limitation imposed by section 24(b)(3) were increased by the excess (if any) of—

''(i) 15 percent of so much of the taxpayer's earned income which is taken into account in computing taxable income for the taxable year as exceeds $10,000, or

''(ii) in the case of a taxpayer with 3 or more qualifying children (as so defined), the excess (if any) of—

''(I) the taxpayer's social security taxes for the taxable year, over

''(II) the credit allowed under this section for the taxable year.

The amount of the credit allowed under this subsection shall not be treated as a credit allowed under subpart A and shall reduce the amount of credit otherwise allowable under section 24(a) without regard to section 24(b)(3).

''(2) SOCIAL SECURITY TAXES.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The term 'social security taxes' means, with respect to any taxpayer for any taxable year—

''(i) the amount of the taxes imposed by section 3101 and 3201(a) on amounts received by the taxpayer during the calendar year in which the taxable year begins,

''(ii) 50 percent of the taxes imposed by section 1401 on the self-employment income of the taxpayer for the taxable year, and

''(iii) 50 percent of the taxes imposed by section 3211(a)(1) on amounts received by the taxpayer during the calendar year in which the taxable year begins.

''(B) COORDINATION WITH SPECIAL REFUND OF SOCIAL SECURITY TAXES.—The term 'social security taxes' shall not include any taxes to the extent the taxpayer is entitled to a special refund of such taxes under section 6413(c).

''(C) SPECIAL RULE.—Any amounts paid pursuant to an agreement under section 3121(l) (relating to agreements entered into by American employers with respect to foreign affiliates) which are equivalent to the taxes referred to in subparagraph (A)(i) shall be treated as taxes referred to in such paragraph.

''(3) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2007, the $10,000 amount contained in paragraph (1)(B) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2000' for 'calendar year 1992' in subparagraph (B) thereof.

''Any increase determined under the preceding sentence shall be rounded to the nearest multiple of $50.''.

(c) CONFORMING AMENDMENT.—Section 24(d) is amended by adding at the end the following new paragraph:

''(4) TERMINATION.—This subsection shall not apply with respect to any taxable year beginning after December 31, 2007.''.

(d) CERTAIN TREATMENT OF EARNED INCOME MADE PERMANENT.—Clause (vi) of section 32(c)(2)(B) is amended to read as follows:

''(vi) a taxpayer may elect to treat amounts excluded from gross income by reason of section 112 as earned income.''.

(e) REPEAL OF DISQUALIFIED INVESTMENT INCOME TEST.—Subsection (i) of section 32 is repealed.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 106. REPEAL OF INDIVIDUAL ALTERNATIVE MINIMUM TAX.

(a) IN GENERAL.—Section 55(a) (relating to alternative minimum tax imposed) is amended by adding at the end the following new flush sentence:

''For purposes of this title, the tentative minimum tax on any taxpayer other than a corporation for any taxable year beginning after December 31, 2007, shall be zero.''.

(b) MODIFICATION OF LIMITATION ON USE OF CREDIT FOR PRIOR YEAR MINIMUM TAX LIABILITY.—Subsection (c) of section 53 (relating to credit for prior year minimum tax liability) is amended to read as follows:

''(c) LIMITATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the credit allowable under subsection (a) for any taxable year shall not exceed the excess (if any) of—

''(A) the regular tax liability of the taxpayer for such taxable year reduced by the sum of the credits allowable under subparts A, B, D, E, and F of this part, over

''(B) the tentative minimum tax for the taxable year.

''(2) TAXABLE YEARS BEGINNING AFTER 2007.—In the case of any taxable year beginning after 2007, the credit allowable under subsection (a) to a taxpayer other than a corporation for any taxable year shall not exceed 90 percent of the regular tax liability of the taxpayer for such taxable year reduced by the sum of the credits allowable under subparts A, B, D, E, and F of this part.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 107. TERMINATION OF VARIOUS EXCLUSIONS, EXEMPTIONS, DEDUCTIONS, AND CREDITS.

(a) IN GENERAL.—Subchapter C of chapter 90 (relating to provisions affecting more than one subtitle) is amended by adding at the end the following new section:

''SEC. 7875. TERMINATION OF CERTAIN PROVISIONS.

''The following provisions shall not apply to taxable years beginning after December 31, 2007:

''(1) Section 67 (relating to 2-percent floor on miscellaneous itemized deductions).

''(2) Section 74(c) (relating to exclusion of certain employee achievement awards).

''(3) Section 79 (relating to exclusion of group-term life insurance purchased for employees).

''(4) Section 119 (relating to exclusion of meals or lodging furnished for the convenience of the employer).

''(5) Section 125 (relating to exclusion of cafeteria plan benefits).

''(6) Section 132 (relating to certain fringe benefits), except with respect to subsection (a)(5) thereof (relating to exclusion of qualified transportation fringe).

''(7) Section 163(h)(4)(A)(i)(II) (relating to definition of qualified residence).

''(8) Section 165(d) (relating to deduction for wagering losses).

''(9) Section 217 (relating to deduction for moving expenses).

''(10) Section 454 (relating to deferral of tax on obligations issued at discount).

''(11) Section 501(c)(9) (relating to tax-exempt status of voluntary employees' beneficiary associations).

''(12) Section 911 (relating to exclusion of earned income of citizens or residents of the United States living abroad).

''(13) Section 912 (relating to exemption for certain allowances).''.

(b) CONFORMING AMENDMENT.—The table of sections for subchapter C of chapter 90 is amended by adding at the end the following new item:

''Sec. 7875. Termination of certain provisions''.

TITLE II—CORPORATE AND BUSINESS INCOME TAX REFORMS

SEC. 201. CORPORATE FLAT TAX.

(a) IN GENERAL.—Subsection (b) of section 11 (relating to tax imposed) is amended to read as follows:

''(b) AMOUNT OF TAX.—The amount of tax imposed by subsection (a) shall be equal to 35 percent of the taxable income.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 280C(c)(3)(B)(ii)(II) is amended by striking ''maximum rate of tax under section 11(b)(1)'' and inserting ''rate of tax under section 11(b)''.

(2) Sections 860E(e)(2)(B), 860E(e)(6)(A)(ii), 860K(d)(2)(A)(ii), 860K(e)(1)(B)(ii), 1446(b)(2)(B), and 7874(e)(1)(B) are each amended by striking ''highest rate of tax specified in section 11(b)(1)'' and inserting ''rate of tax specified in section 11(b)''.

(3) Section 904(b)(3)(D)(ii) is amended by striking ''(determined without regard to the last sentence of section 11(b)(1))''.

(4) Section 962 is amended by striking subsection (c) and by redesignating subsection (d) as subsection (c).

(5) Section 1201(a) is amended by striking ''(determined without regard to the last 2 sentences of section 11(b)(1))''.

(6) Section 1561(a) is amended—

(A) by striking paragraph (1) and by redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively,

(B) by striking ''The amounts specified in paragraph (1), the'' and inserting ''The'',

(C) by striking ''paragraph (2)'' and inserting ''paragraph (1)'',

(D) by striking ''paragraph (3)'' both places it appears and inserting ''paragraph (2)'',

(E) by striking ''paragraph (4)'' and inserting ''paragraph (3)'', and

(F) by striking the fourth sentence.

(7) Subsection (b) of section 1561 is amended to read as follows:

''(b) CERTAIN SHORT TAXABLE YEARS.—If a corporation has a short taxable year which does not include a December 31 and is a component member of a controlled group of corporations with respect to such taxable year, then for purposes of this subtitle, the amount to be used in computing the accumulated earnings credit under section 535(c)(2) and (3) of such corporation for such taxable year shall be the amount specified in subsection (a)(1) divided by the number of corporations which are component members of such group on the last day of such taxable year. For purposes of the preceding sentence, section 1563(b) shall be applied as if such last day were substituted for December 31.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 202. TREATMENT OF TRAVEL ON CORPORATE AIRCRAFT.

(a) IN GENERAL.—Section 162 (relating to trade or business expenses) is amended by redesignating subsection (q) as subsection (r) and by inserting after subsection (p) the following new subsection:

''(q) TREATMENT OF TRAVEL ON CORPORATE AIRCRAFT.—The rate at which an amount allowable as a deduction under this chapter for the use of an aircraft owned by the taxpayer is determined shall not exceed the rate at which an amount paid or included in income by an employee of such taxpayer for the personal use of such aircraft is determined.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 203. TERMINATION OF VARIOUS PREFERENTIAL TREATMENTS.

(a) IN GENERAL.—Section 7875, as added by section 107, is amended—

(1) by inserting ''(or transactions in the case of sections referred to in paragraphs (21), (22), (23), (24), and (27))'' after ''taxable years beginning'', and

(2) by adding at the end the following new paragraphs:

''(14) Section 43 (relating to enhanced oil recovery credit).

''(15) Section 263(c) (relating to intangible drilling and development costs in the case of oil and gas wells and geothermal wells).

''(16) Section 382(l)(5) (relating to exception from net operating loss limitations for corporations in bankruptcy proceeding).

''(17) Section 451(i) (relating to special rules for sales or dispositions to implement

Federal Energy Regulatory Commission or State electric restructuring policy).

''(18) Section 453A (relating to special rules for nondealers), but only with respect to the dollar limitation under subsection (b)(1) thereof and subsection (b)(3) thereof (relating to exception for personal use and farm property).

''(19) Section 460(e)(1) (relating to special rules for long-term home construction contracts or other short-term construction contracts).

''(20) Section 613A (relating to percentage depletion in case of oil and gas wells).

''(21) Section 616 (relating to development costs).

''(22) Sections 861(a)(6), 862(a)(6), 863(b)(2), 863(b)(3), and 865(b) (relating to inventory property sales source rule exception).''.

(b) FULL TAX RATE ON NUCLEAR DECOMMISSIONING RESERVE FUND.—Subparagraph (B) of section 468A(e)(2) is amended to read as follows:

''(B) RATE OF TAX.—For purposes of subparagraph (A), the rate set forth in this subparagraph is 35 percent.''.

(c) DEFERRAL OF ACTIVE INCOME OF CONTROLLED FOREIGN CORPORATIONS.—Section 952 (relating to subpart F income defined) is amended by adding at the end the following new subsection:

''(e) SPECIAL APPLICATION OF SUBPART.—

''(1) IN GENERAL.—For taxable years beginning after December 31, 2007, notwithstanding any other provision of this subpart, the term 'subpart F income' means, in the case of any controlled foreign corporation, the income of such corporation derived from any foreign country.

''(2) APPLICABLE RULES.—Rules similar to the rules under the last sentence of subsection (a) and subsection (d) shall apply to this subsection.''.

(d) DEFERRAL OF ACTIVE FINANCING INCOME.—Section 953(e)(10) is amended—

(1) by striking ''January 1, 2009'' and inserting ''January 1, 2008'', and

(2) by striking ''December 31, 2008'' and inserting ''December 31, 2007''.

(e) DEPRECIATION ON EQUIPMENT IN EXCESS OF ALTERNATIVE DEPRECIATION SYSTEM.—Section 168(g)(1) (relating to alternative depreciation system) is amended by striking ''and'' at the end of subparagraph (D), by adding ''and'' at the end of subparagraph (E), and by inserting after subparagraph (E) the following new subparagraph:

''(F) notwithstanding subsection (a), any tangible property placed in service after December 31, 2007,''.

(f) EFFECTIVE DATE.—The amendments made by subsections (b), (c), and (d) shall apply to taxable years beginning after December 31, 2007.

SEC. 204. ELIMINATION OF TAX EXPENDITURES THAT SUBSIDIZE INEFFICIENCIES IN THE HEALTH CARE SYSTEM.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives recommendations regarding the elimination of Federal tax incentives which subsidize inefficiencies in the health care system and if eliminated would result in Federal budget savings of not less than $10,000,000,000 annually.

SEC. 205. PASS-THROUGH BUSINESS ENTITY TRANSPARENCY.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives regarding the implementation of additional reporting requirements with respect to any pass-through entity with the goal of the reduction of tax avoidance through the use of such entities, In addition, the Secretary shall develop procedures to share such report data with State revenue agencies under the disclosure requirements of section 6103(d) of the Internal Revenue Code of 1986.

SEC. 206. MODIFICATION OF EFFECTIVE DATE OF LEASING PROVISIONS OF THE AMERICAN JOBS CREATION ACT OF 2004.

(a) LEASES TO FOREIGN ENTITIES.—Section 849(b) of the American Jobs Creation Act of 2004 is amended by adding at the end the following new paragraph:

''(5) LEASES TO FOREIGN ENTITIES.—In the case of tax-exempt use property leased to a tax-exempt entity which is a foreign person or entity, the amendments made by this part shall apply to taxable years beginning after December 31, 2006, with respect to leases entered into on or before March 12, 2004.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the enactment of the American Jobs Creation Act of 2004.

SEC. 207. REVALUATION OF LIFO INVENTORIES OF LARGE INTEGRATED OIL COMPANIES.

(a) GENERAL RULE.—Notwithstanding any other provision of law, if a taxpayer is an applicable integrated oil company for its last taxable year ending in calendar year 2006, the taxpayer shall—

(1) increase, effective as of the close of such taxable year, the value of each historic LIFO layer of inventories of crude oil, natural gas, or any other petroleum product (within the meaning of section 4611) by the layer adjustment amount, and

(2) decrease its cost of goods sold for such taxable year by the aggregate amount of the increases under paragraph (1).

If the aggregate amount of the increases under paragraph (1) exceed the taxpayer's cost of goods sold for such taxable year, the taxpayer's gross income for such taxable year shall be increased by the amount of such excess.

(b) LAYER ADJUSTMENT AMOUNT.—For purposes of this section—

(1) IN GENERAL.—The term ''layer adjustment amount'' means, with respect to any historic LIFO layer, the product of—

(A) $18.75, and

(B) the number of barrels of crude oil (or in the case of natural gas or other petroleum products, the number of barrel-of-oil equivalents) represented by the layer.

(2) BARREL-OF-OIL EQUIVALENT.—The term ''barrel-of-oil equivalent'' has the meaning given such term by section 29(d)(5) (as in effect before its redesignation by the Energy Tax Incentives Act of 2005).

(c) APPLICATION OF REQUIREMENT.—

(1) NO CHANGE IN METHOD OF ACCOUNTING.—Any adjustment required by this section shall not be treated as a change in method of accounting.

(2) UNDERPAYMENTS OF ESTIMATED TAX.—No addition to the tax shall be made under section 6655 of the Internal Revenue Code of 1986 (relating to failure by corporation to pay estimated tax) with respect to any underpayment of an installment required to be paid with respect to the taxable year described in subsection (a) to the extent such underpayment was created or increased by this section.

(d) APPLICABLE INTEGRATED OIL COMPANY.—For purposes of this section, the term ''applicable integrated oil company'' means an integrated oil company (as defined in section 291(b)(4) of the Internal Revenue Code of 1986) which has an average daily worldwide production of crude oil of at least 500,000 barrels for the taxable year and which had gross receipts in excess of $1,000,000,000 for its last taxable year ending during calendar year 2006. For purposes of this subsection all persons treated as a single employer under subsections (a) and (b) of section 52 of the Internal Revenue Code of 1986 shall be treated as 1 person and, in the case of a short taxable year, the rule under section 448(c)(3)(B) shall apply.

SEC. 208. MODIFICATIONS OF FOREIGN TAX CREDIT RULES APPLICABLE TO LARGE INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.

(a) IN GENERAL.—Section 901 (relating to credit for taxes of foreign countries and of possessions of the United States) is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (l) the following new subsection:

''(m) SPECIAL RULES RELATING TO LARGE INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.—

''(1) GENERAL RULE.—Notwithstanding any other provision of this chapter, any amount paid or accrued by a dual capacity taxpayer which is a large integrated oil company to a foreign country or possession of the United States for any period shall not be considered a tax—

''(A) if, for such period, the foreign country or possession does not impose a generally applicable income tax, or

''(B) to the extent such amount exceeds the amount (determined in accordance with regulations) which—

''(i) is paid by such dual capacity taxpayer pursuant to the generally applicable income tax imposed by the country or possession, or

''(ii) would be paid if the generally applicable income tax imposed by the country or possession were applicable to such dual capacity taxpayer.

Nothing in this paragraph shall be construed to imply the proper treatment of any such amount not in excess of the amount determined under subparagraph (B).

''(2) DUAL CAPACITY TAXPAYER.—For purposes of this subsection, the term 'dual capacity taxpayer' means, with respect to any foreign country or possession of the United States, a person who—

''(A) is subject to a levy of such country or possession, and

''(B) receives (or will receive) directly or indirectly a specific economic benefit (as determined in accordance with regulations) from such country or possession.

''(3) GENERALLY APPLICABLE INCOME TAX.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'generally applicable income tax' means an income tax (or a series of income taxes) which is generally imposed under the laws of a foreign country or possession on income derived from the conduct of a trade or business within such country or possession.

''(B) EXCEPTIONS.—Such term shall not include a tax unless it has substantial application, by its terms and in practice, to—

''(i) persons who are not dual capacity taxpayers, and

''(ii) persons who are citizens or residents of the foreign country or possession.

''(4) LARGE INTEGRATED OIL COMPANY.—For purposes of this subsection, the term 'large integrated oil company' means, with respect to any taxable year, an integrated oil company (as defined in section 291(b)(4)) which—

''(A) had gross receipts in excess of $1,000,000,000 for such taxable year, and

''(B) has an average daily worldwide production of crude oil of at least 500,000 barrels for such taxable year.''

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxes paid or accrued in taxable years beginning after the date of the enactment of this Act.

(2) CONTRARY TREATY OBLIGATIONS UPHELD.—The amendments made by this section shall not apply to the extent contrary to any treaty obligation of the United States.

SEC. 209. REPEAL OF LOWER OF COST OR MARKET VALUE OF INVENTORY RULE.

(a) IN GENERAL.—Subsection (a) of section 471 (relating to general rules for inventories) is amended to read as follows:

''(a) GENERAL RULE.—Whenever in the opinion of the Secretary the use of inventories is necessary in order clearly to determine the income of the taxpayer, inventories shall be valued at cost.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 210. REINSTITUTION OF PER COUNTRY FOREIGN TAX CREDIT.

(a) IN GENERAL.—Subsection (a) of section 904 (relating to limitation on credit) is amended to read as follows:

''(a) LIMITATION.—The amount of the credit in respect of the tax paid or accrued to any foreign country or possession of the United States shall not exceed the same proportion of the tax against which such credit is taken which the taxpayer's taxable income from sources within such country or possession (but not in excess of the taxpayer's entire taxable income) bears to such taxpayer's entire taxable income for the same taxable year.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 211. APPLICATION OF RULES TREATING INVERTED CORPORATIONS AS DOMESTIC CORPORATIONS TO CERTAIN TRANSACTIONS OCCURRING AFTER MARCH 20, 2002.

(a) IN GENERAL.—Section 7874(b) (relating to inverted corporations treated as domestic corporations) is amended to read as follows:

''(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

''(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting '80 percent' for '60 percent'.

''(2) SPECIAL RULE FOR CERTAIN TRANSACTIONS OCCURRING AFTER MARCH 20, 2002.—

''(A) IN GENERAL.—If—

''(i) paragraph (1) does not apply to a foreign corporation, but

''(ii) paragraph (1) would apply to such corporation if, in addition to the substitution under paragraph (1), subsection (a)(2) were applied by substituting 'March 20, 2002' for 'March 4, 2003' each place it appears,

then paragraph (1) shall apply to such corporation but only with respect to taxable years of such corporation beginning after December 31, 2006.

''(B) SPECIAL RULES.—Subject to such rules as the Secretary may prescribe, in the case of a corporation to which paragraph (1) applies by reason of this paragraph—

''(i) the corporation shall be treated, as of the close of its last taxable year beginning before January 1, 2007, as having transferred all of its assets, liabilities, and earnings and profits to a domestic corporation in a transaction with respect to which no tax is imposed under this title,

''(ii) the bases of the assets transferred in the transaction to the domestic corporation shall be the same as the bases of the assets in the hands of the foreign corporation, subject to any adjustments under this title for built-in losses,

''(iii) the basis of the stock of any shareholder in the domestic corporation shall be the same as the basis of the stock of the shareholder in the foreign corporation for which it is treated as exchanged, and

''(iv) the transfer of any earnings and profits by reason of clause (i) shall be disregarded in determining any deemed dividend or foreign tax creditable to the domestic corporation with respect to such transfer.

''(C) REGULATIONS.—The Secretary may prescribe such regulations as may be necessary or appropriate to carry out this paragraph, including regulations to prevent the avoidance of the purposes of this paragraph.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2006.

TITLE III—OTHER PROVISIONS

Subtitle A—Improvements in Tax Compliance

SEC. 301. INFORMATION REPORTING ON PAYMENTS TO CORPORATIONS.

(a) IN GENERAL.—Section 6041(a) (relating to payments of $600 or more) is amended by inserting ''(including any corporation other than a corporation exempt from taxation)'' after ''another person''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made after December 31, 2007.

SEC. 302. BROKER REPORTING OF CUSTOMER'S BASIS IN SECURITIES TRANSACTIONS.

(a) IN GENERAL.—Section 6045 (relating to returns of brokers) is amended by adding at the end the following new subsection:

''(g) ADDITIONAL INFORMATION REQUIRED IN THE CASE OF SECURITIES TRANSACTIONS.—

''(1) IN GENERAL.—If a broker is otherwise required to make a return under subsection (a) with respect to any applicable security, the broker shall include in such return the information described in paragraph (2).

''(2) ADDITIONAL INFORMATION REQUIRED.—

''(A) IN GENERAL.—The information required under paragraph (1) to be shown on a return with respect to an applicable security of a customer shall include for each reported applicable security the customer's adjusted basis in such security.

''(B) EXEMPTION FROM REQUIREMENT.—The Secretary shall issue such regulations or guidance as necessary concerning the application of the requirement under subparagraph (A) in cases in which a broker in making a return does not have sufficient information to meet such requirement with respect to the reported applicable security. Such regulations or guidance may—

''(i) require such other information related to such adjusted basis as the Secretary may prescribe, and

''(ii) exempt classes of cases in which the broker does not have sufficient information to meet either the requirement under subparagraph (A) or the requirement under clause (i).

''(3) INFORMATION TRANSFERS.—To the extent provided in regulations, there shall be such exchanges of information between brokers as such regulations may require for purposes of enabling such brokers to meet the requirements of this subsection.

''(4) DEFINITIONS.—For purposes of this subsection, the term 'applicable security' means any—

''(A) security described in subparagraph (A) or (C) of section 475(c)(2),

''(B) interest in a regulated investment company (as defined in section 851), or

''(C) other financial instrument designated in regulations prescribed by the Secretary.''.

(b) DETERMINATION OF BASIS OF CERTAIN SECURITIES BY FIFO METHOD.—Section 1012 (relating to basis of property—cost) is amended by adding at the end the following new sentence: ''Except to the extent provided in regulations, the basis of any applicable security reportable under section 6045 (by reason of subsection (g) thereof) shall be determined on a first-in, first-out method.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to sales and transfers occurring after December 31, 2007, with respect to securities acquired before, on, or after such date.

SEC. 303. ADDITIONAL REPORTING REQUIREMENTS BY REGULATION.

The Secretary of the Treasury is authorized to issue regulations under which with respect to payments made after December 31, 2007—

(1) any merchant acquiring bank is required to annually report to the Secretary the gross reimbursement payments made to merchants in a calendar year, unless the benefit of such reporting does not justify the cost of compliance, as determined by the Secretary,

(2) any contractor receiving payments of $600 or more in a calendar year from a particular business is required to furnish such business the contractor's certified taxpayer identification number or be subject to withholding on such payments at a flat rate percentage selected by the contractor, and

(3) any Federal, State, or local government is required to report to the Secretary any non-wage payment to procure property and services, other than payments of interest, payments for real property, payments to tax-exempt entities or foreign governments, intergovernmental payments, and payments made pursuant to a classified or confidential contract.

SEC. 304. INCREASE IN INFORMATION RETURN PENALTIES.

(a) FAILURE TO FILE CORRECT INFORMATION RETURNS.—

(1) IN GENERAL.—Section 6721(a)(1) is amended—

(A) by striking ''$50'' and inserting ''$250'', and

(B) by striking ''$250,000'' and inserting ''$3,000,000''.

(2) REDUCTION WHERE CORRECTION IN SPECIFIED PERIOD.—

(A) CORRECTION WITHIN 30 DAYS.—Section 6721(b)(1) is amended—

(i) by striking ''$15'' and inserting ''$50'',

(ii) by striking ''$50'' and inserting ''$250'', and

(iii) by striking ''$75,000'' and inserting ''$500,000''.

(B) FAILURES CORRECTED ON OR BEFORE AUGUST 1.—Section 6721(b)(2) is amended—

(i) by striking ''$30'' and inserting ''$100'',

(ii) by striking ''$50'' and inserting ''$250'', and

(iii) by striking ''$150,000'' and inserting ''$1,500,000''.

(3) LOWER LIMITATION FOR PERSONS WITH GROSS RECEIPTS OF NOT MORE THAN $5,000,000.—Section 6721(d)(1) is amended—

(A) in subparagraph (A)—

(i) by striking ''$100,000'' and inserting ''$1,000,000'', and

(ii) by striking ''$250,000'' and inserting ''$3,000,000'',

(B) in subparagraph (B)—

(i) by striking ''$25,000'' and inserting ''$175,000'', and

(ii) by striking ''$75,000'' and inserting ''$500,000'', and

(C) in subparagraph (C)—

(i) by striking ''$50,000'' and inserting ''$500,000'', and

(ii) by striking ''$150,000'' and inserting ''$1,500,000''.

(4) PENALTY IN CASE OF INTENTIONAL DISREGARD.—Section 6721(e) is amended—

(A) by striking ''$100'' in paragraph (2) and inserting ''$500'',

(B) by striking ''$250,000'' in paragraph (3)(A) and inserting ''$3,000,000''.

(b) FAILURE TO FURNISH CORRECT PAYEE STATEMENTS.—

(1) IN GENERAL.—Section 6722(a) is amended—

(A) by striking ''$50'' and inserting ''$250'', and

(B) by striking ''$100,000'' and inserting ''$1,000,000''.

(2) PENALTY IN CASE OF INTENTIONAL DISREGARD.—Section 6722(c) is amended—

(A) by striking ''$100'' in paragraph (1) and inserting ''$500'', and

(B) by striking ''$100,000'' in paragraph (2)(A) and inserting ''$1,000,000''.

(c) FAILURE TO COMPLY WITH OTHER INFORMATION REPORTING REQUIREMENTS.—Section 6723 is amended—

(1) by striking ''$50'' and inserting ''$250'', and

(2) by striking ''$100,000'' and inserting ''$1,000,000''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to information returns required to be filed on or after January 1, 2008.

SEC. 305. E-FILING REQUIREMENT FOR CERTAIN LARGE ORGANIZATIONS.

(a) IN GENERAL.—The first sentence of section 6011(e)(2) is amended to read as follows: ''In prescribing regulations under paragraph (1), the Secretary shall take into account (among other relevant factors) the ability of the taxpayer to comply at reasonable cost with the requirements of such regulations.''.

(b) CONFORMING AMENDMENT.—Section 6724 is amended by striking subsection (c).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending on or after December 31, 2008.

SEC. 306. IMPLEMENTATION OF STANDARDS CLARIFYING WHEN EMPLOYEE LEASING COMPANIES CAN BE HELD LIABLE FOR THEIR CLIENTS' FEDERAL EMPLOYMENT TAXES.

With respect to employment tax returns required to be filed with respect to wages paid on or after January 1, 2008, the Secretary of the Treasury shall issue regulations establishing—

(1) standards for holding employee leasing companies jointly and severally liable with their clients for Federal employment taxes under chapters 21, 22, 23, and 24 of the Internal Revenue Code of 1986, and

(2) standards for holding such companies solely liable for such taxes.

SEC. 307. MODIFICATION OF COLLECTION DUE PROCESS PROCEDURES FOR EMPLOYMENT TAX LIABILITIES.

(a) IN GENERAL.—Section 6330(f) (relating to jeopardy and State refund collection) is amended—

(1) by striking ''; or'' at the end of paragraph (1) and inserting a comma,

(2) by adding ''or'' at the end of paragraph (2), and

(3) by inserting after paragraph (2) the following new paragraph:

''(3) the Secretary has served a disqualified employment tax levy,''.

(b) DISQUALIFIED EMPLOYMENT TAX LEVY.—Section 6330 (relating to notice and opportunity for hearing before levy) is amended by adding at the end the following new subsection:

''(h) DISQUALIFIED EMPLOYMENT TAX LEVY.—For purposes of subsection (f), a disqualified employment tax levy is any levy in connection with the collection of employment taxes for any taxable period if the person subject to the levy (or any predecessor thereof) requested a hearing under this section with respect to unpaid employment taxes arising in the most recent 2-year period before the beginning of the taxable period with respect to which the levy is served. For purposes of the preceding sentence, the term 'employment taxes' means any taxes under chapter 21, 22, 23, or 24.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to levies served on or after January 1, 2008.

SEC. 308. EXPANSION OF IRS ACCESS TO INFORMATION IN NATIONAL DIRECTORY OF NEW HIRES FOR TAX ADMINISTRATION PURPOSES.

(a) IN GENERAL.—Paragraph (3) of section 453(j) of the Social Security Act (42 U.S.C. 653(j)) is amended to read as follows:

''(3) ADMINISTRATION OF FEDERAL TAX LAWS.—The Secretary of the Treasury shall have access to the information in the National Directory of New Hires for purposes of administering the Internal Revenue Code of 1986.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 309. DISCLOSURE OF PRISONER RETURN INFORMATION TO FEDERAL BUREAU OF PRISONS.

(a) DISCLOSURE.—

(1) IN GENERAL.—Subsection (l) of section 6103 (relating to disclosure of returns and return information for purposes other than tax administration) is amended by adding at the end the following new paragraph:

''(22) DISCLOSURE OF RETURN INFORMATION OF PRISONERS TO FEDERAL BUREAU OF PRISONS.—

''(A) IN GENERAL.—Under such procedures as the Secretary may prescribe, the Secretary may disclose return information with respect to persons incarcerated in Federal prisons whom the Secretary believes filed or facilitated the filing of false or fraudulent returns to the head of the Federal Bureau of Prisons if the Secretary determines that such disclosure is necessary to permit effective tax administration.

''(B) DISCLOSURE BY AGENCY TO EMPLOYEES.—The head of the Federal Bureau of Prisons may redisclose information received under subparagraph (A)—

''(i) only to those officers and employees of the Bureau who are personally and directly engaged in taking administrative actions to address violations of administrative rules and regulations of the prison facility, and

''(ii) solely for the purposes described in subparagraph (C).

''(C) RESTRICTION ON USE OF DISCLOSED INFORMATION.—Return information disclosed under this paragraph may be used only for the purposes of—

''(i) preventing the filing of false or fraudulent returns; and

''(ii) taking administrative actions against individuals who have filed or attempted to file false or fraudulent returns.''.

(2) PROCEDURES AND RECORD KEEPING RELATED TO DISCLOSURE.—Subsection (p)(4) of section 6103 is amended—

(A) by striking ''(14), or (17)'' in the matter before subparagraph (A) and inserting ''(14), (17), or (22)'', and

(B) by striking ''(9), or (16)'' in subparagraph (F)(i) and inserting ''(9), (16), or (22)''.

(3) EVALUATION BY TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Paragraph (3) of section 7803(d) is amended by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting ''; and'', and by adding at the end the following new subparagraph:

''(C) not later than 3 years after the date of the enactment of section 6103(l)(22), submit a written report to Congress on the implementation of such section.''.

(b) ANNUAL REPORTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall submit to Congress and make publicly available an annual report on the filing of false and fraudulent returns by individuals incarcerated in Federal and State prisons.

(2) CONTENTS OF REPORT.—The report submitted under paragraph (1) shall contain statistics on the number of false or fraudulent returns associated with each Federal and State prison and such other information that the Secretary determines is appropriate.

(3) EXCHANGE OF INFORMATION.—For the purpose of gathering information necessary for the reports required under paragraph (1), the Secretary of the Treasury shall enter into agreements with the head of the Federal Bureau of Prisons and the heads of State agencies charged with responsibility for administration of State prisons under which the head of the Bureau or Agency provides to the Secretary not less frequently than annually the names and other identifying information of prisoners incarcerated at each facility administered by the Bureau or Agency.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures on or after January 1, 2008.

SEC. 310. MODIFICATION OF CRIMINAL PENALTIES FOR WILLFUL FAILURES INVOLVING TAX PAYMENTS AND FILING REQUIREMENTS.

(a) INCREASE IN PENALTY FOR ATTEMPT TO EVADE OR DEFEAT TAX.—Section 7201 (relating to attempt to evade or defeat tax) is amended—

(1) by striking ''$100,000'' and inserting ''$500,000'',

(2) by striking ''$500,000'' and inserting ''$1,000,000'', and

(3) by striking ''5 years'' and inserting ''10 years''.

(b) MODIFICATION OF PENALTIES FOR WILLFUL FAILURE TO FILE RETURN, SUPPLY INFORMATION, OR PAY TAX.—

(1) IN GENERAL.—Section 7203 (relating to willful failure to file return, supply information, or pay tax) is amended—

(A) in the first sentence—

(i) by striking ''Any person'' and inserting the following:

''(a) IN GENERAL.—Any person'', and

(ii) by striking ''$25,000'' and inserting ''$50,000'',

(B) in the third sentence, by striking ''section'' and inserting ''subsection'', and

(C) by adding at the end the following new subsection:

''(b) AGGRAVATED FAILURE TO FILE.—

''(1) IN GENERAL.—In the case of any failure described in paragraph (2), the first sentence of subsection (a) shall be applied by substituting—

''(A) 'felony' for 'misdemeanor',

''(B) '$250,000 ($500,000' for '$50,000 ($100,000', and

''(C) '5 years' for '1 year'.

''(2) FAILURE DESCRIBED.—A failure described in this paragraph is—

''(A) a failure to make a return described in subsection (a) for any 3 taxable years occurring during any period of 5 consecutive taxable years if the aggregate tax liability for such period is not less than $50,000, or

''(B) a failure to make a return if the tax liability giving rise to the requirement to make such return is attributable to an activity which is a felony under any State or Federal law.''.

(2) PENALTY MAY BE APPLIED IN ADDITION TO OTHER PENALTIES.—Section 7204 (relating to fraudulent statement or failure to make statement to employees) is amended by striking ''the penalty provided in section 6674'' and inserting ''the penalties provided in sections 6674 and 7203(b)''.

(c) FRAUD AND FALSE STATEMENTS.—Section 7206 (relating to fraud and false statements) is amended—

(1) by striking ''$100,000'' and inserting ''$500,000'',

(2) by striking ''$500,000'' and inserting ''$1,000,000'', and

(3) by striking ''3 years'' and inserting ''5 years''.

(d) INCREASE IN MONETARY LIMITATION FOR UNDERPAYMENT OR OVERPAYMENT OF TAX DUE TO FRAUD.—Section 7206 (relating to fraud and false statements), as amended by subsection (a)(3), is amended—

(1) by striking ''Any person who—'' and inserting ''(a) IN GENERAL.—Any person who—'', and

(2) by adding at the end the following new subsection:

''(b) INCREASE IN MONETARY LIMITATION FOR UNDERPAYMENT OR OVERPAYMENT OF TAX DUE TO FRAUD.—If any portion of any underpayment (as defined in section 6664(a)) or overpayment (as defined in section 6401(a)) of tax required to be shown on a return is attributable to fraudulent action described in subsection (a), the applicable dollar amount under subsection (a) shall in no event be less than an amount equal to such portion. A rule similar to the rule under section 6663(b) shall apply for purposes of determining the portion so attributable.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to actions, and failures to act, occurring after the date of the enactment of this Act.

SEC. 311. UNDERSTATEMENT OF TAXPAYER LIABILITY BY RETURN PREPARERS.

(a) APPLICATION OF RETURN PREPARER PENALTIES TO ALL TAX RETURNS.—

(1) DEFINITION OF TAX RETURN PREPARER.—Paragraph (36) of section 7701(a) (relating to income tax preparer) is amended—

(A) by striking ''income'' each place it appears in the heading and the text, and

(B) in subparagraph (A), by striking ''subtitle A'' each place it appears and inserting ''this title''.

(2) CONFORMING AMENDMENTS.—

(A)(i) Section 6060 is amended by striking ''**INCOME TAX RETURN PREPARERS**'' in the heading and inserting ''**TAX RETURN PREPARERS**''.

(ii) Section 6060(a) is amended—

(I) by striking ''an income tax return preparer'' each place it appears and inserting ''a tax return preparer'',

(II) by striking ''each income tax return preparer'' and inserting ''each tax return preparer'', and

(III) by striking ''another income tax return preparer'' and inserting ''another tax return preparer''.

(iii) The item relating to section 6060 in the table of sections for subpart F of part III of subchapter A of chapter 61 is amended by striking ''income tax return preparers'' and inserting ''tax return preparers''.

(iv) Subpart F of part III of subchapter A of chapter 61 is amended by striking ''**Income Tax Return Preparers**'' in the heading and inserting ''**Tax Return Preparers**''.

(v) The item relating to subpart F in the table of subparts for part III of subchapter A of chapter 61 is amended by striking ''income tax return preparers'' and inserting ''tax return preparers''.

(B) Section 6103(k)(5) is amended—

(i) by striking ''income tax return preparer'' each place it appears and inserting ''tax return preparer'', and

(ii) by striking ''income tax return preparers'' each place it appears and inserting ''tax return preparers''.

(C)(i) Section 6107 is amended—

(I) by striking ''**INCOME TAX RETURN PREPARER**'' in the heading and inserting ''**TAX RETURN PREPARER**'',

(II) by striking ''an income tax return preparer'' each place it appears in subsections (a) and (b) and inserting ''a tax return preparer'',

(III) by striking ''INCOME TAX RETURN PREPARER'' in the heading for subsection (b) and inserting ''TAX RETURN PREPARER'', and

(IV) in subsection (c), by striking ''income tax return preparers'' and inserting ''tax return preparers''.

(ii) The item relating to section 6107 in the table of sections for subchapter B of chapter 61 is amended by striking ''Income tax return preparer'' and inserting ''Tax return preparer''.

(D) Section 6109(a)(4) is amended—

(i) by striking ''an income tax return preparer'' and inserting ''a tax return preparer'', and

(ii) by striking ''INCOME RETURN PREPARER'' in the heading and inserting ''TAX RETURN PREPARER''.

(E) Section 6503(k)(4) is amended by striking ''Income tax return preparers'' and inserting ''Tax return preparers''.

(F)(i) Section 6694 is amended—

(I) by striking ''**INCOME TAX RETURN PREPARER**'' in the heading and inserting ''**TAX RETURN PREPARER**'',

(II) by striking ''an income tax return preparer'' each place it appears and inserting ''a tax return preparer'',

(III) in subsection (c)(2), by striking ''the income tax return preparer'' and inserting ''the tax return preparer'',

(IV) in subsection (e), by striking ''subtitle A'' and inserting ''this title'', and

(V) in subsection (f), by striking ''income tax return preparer'' and inserting ''tax return preparer''.

(ii) The item relating to section 6694 in the table of sections for part I of subchapter B of chapter 68 is amended by striking ''income tax return preparer'' and inserting ''tax return preparer''.

(G)(i) Section 6695 is amended—

(I) by striking ''**INCOME**'' in the heading, and

(II) by striking ''an income tax return preparer'' each place it appears and inserting ''a tax return preparer''.

(ii) Section 6695(f) is amended—

(I) by striking ''subtitle A'' and inserting ''this title'', and

(II) by striking ''the income tax return preparer'' and inserting ''the tax return preparer''.

(iii) The item relating to section 6695 in the table of sections for part I of subchapter B of chapter 68 is amended by striking ''income''.

(H) Section 6696(e) is amended by striking ''subtitle A'' each place it appears and inserting ''this title''.

(I)(i) Section 7407 is amended—

(I) by striking ''**INCOME TAX RETURN PREPARERS**'' in the heading and inserting ''**TAX RETURN PREPARERS**'',

(II) by striking ''an income tax return preparer'' each place it appears and inserting ''a tax return preparer'',

(III) by striking ''income tax preparer'' both places it appears in subsection (a) and inserting ''tax return preparer'', and

(IV) by striking ''income tax return'' in subsection (a) and inserting ''tax return''.

(ii) The item relating to section 7407 in the table of sections for subchapter A of chapter 76 is amended by striking ''income tax return preparers'' and inserting ''tax return preparers''.

(J)(i) Section 7427 is amended—

(I) by striking ''**INCOME TAX RETURN PREPARERS**'' in the heading and inserting ''**TAX RETURN PREPARERS**'', and

(II) by striking ''an income tax return preparer'' and inserting ''a tax return preparer''.

(ii) The item relating to section 7427 in the table of sections for subchapter B of chapter 76 is amended to read as follows:

''Sec. 7427. Tax return preparers.''.

(b) MODIFICATION OF PENALTY FOR UNDERSTATEMENT OF TAXPAYER'S LIABILITY BY TAX RETURN PREPARER.—Subsections (a) and (b) of section 6694 are amended to read as follows:

''(a) UNDERSTATEMENT DUE TO UNREASONABLE POSITIONS.—

''(1) IN GENERAL.—Any tax return preparer who prepares any return or claim for refund with respect to which any part of an understatement of liability is due to a position described in paragraph (2) shall pay a penalty with respect to each such return or claim in an amount equal to the greater of—

''(A) $1,000, or

''(B) 50 percent of the income derived (or to be derived) by the tax return preparer with respect to the return or claim.

''(2) UNREASONABLE POSITION.—A position is described in this paragraph if—

''(A) the tax return preparer knew (or reasonably should have known) of the position,

''(B) there was not a reasonable belief that the position would more likely than not be sustained on its merits, and

''(C)(i) the position was not disclosed as provided in section 6662(d)(2)(B)(ii), or

''(ii) there was no reasonable basis for the position.

''(3) REASONABLE CAUSE EXCEPTION.—No penalty shall be imposed under this subsection if it is shown that there is reasonable cause for the understatement and the tax return preparer acted in good faith.

''(b) UNDERSTATEMENT DUE TO WILLFUL OR RECKLESS CONDUCT.—

''(1) IN GENERAL.—Any tax return preparer who prepares any return or claim for refund with respect to which any part of an understatement of liability is due to a conduct described in paragraph (2) shall pay a penalty with respect to each such return or claim in an amount equal to the greater of—

''(A) $5,000, or

''(B) 50 percent of the income derived (or to be derived) by the tax return preparer with respect to the return or claim.

''(2) WILLFUL OR RECKLESS CONDUCT.—Conduct described in this paragraph is conduct by the tax return preparer which is—

''(A) a willful attempt in any manner to understate the liability for tax on the return or claim, or

''(B) a reckless or intentional disregard of rules or regulations.

''(3) REDUCTION IN PENALTY.—The amount of any penalty payable by any person by reason of this subsection for any return or claim for refund shall be reduced by the amount of the penalty paid by such person by reason of subsection (a).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns prepared after the date of the enactment of this Act.

SEC. 312. PENALTIES FOR FAILURE TO FILE CERTAIN RETURNS ELECTRONICALLY.

(a) IN GENERAL.—Part I of subchapter A of chapter 68 (relating to additions to the tax, additional amounts, and assessable penalties) is amended by inserting after section 6652 the following new section:

''SEC. 6652A. FAILURE TO FILE CERTAIN RETURNS ELECTRONICALLY.

''(a) IN GENERAL.—If a person fails to file a return described in section 6651 or 6652(c)(1) in electronic form as required under section 6011(e)—

''(1) such failure shall be treated as a failure to file such return (even if filed in a form other than electronic form), and

''(2) the penalty imposed under section 6651 or 6652(c), whichever is appropriate, shall be equal to the greater of—

''(A) the amount of the penalty under such section, determined without regard to this section, or

''(B) the amount determined under subsection (b).

''(b) AMOUNT OF PENALTY.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the penalty determined under this subsection is equal to $40 for each day during which a failure described under subsection (a) continues. The maximum penalty under this paragraph on failures with respect to any 1 return shall not exceed the lesser of $20,000 or 10 percent of the gross receipts of the taxpayer for the year.

''(2) INCREASED PENALTIES FOR TAXPAYERS WITH GROSS RECEIPTS BETWEEN $1,000,000 AND $100,000,000.—

''(A) TAXPAYERS WITH GROSS RECEIPTS BETWEEN $1,000,000 AND $25,000,000.—In the case of a taxpayer having gross receipts exceeding $1,000,000 but not exceeding $25,000,000 for any year—

''(i) the first sentence of paragraph (1) shall be applied by substituting '$200' for '$40', and

''(ii) in lieu of applying the second sentence of paragraph (1), the maximum penalty under paragraph (1) shall not exceed $100,000.

''(B) TAXPAYERS WITH GROSS RECEIPTS OVER $25,000,000.—Except as provided in paragraph (3), in the case of a taxpayer having gross receipts exceeding $25,000,000 for any year—

''(i) the first sentence of paragraph (1) shall be applied by substituting '$500' for '$40', and

''(ii) in lieu of applying the second sentence of paragraph (1), the maximum penalty under paragraph (1) shall not exceed $250,000.

''(3) INCREASED PENALTIES FOR CERTAIN TAXPAYERS WITH GROSS RECEIPTS EXCEEDING $100,000,000.—In the case of a return described in section 6651—

''(A) TAXPAYERS WITH GROSS RECEIPTS BETWEEN $100,000,000 AND $250,000,000.—In the case of a taxpayer having gross receipts exceeding $100,000,000 but not exceeding $250,000,000 for any year—

''(i) the amount of the penalty determined under this subsection shall equal the sum of—

''(I) $50,000, plus

''(II) $1,000 for each day during which such failure continues (twice such amount for each day such failure continues after the first such 60 days), and

''(ii) the maximum amount under clause (i)(II) on failures with respect to any 1 return shall not exceed $200,000.

''(B) TAXPAYERS WITH GROSS RECEIPTS OVER $250,000,000.—In the case of a taxpayer having gross receipts exceeding $250,000,000 for any year—

''(i) the amount of the penalty determined under this subsection shall equal the sum of—

''(I) $250,000, plus

''(II) $2,500 for each day during which such failure continues (twice such amount for each day such failure continues after the first such 60 days), and

''(ii) the maximum amount under clause (i)(II) on failures with respect to any 1 return shall not exceed $250,000.

''(C) EXCEPTION FOR CERTAIN RETURNS.—Subparagraphs (A) and (B) shall not apply to any return of tax imposed under section 511.''.

(b) CLERICAL AMENDMENT.—The table of sections for part I of subchapter A of chapter 68 is amended by inserting after the item relating to section 6652 the following new item:

''Sec. 6652A. Failure to file certain returns electronically.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be filed on or after January 1, 2008.

SEC. 313. PENALTY FOR FILING ERRONEOUS REFUND CLAIMS.

(a) IN GENERAL.—Part I of subchapter B of chapter 68 (relating to assessable penalties) is amended by inserting after section 6675 the following new section:

''SEC. 6676. ERRONEOUS CLAIM FOR REFUND OR CREDIT.

''(a) CIVIL PENALTY.—If a claim for refund or credit with respect to income tax (other than a claim for a refund or credit relating to the earned income credit under section 32) is made for an excessive amount, unless it is shown that the claim for such excessive amount has a reasonable basis, the person making such claim shall be liable for a penalty in an amount equal to 20 percent of the excessive amount.

''(b) EXCESSIVE AMOUNT.—For purposes of this section, the term 'excessive amount' means in the case of any person the amount by which the amount of the claim for refund or credit for any taxable year exceeds the amount of such claim allowable under this title for such taxable year.

''(c) COORDINATION WITH OTHER PENALTIES.—This section shall not apply to any portion of the excessive amount of a claim for refund or credit on which a penalty is imposed under part II of subchapter A of chapter 68.''.

(b) CONFORMING AMENDMENT.—The table of sections for part I of subchapter B of chapter 68 is amended by inserting after the item relating to section 6675 the following new item:

''Sec. 6676. Erroneous claim for refund or credit.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any claim—

(1) filed or submitted after the date of the enactment of this Act, or

(2) filed or submitted prior to such date but not withdrawn before the date which is 30 days after such date of enactment.

Subtitle B—Requiring Economic Substance

SEC. 321. CLARIFICATION OF ECONOMIC SUBSTANCE DOCTRINE.

(a) IN GENERAL.—Section 7701 is amended by redesignating subsection (p) as subsection (q) and by inserting after subsection (o) the following new subsection:

''(p) CLARIFICATION OF ECONOMIC SUBSTANCE DOCTRINE; ETC.—

''(1) GENERAL RULES.—

''(A) IN GENERAL.—In any case in which a court determines that the economic substance doctrine is relevant for purposes of this title to a transaction (or series of transactions), such transaction (or series of transactions) shall have economic substance only if the requirements of this paragraph are met.

''(B) DEFINITION OF ECONOMIC SUBSTANCE.—For purposes of subparagraph (A)—

''(i) IN GENERAL.—A transaction has economic substance only if—

''(I) the transaction changes in a meaningful way (apart from Federal tax effects) the taxpayer's economic position, and

''(II) the taxpayer has a substantial nontax purpose for entering into such transaction and the transaction is a reasonable means of accomplishing such purpose.

In applying subclause (II), a purpose of achieving a financial accounting benefit shall not be taken into account in determining whether a transaction has a substantial nontax purpose if the origin of such financial accounting benefit is a reduction of income tax.

''(ii) SPECIAL RULE WHERE TAXPAYER RELIES ON PROFIT POTENTIAL.—A transaction shall not be treated as having economic substance by reason of having a potential for profit unless—

''(I) the present value of the reasonably expected pre-tax profit from the transaction is substantial in relation to the present value of the expected net tax benefits that would be allowed if the transaction were respected, and

''(II) the reasonably expected pre-tax profit from the transaction exceeds a risk-free rate of return.

''(C) TREATMENT OF FEES AND FOREIGN TAXES.—Fees and other transaction expenses and foreign taxes shall be taken into account as expenses in determining pre-tax profit under subparagraph (B)(ii).

''(2) SPECIAL RULES FOR TRANSACTIONS WITH TAX-INDIFFERENT PARTIES.—

''(A) SPECIAL RULES FOR FINANCING TRANSACTIONS.—The form of a transaction which is in substance the borrowing of money or the acquisition of financial capital directly or indirectly from a tax-indifferent party shall not be respected if the present value of the deductions to be claimed with respect to the transaction is substantially in excess of the present value of the anticipated economic returns of the person lending the money or providing the financial capital. A public offering shall be treated as a borrowing, or an acquisition of financial capital, from a tax-indifferent party if it is reasonably expected that at least 50 percent of the offering will be placed with tax-indifferent parties.

''(B) ARTIFICIAL INCOME SHIFTING AND BASIS ADJUSTMENTS.—The form of a transaction with a tax-indifferent party shall not be respected if—

''(i) it results in an allocation of income or gain to the tax-indifferent party in excess of such party's economic income or gain, or

''(ii) it results in a basis adjustment or shifting of basis on account of overstating the income or gain of the tax-indifferent party.

''(3) DEFINITIONS AND SPECIAL RULES.—For purposes of this subsection—

''(A) ECONOMIC SUBSTANCE DOCTRINE.—The term 'economic substance doctrine' means the common law doctrine under which tax benefits under subtitle A with respect to a transaction are not allowable if the transaction does not have economic substance or lacks a business purpose.

''(B) TAX-INDIFFERENT PARTY.—The term 'tax-indifferent party' means any person or entity not subject to tax imposed by subtitle A. A person shall be treated as a tax-indifferent party with respect to a transaction if the items taken into account with respect to the transaction have no substantial impact on such person's liability under subtitle A.

''(C) EXCEPTION FOR PERSONAL TRANSACTIONS OF INDIVIDUALS.—In the case of an individual, this subsection shall apply only to transactions entered into in connection with a trade or business or an activity engaged in for the production of income.

''(D) TREATMENT OF LESSORS.—In applying paragraph (1)(B)(ii) to the lessor of tangible property subject to a lease—

''(i) the expected net tax benefits with respect to the leased property shall not include the benefits of—

''(I) depreciation,

''(II) any tax credit, or

''(III) any other deduction as provided in guidance by the Secretary, and

''(ii) subclause (II) of paragraph (1)(B)(ii) shall be disregarded in determining whether any of such benefits are allowable.

''(4) OTHER COMMON LAW DOCTRINES NOT AFFECTED.—Except as specifically provided in this subsection, the provisions of this subsection shall not be construed as altering or supplanting any other rule of law, and the requirements of this subsection shall be construed as being in addition to any such other rule of law.

''(5) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this subsection. Such regulations may include exemptions from the application of this subsection.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to transactions entered into after the date of the enactment of this Act.

SEC. 322. PENALTY FOR UNDERSTATEMENTS ATTRIBUTABLE TO TRANSACTIONS LACKING ECONOMIC SUBSTANCE, ETC.

(a) IN GENERAL.—Subchapter A of chapter 68 is amended by inserting after section 6662A the following new section:

"SEC. 6662B. PENALTY FOR UNDERSTATEMENTS ATTRIBUTABLE TO TRANSACTIONS LACKING ECONOMIC SUBSTANCE, ETC.

''(a) IMPOSITION OF PENALTY.—If a taxpayer has a noneconomic substance transaction understatement for any taxable year, there shall be added to the tax an amount equal to 40 percent of the amount of such understatement.

''(b) REDUCTION OF PENALTY FOR DISCLOSED TRANSACTIONS.—Subsection (a) shall be applied by substituting '20 percent' for '40 percent' with respect to the portion of any noneconomic substance transaction understatement with respect to which the relevant facts affecting the tax treatment of the item are adequately disclosed in the return or a statement attached to the return.

''(c) NONECONOMIC SUBSTANCE TRANSACTION UNDERSTATEMENT.—For purposes of this section—

''(1) IN GENERAL.—The term 'noneconomic substance transaction understatement' means any amount which would be an understatement under section 6662A(b)(1) if section 6662A were applied by taking into account items attributable to noneconomic substance transactions rather than items to which section 6662A would apply without regard to this paragraph.

''(2) NONECONOMIC SUBSTANCE TRANSACTION.—The term 'noneconomic substance transaction' means any transaction if—

''(A) there is a lack of economic substance (within the meaning of section 7701(p)(1)) for the transaction giving rise to the claimed benefit or the transaction was not respected under section 7701(p)(2), or

''(B) the transaction fails to meet the requirements of any similar rule of law.

''(d) RULES APPLICABLE TO COMPROMISE OF PENALTY.—

''(1) IN GENERAL.—If the first letter of proposed deficiency which allows the taxpayer an opportunity for administrative review in the Internal Revenue Service Office of Appeals has been sent with respect to a penalty to which this section applies, only the Commissioner of Internal Revenue may compromise all or any portion of such penalty.

''(2) APPLICABLE RULES.—The rules of paragraphs (2) and (3) of section 6707A(d) shall apply for purposes of paragraph (1).

''(e) COORDINATION WITH OTHER PENALTIES.—Except as otherwise provided in this part, the penalty imposed by this section shall be in addition to any other penalty imposed by this title.

''(f) CROSS REFERENCES.—

''(1) For coordination of penalty with understatements under section 6662 and other special rules, see section 6662A(e).

''(2) For reporting of penalty imposed under this section to the Securities and Exchange Commission, see section 6707A(e).''.

(b) COORDINATION WITH OTHER UNDERSTATEMENTS AND PENALTIES.—

(1) The second sentence of section 6662(d)(2)(A) is amended by inserting ''and without regard to items with respect to which a penalty is imposed by section 6662B'' before the period at the end.

(2) Subsection (e) of section 6662A is amended—

(A) in paragraph (1), by inserting ''and noneconomic substance transaction understatements'' after ''reportable transaction understatements'' both places it appears,

(B) in paragraph (2)(A), by inserting ''and a noneconomic substance transaction understatement'' after ''reportable transaction understatement'',

(C) in paragraph (2)(B), by inserting ''6662B or'' before ''6663'',

(D) in paragraph (2)(C)(i), by inserting ''or section 6662B'' before the period at the end,

(E) in paragraph (2)(C)(ii), by inserting ''and section 6662B'' after ''This section'',

(F) in paragraph (3), by inserting ''or noneconomic substance transaction understatement'' after ''reportable transaction understatement'', and

(G) by adding at the end the following new paragraph:

''(4) NONECONOMIC SUBSTANCE TRANSACTION UNDERSTATEMENT.—For purposes of this subsection, the term 'noneconomic substance transaction understatement' has the meaning given such term by section 6662B(c).''.

(3) Subsection (e) of section 6707A is amended—

(A) by striking ''or'' at the end of subparagraph (B), and

(B) by striking subparagraph (C) and inserting the following new subparagraphs:

''(C) is required to pay a penalty under section 6662B with respect to any noneconomic substance transaction, or

''(D) is required to pay a penalty under section 6662(h) with respect to any transaction and would (but for section 6662A(e)(2)(C)) have been subject to penalty under section 6662A at a rate prescribed under section 6662A(c) or under section 6662B,''.

(c) CLERICAL AMENDMENT.—The table of sections for part II of subchapter A of chapter 68 is amended by inserting after the item relating to section 6662A the following new item:

''Sec. 6662B. Penalty for understatements attributable to transactions lacking economic substance, etc.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to transactions entered into after the date of the enactment of this Act.

SEC. 323. DENIAL OF DEDUCTION FOR INTEREST ON UNDERPAYMENTS ATTRIBUTABLE TO NONECONOMIC SUBSTANCE TRANSACTIONS.

(a) IN GENERAL.—Section 163(m) (relating to interest on unpaid taxes attributable to nondisclosed reportable transactions) is amended—

(1) by striking ''attributable'' and all that follows and inserting the following: ''attributable to—

''(1) the portion of any reportable transaction understatement (as defined in section 6662A(b)) with respect to which the requirement of section 6664(d)(2)(A) is not met, or

''(2) any noneconomic substance transaction understatement (as defined in section 6662B(c)).'', and

(2) by inserting ''AND NONECONOMIC SUBSTANCE TRANSACTIONS'' after ''TRANSACTIONS''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to transactions after the date of the enactment of this Act in taxable years ending after such date.

Subtitle C—Miscellaneous

SEC. 331. DENIAL OF DEDUCTION FOR PUNITIVE DAMAGES.

(a) DISALLOWANCE OF DEDUCTION.—

(1) IN GENERAL.—Section 162(g) (relating to treble damage payments under the antitrust laws) is amended—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively,

(B) by striking ''If'' and inserting:

''(1) TREBLE DAMAGES.—If'', and

(C) by adding at the end the following new paragraph:

''(2) PUNITIVE DAMAGES.—No deduction shall be allowed under this chapter for any amount paid or incurred for punitive damages in connection with any judgment in, or settlement of, any action. This paragraph shall not apply to punitive damages described in section 104(c).''.

(2) CONFORMING AMENDMENT.—The heading for section 162(g) is amended by inserting ''OR PUNITIVE DAMAGES'' after ''LAWS''.

(b) INCLUSION IN INCOME OF PUNITIVE DAMAGES PAID BY INSURER OR OTHERWISE.—

(1) IN GENERAL.—Part II of subchapter B of chapter 1 (relating to items specifically included in gross income) is amended by adding at the end the following new section:

"SEC. 91. PUNITIVE DAMAGES COMPENSATED BY INSURANCE OR OTHERWISE.

''Gross income shall include any amount paid to or on behalf of a taxpayer as insurance or otherwise by reason of the taxpayer's liability (or agreement) to pay punitive damages.''.

(2) REPORTING REQUIREMENTS.—Section 6041 (relating to information at source) is amended by adding at the end the following new subsection:

''(h) SECTION TO APPLY TO PUNITIVE DAMAGES COMPENSATION.—This section shall apply to payments by a person to or on behalf of another person as insurance or otherwise by reason of the other person's liability (or agreement) to pay punitive damages.''.

(3) CONFORMING AMENDMENT.—The table of sections for part II of subchapter B of chapter 1 is amended by adding at the end the following new item:

''Sec. 91. Punitive damages compensated by insurance or otherwise''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to damages paid or incurred on or after the date of the enactment of this Act.

TITLE IV—TECHNICAL AND CONFORMING AMENDMENTS; SUNSET

SEC. 401. TECHNICAL AND CONFORMING AMENDMENTS.

The Secretary of the Treasury or the Secretary's delegate shall not later than 90 days after the date of the enactment of this Act, submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a draft of any technical and conforming changes in the Internal Revenue Code of 1986 which are necessary to reflect throughout such Code the purposes of the provisions of, and amendments made by, this Act.

SEC. 402. SUNSET.

(a) IN GENERAL.—All provisions of, and amendments made by, this Act shall not apply to taxable years beginning after December 31, 2012.

(b) APPLICATION OF CODE.—The Internal Revenue Code of 1986 shall be applied and administered to taxable years described in subsection (a) as if the provisions of, and amendments made by, this Act had never been enacted.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1112. A bill to allow for the renegotiation of the payment schedule of contracts between the Secretary of the Interior and the Redwood Valley County Water District, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Redwood

Valley County Water District Loan Renegotiation Act of 2007. I am pleased that Senator BOXER is a cosponsor of this bill.

This bill seeks to remove roadblocks to the implementation of 1988 legislation that requires the Secretary of the Interior to renegotiate debts owed by the Redwood Valley County Water District to the United States. Enactment of this bill is necessary so that Redwood Valley can obtain a reliable water supply.

In 1983, the Redwood Valley County Water District completed a project which supplied water to a rural agricultural community near Ukiah, CA. Two Bureau of Reclamation loans totaling $7.3 million contributed to the financing of this project.

Unfortunately, the District was unable to repay these loans. This occurred for several reasons: The projected water use in the original feasibility study, developed by the District and reviewed by the Bureau, was seriously flawed; the District's ability to raise necessary revenues was compromised by a judicially imposed moratorium on new hook-ups; and concerns for endangered species reduced the District's potential water supply allotment by 33 percent.

As a result, in 1988 Congress passed Section 15 of Public Law 100–516 which indefinitely suspended the District's obligations to repay these Bureau loans and ordered the Secretary of Interior to renegotiate the loans. This loan renegotiation has yet to take place and now the District finds that its water supply is highly uncertain.

In 2000 in a report on Redwood Valley, the Bureau of Reclamation recognized these changed conditions, and concluded that the District needs a reliable water supply before it can solve its current financial dilemma.

The District recently identified two potential new projects, either of which could prove a reliable water source. No government funds will be sought for these projects. The District intends to rely on private financing, a strategy that the Bureau of Reclamation is encouraging. However, before the District can secure private financing for new projects, it must renegotiate the existing loans to provide for their repayment subsequent to the repayment of the new loans.

The existing loans are an impediment to the District's attempts to upgrade elements of its existing plant. As an example, the District unsuccessfully sought private financing to build a 100 kW solar panel project. This project would have enabled the District to cut its energy costs and to qualify for energy rebates.

Significantly, this legislation requires the District to repay to the United States the currently suspended loans once the District's new loans have been paid.

The only difference between this bill and S. 3189, which I introduced last year, is to clarify that no renegotiations are required to trigger the District's obligations to repay the loans and the Secretary of Interior ''shall reschedule the payments due'' once the District has satisfied its additional financial obligations.

The proposed water projects will enable the District to generate adequate revenues to allow the District to repay both its new private loans and its original loans from the United States. By providing a workable and reasonable solution to a longstanding problem, this legislation creates a win-win solution for taxpayers of the United States and the rate payers of the Redwood Valley County Water District.

I urge my colleagues to support this bill and ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1112

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RENEGOTIATION OF PAYMENT SCHEDULE.

Section 15 of Public Law 100–516 (102 Stat. 2573) is amended as follows:

(1) By amending paragraph (2) of subsection (a) to read as follows:

''(2) If, as of January 1, 2006, the Secretary of the Interior and the Redwood Valley County Water District have not renegotiated the schedule of payment, the District may enter into such additional non-Federal obligations as are necessary to finance procurement of dedicated water rights and improvements necessary to store and convey those rights to provide for the District's water needs. The Secretary shall reschedule the payments due under loans numbered 14–06–200–8423A and 14–06–200–8423A Amendatory and said payments shall commence when such additional obligations have been financially satisfied by the District. The date of the initial payment owed by the District to the United States shall be regarded as the start of the District's repayment period and the time upon which any interest shall first be computed and assessed under section 5 of the Small Reclamation Projects Act of 1956 (43 U.S.C. 422a et seq.).''.

(2) By striking subsection (c).

By Mrs. FEINSTEIN (for herself and Mr. SPECTER):

S. 1114. A bill to reiterate the exclusivity of the Foreign Intelligence Surveillance Act of 1978 as the sole authority to permit the conduct of electronic surveillance, to modernize surveillance authorities, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to re-introduce legislation from the last Congress that would bring all electronic surveillance of terrorists under the color of law and would modernize the rules for conducting such surveillance. I am pleased that Senator SPECTER, the Ranking Member of the Judiciary Committee, has co-sponsored this legislation.

We all agree that the President and the Intelligence Community should have all the tools they need to find the terrorists before they have a chance to strike us again. This cannot be said too many times in too many ways.

We also agree, though, that these intelligence tools can and should be used in a way that protects the constitutional and privacy rights of all Americans. That is the balance that this legislation attempts to strike.

Nowhere is this more at issue than in electronic surveillance, where government officials record the content of Americans' phone and electronic communications. This important means of obtaining critical counterterrorism information is at the same time a significant, constitutionally recognized intrusion into Americans' privacy rights.

It is worth reminding ourselves of this. We have recently focused on the use of National Security Letters, through which the FBI inappropriately obtained telephone records of at least hundreds of Americans. Electronic surveillance goes far beyond records and collects the actual content—the words spoken over the phone or typed in email.

It is also worth reminding ourselves of why this legislation is necessary, as it has been several months before this was the top legislative issue before the Senate.

For more than five years since September 11, 2001, the National Security Agency collected the content of calls from or to United States persons—citizens and permanent residents—without a court order as is required by the Foreign Intelligence Surveillance Act of 1978 (FISA).

This surveillance was done without notifying and seeking authorization from the congressional intelligence committees. The President and Vice President have very closely restricted disclosure of information about what they call the ''Terrorist Surveillance Program.''

Until this surveillance came to light through an article in The New York Times in December 2005, only eight members of Congress were briefed on it. Even after the article came out, the White House refused to brief the members of the House and Senate Intelligence Committees for several months.

Even now, the Intelligence Committee does not have all the information it needs to carry out its Constitutional oversight duties.

Throughout 2006, the Judiciary Committee debated various bills to authorize or prohibit electronic surveillance outside of FISA. The bill that Senator SPECTER and I authored last year, which is being re-introduced today, was reported out of Judiciary on a bipartisan vote on September 13, 2006. The Senate, however, took no legislative action prior to adjournment.

Then, on January 17, 2007, Attorney General Alberto Gonzales notified the chairman and ranking member of the Senate Judiciary Committee that the FISA Court had authorized the Terrorist Surveillance Program. Since January, the program has proceeded

under Court supervision, as is required by FISA.

I was pleased that the Administration submitted the TSP to the FISA Court, and that the Court had found a way to issue an order approving this surveillance. I was pleased, but not surprised.

I had maintained throughout the legislative debate last year that it would not take many changes for the TSP to fit under the confines of FISA. All it took was the willingness of the Administration to follow legal process.

Members may ask, given the recent developments, why legislation is now necessary. There are two reasons.

The first is that the Senate should enact this bill is because this Administration has never conceded the point that it cannot conduct electronic surveillance outside of the law. It has put the TSP under FISA Court review, but it asserts that it has the right not to do so. Future Administrations, if not enjoined, may take the same view.

I disagree with this legal analysis.

Secondly, the Director of the National Security Agency, the Director of the FBI, and the Attorney General have said on many occasions that FISA is outdated and in need of modernization. The current FISA process is too bureaucratic, too slow to initiate electronic surveillance from the time a suspected terrorist's phone or email account is identified.

This bill addresses those concerns by providing new flexibility and additional resources to speed the FISA process and allow for the more timely collection of valuable intelligence.

Allow me to summarize the legislation. The bill: re-iterates that FISA is the exclusive means for conducting electronic surveillance for intelligence purposes.

Specifies that FISA's requirements cannot be written off through contorted interpretations of other statutes. The Administration's tortured argument with respect to the Authorization for the 2001 Use of Military Force (AUMF) notwithstanding, this legislation would specify that FISA's language can only be undone by a specific and direct Act of Congress.

Requires that Congress, through the Intelligence Committees, be fully briefed on the Terrorist Surveillance Program and any related surveillance programs.

Requires the Supreme Court to review, on an expedited basis, the constitutionality of the Terrorist Surveillance Program.

Streamlines the current ''emergency procedures'' in FISA. Currently, the Attorney General can authorize surveillance prior to a Court order for 72 hours in an emergency. This legislation would extend the time to one week, which should remove any doubt as to whether Court approval can be sought and obtained in time. The bill also allows the Attorney General to delegate his authority to initiate electronic surveillance in an emergency to specific supervisory officials at the NSA and FBI.

Authorizes additional personnel to expedite the writing, submission, and review of FISA applications. Specifically, additional FISA Court judges and staff are authorized, as are additional positions at the Department of Justice, FBI, and NSA.

Extends the existing FISA authority—for 15 days of warrantless surveillance following a declaration of war—to any 30-day period following an authorization for the use of military force or a national emergency following a terrorist attack.

Allows the National Security Agency to take full advantage of its capabilities to collect intelligence on foreign communications.

While foreign-to-foreign communications are not covered now by FISA's requirements, the NSA can only conduct surveillance on these calls if it can be sure, in advance, that a telephone call of email won't transit the United States or unexpectedly end here. In the age of cell phones and the global telecommunications system, this a priori certification is very difficult to make. This legislation therefore specifies that in such inadvertent collection cases, the NSA must minimize the data, but that it has not violated the law.

Finally, the legislation clarifies that FISA court orders for electronic surveillance must be individualized to a particular target that the government has probable cause to believe is a foreign power or an agent of a foreign power.

From the briefings I have received as a member of the Intelligence Committee and the hearings held in Judiciary, I am convinced that the Terrorist Surveillance Program is an important anti-terrorism tool that should be continued.

It is also clear from the January FISA Court ruling that the Terrorist Surveillance Program can be conducted within the confines of FISA. It is appropriate now for Congress to reiterate that this is the appropriate arrangement.

This is by no means an issue that has been overtaken by events. The Administration continues to support a view of plenary authority in which it can conduct electronic surveillance in violation of FISA. The NSA and the FBI continue to labor under a process that was formed 29 years ago, prior to fundamental changes in the telecommunications system.

I urge the Senate to act to ensure that the law is followed and privacy rights upheld, and to provide the Intelligence Community the tools it needs to continue to make us safe.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1114

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Foreign Intelligence Surveillance Improvement and Enhancement Act of 2007''.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—CONSTRUCTION OF FOREIGN INTELLIGENCE SURVEILLANCE AUTHORITY

Sec. 101. Reiteration of chapters 119, 121, and 206 of title 18, United States Code, and Foreign Intelligence Surveillance Act of 1978 as exclusive means by which domestic electronic surveillance may be conducted.

Sec. 102. Specific authorization required for any repeal or modification of title I of the Foreign Intelligence Surveillance Act of 1978.

Sec. 103. Information for Congress on the terrorist surveillance program and similar programs.

Sec. 104. Supreme Court review of the Terrorist Surveillance Program.

TITLE II—APPLICATIONS AND PROCEDURES FOR ELECTRONIC SURVEILLANCE FOR FOREIGN INTELLIGENCE PURPOSES

Sec. 201. Extension of period for applications for orders for emergency electronic surveillance.

Sec. 202. Additional authority for emergency electronic surveillance.

Sec. 203. Foreign Intelligence Surveillance Court matters.

Sec. 204. Document management system for applications for orders approving electronic surveillance.

Sec. 205. Additional personnel for preparation and consideration of applications for orders approving electronic surveillance.

Sec. 206. Training of Federal Bureau of Investigation and National Security Agency personnel in foreign intelligence surveillance matters.

Sec. 207. Enhancement of electronic surveillance authority in wartime.

TITLE III—CLARIFICATIONS TO THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978

Sec. 301. Acquisition of foreign-foreign communications.

Sec. 302. Individualized FISA orders.

TITLE IV—OTHER MATTERS

Sec. 401. Authorization of appropriations.

Sec. 402. Effective date.

SEC. 2. DEFINITIONS.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) FOREIGN INTELLIGENCE SURVEILLANCE COURT.—The term ''Foreign Intelligence Surveillance Court'' means the court established by section 103(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803(a)).

(3) UNITED STATES PERSON.—The term ''United States person'' has the meaning given such term in section 101(i) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(i)).

TITLE I—CONSTRUCTION OF FOREIGN INTELLIGENCE SURVEILLANCE AUTHORITY

SEC. 101. REITERATION OF CHAPTERS 119, 121, AND 206 OF TITLE 18, UNITED STATES CODE, AND FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978 AS EXCLUSIVE MEANS BY WHICH DOMESTIC ELECTRONIC SURVEILLANCE MAY BE CONDUCTED.

(a) EXCLUSIVE MEANS.—Notwithstanding any other provision of law, chapters 119, 121, and 206 of title 18, United States Code, and the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) shall be the exclusive means by which electronic surveillance (as that term is defined in section 101(f) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(f)) may be conducted.

(b) AMENDMENT TO FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.—Section 109(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1809(a)) is amended by striking ''authorized by statute'' each place it appears and inserting ''authorized by this title or chapter 119, 121, or 206 of title 18, United States Code''.

(c) AMENDMENT TO TITLE 18, UNITED STATES CODE.—Section 2511(2)(a)(ii)(B) of title 18, United States Code, is amended by striking ''statutory requirements'' and inserting ''requirements under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), this chapter, or chapters 121 or 206 of this title''.

SEC. 102. SPECIFIC AUTHORIZATION REQUIRED FOR ANY REPEAL OR MODIFICATION OF TITLE I OF THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) IN GENERAL.—Title I of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by inserting after section 109 the following new section:

''SPECIFIC AUTHORIZATION REQUIRED FOR ANY REPEAL OR MODIFICATION OF TITLE

''SEC. 109A. No provision of law shall be construed to implicitly repeal or modify this title or any provision thereof, nor shall any provision of law be deemed to repeal or modify this title in any manner unless such provision of law, if enacted after the date of the enactment of the Foreign Intelligence Surveillance Improvement and Enhancement Act of 2007, expressly amends or otherwise specifically cites this title.''.

(b) CLERICAL AMENDMENT.—The table of contents for that Act is amended by inserting after the item relating to section 109 the following new item:

''Sec. 109A. Specific authorization required for any repeal or modification of title.''.

SEC. 103. INFORMATION FOR CONGRESS ON THE TERRORIST SURVEILLANCE PROGRAM AND SIMILAR PROGRAMS.

As soon as practicable after the date of the enactment of this Act, but not later than seven days after such date, the President shall brief and inform each member of the congressional intelligence committees on the following:

(1) The Terrorist Surveillance Program of the National Security Agency.

(2) Any program which involves, whether in part or in whole, the electronic surveillance of United States persons in the United States for foreign intelligence purposes, and which is conducted by any department, agency, or other element of the United States Government, or by any entity at the direction of a department, agency, or other element of the United States Government, without fully complying with the procedures set forth in the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) or chapter 119, 121, or 206 of title 18, United States Code.

SEC. 104. SUPREME COURT REVIEW OF THE TERRORIST SURVEILLANCE PROGRAM.

(a) IN GENERAL.—Upon petition by the United States or any party to the underlying proceedings, the Supreme Court of the United States shall review a final decision on the merits concerning the constitutionality of the Terrorist Surveillance Program in at least one case that is pending in the courts of the United States on the date of enactment of this Act.

(b) EXPEDITED CONSIDERATION.—It shall be the duty of the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a).

(c) DEFINITION.—In this section, the term ''Terrorist Surveillance Program'' means the program identified by the President on December 17, 2005, to intercept international communications into and out of the United States of persons linked to al Qaeda or related terrorist organizations.

TITLE II—APPLICATIONS AND PROCEDURES FOR ELECTRONIC SURVEILLANCE FOR FOREIGN INTELLIGENCE PURPOSES

SEC. 201. EXTENSION OF PERIOD FOR APPLICATIONS FOR ORDERS FOR EMERGENCY ELECTRONIC SURVEILLANCE.

Section 105(f) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805(f)) is amended by striking ''72 hours'' both places it appears and inserting ''168 hours''.

SEC. 202. ADDITIONAL AUTHORITY FOR EMERGENCY ELECTRONIC SURVEILLANCE.

Section 105 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805) is amended—

(1) by redesignating subsections (g), (h), (i), and (j) as subsections (h), (i), (j), and (k), respectively; and

(2) by inserting after subsection (f) the following new subsection (g):

''(g)(1)(A) Notwithstanding any other provision of this title and subject to the provisions of this subsection, the Attorney General may, with the concurrence of the Director of National Intelligence, appoint appropriate supervisory or executive personnel within the Federal Bureau of Investigation and the National Security Agency to authorize electronic surveillance on a United States person in the United States on an emergency basis pursuant to the provisions of this subsection.

''(B) For purposes of this subsection, an intelligence agent or employee acting under the supervision of a supervisor or executive appointed under subparagraph (A) may conduct emergency electronic surveillance under this subsection if such supervisor or executive reasonably determines that—

''(i) an emergency situation exists with respect to the employment of electronic surveillance to obtain foreign intelligence information before an order authorizing such surveillance can with due diligence be obtained; and

''(ii) the factual basis exists for the issuance of an order approving such surveillance under this title.

''(2) The supervisors and executives appointed by the Attorney General under paragraph (1) may only be officials as follows:

''(A) In the case of the Federal Bureau of Investigation, officials at or above the level of Special Agent in Charge.

''(B) In the case of the National Security Agency, officials at or above the level of head of branch of the National Security Agency.

''(3) A supervisor or executive responsible for the emergency employment of electronic surveillance under this subsection shall submit to the Attorney General a request for approval of the surveillance within 24 hours of the commencement of the surveillance. The request shall set forth the ground for the belief specified in paragraph (1), together with such other information as the Attorney General shall require.

''(4)(A) The review of a request under paragraph (3) shall be completed by the official concerned under that paragraph as soon as practicable, but not more than 72 hours after the commencement of the electronic surveillance concerned under paragraph (1).

''(B)(i) If the official concerned determines that the electronic surveillance does not meet the requirements of paragraph (1), the surveillance shall terminate immediately and may not be recommenced by any supervisor or executive appointed under paragraph (1), or any agent or employee acting under the supervision of such supervisor or executive, absent additional facts or changes in circumstances that lead a supervisor or executive appointed under paragraph (1) to reasonably believe that the requirements of paragraph (1) are satisfied.

''(ii) In the event of a determination under clause (i), the Attorney General shall not be required, under section 106(j), to notify any United States person of the fact that the electronic surveillance covered by such determination was conducted before the termination of the surveillance under that clause. However, the official making such determination shall notify the court established by section 103(a) of such determination, and shall also provide notice of such determination in the first report that is submitted under section 108(a) after such determination is made.

''(C) If the official concerned determines that the surveillance meets the requirements of subsection (f), the surveillance may continue, subject to the requirements of paragraph (5).

''(5)(A) An application in accordance with this title shall be made to a judge having jurisdiction under section 103 as soon as practicable but not more than 168 hours after the commencement of electronic surveillance under paragraph (1).

''(B) In the absence of a judicial order approving electronic surveillance commenced under paragraph (1), the surveillance shall terminate at the earlier of—

''(i) when the information sought is obtained;

''(ii) when the application under subparagraph (A) for an order approving the surveillance is denied; or

''(iii) 168 hours after the commencement of the surveillance, unless an application under subparagraph (A) is pending, in which case the surveillance may continue for up to an additional 24 hours while the judge has the application under advisement.

''(C) If an application under subparagraph (A) for an order approving electronic surveillance commenced under paragraph (1) is denied, or in any other case in which the surveillance is terminated and no order approving the surveillance is issued by a court, the use of information obtained or evidence derived from the surveillance shall be governed by the provisions of subsection (f).

''(D) The denial of an application submitted under subparagraph (A) may be reviewed as provided in section 103.

''(6) Any person who engages in the emergency employment of electronic surveillance under paragraph (1) shall follow the minimization procedures otherwise required by this title for the issuance of a judicial order approving the conduct of electronic surveillance.

''(7) Not later than 30 days after appointing supervisors and executives under paragraph (1) to authorize the exercise of authority in

that paragraph, the Attorney General, in consultation with the Director of National Intelligence, shall submit to the court established by section 103(a), the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives, and bring up to date as required, a report that—

''(A) identifies the number of supervisors and executives who have been so appointed and the positions held by such supervisors and executives; and

''(B) sets forth guidelines or other directives that describe the responsibilities of such supervisors and executives under this subsection.''.

SEC. 203. FOREIGN INTELLIGENCE SURVEILLANCE COURT MATTERS.

(a) AUTHORITY FOR ADDITIONAL JUDGES.—Section 103(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803(a)) is amended—

(1) by inserting ''(1)'' after ''(a)'';

(2) in paragraph (1), as so designated, by inserting ''at least'' before ''seven of the United States judicial circuits'';

(3) by designating the second sentence as paragraph (4) and indenting such paragraph, as so designated, two ems from the left margin; and

(4) by inserting after paragraph (1), as so designated, the following new paragraph:

''(2) In addition to the judges designated under paragraph (1), the Chief Justice of the United States may designate as judges of the court established by paragraph (1) such judges appointed under Article III of the Constitution of the United States as the Chief Justice determines appropriate in order to provide for the prompt and timely consideration under section 105 of applications under section 104 for electronic surveillance under this title. Any judge designated under this paragraph shall be designated publicly.''.

(b) CONSIDERATION OF EMERGENCY APPLICATIONS.—Such section is further amended by inserting after paragraph (2), as added by subsection (a)(4) of this section, the following new paragraph:

''(3) A judge of the court shall make a determination to approve, deny, or seek modification of an application submitted pursuant to section subsection (f) or (g) of section 105 not later than 24 hours after the receipt of such application by the court.''.

SEC. 204. DOCUMENT MANAGEMENT SYSTEM FOR APPLICATIONS FOR ORDERS APPROVING ELECTRONIC SURVEILLANCE.

(a) SYSTEM REQUIRED.—The Attorney General shall, in consultation with the Director of the Federal Bureau of Investigation, the Director of the National Security Agency, and the Foreign Intelligence Surveillance Court, develop and implement a secure, classified document management system that permits the prompt preparation, modification, and review by appropriate personnel of the Department of Justice, the Federal Bureau of Investigation, the National Security Agency, and other applicable elements of the United States Government of applications under section 104 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1804) before their submittal to the Foreign Intelligence Surveillance Court.

(b) SCOPE OF SYSTEM.—The document management system required by subsection (a) shall—

(1) permit and facilitate the prompt submittal of applications to the Foreign Intelligence Surveillance Court under section 104 or 105(g)(5) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1804 and 1805(g)(5)); and

(2) permit and facilitate the prompt transmittal of rulings of the Foreign Intelligence Surveillance Court to personnel submitting applications described in paragraph (1).

SEC. 205. ADDITIONAL PERSONNEL FOR PREPARATION AND CONSIDERATION OF APPLICATIONS FOR ORDERS APPROVING ELECTRONIC SURVEILLANCE.

(a) OFFICE OF INTELLIGENCE POLICY AND REVIEW.—

(1) ADDITIONAL PERSONNEL.—The Office of Intelligence Policy and Review of the Department of Justice is hereby authorized such additional personnel as may be necessary to carry out the prompt and timely preparation, modification, and review of applications under section 104 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1804) for orders under section 105 of that Act (50 U.S.C. 1805) approving electronic surveillance for foreign intelligence purposes.

(2) ASSIGNMENT.—The Attorney General shall assign personnel authorized by paragraph (1) to and among appropriate offices of the National Security Agency in order that such personnel may directly assist personnel of the Agency in preparing applications described in that paragraph.

(b) FEDERAL BUREAU OF INVESTIGATION.—

(1) ADDITIONAL LEGAL AND OTHER PERSONNEL.—The National Security Branch of the Federal Bureau of Investigation is hereby authorized such additional legal and other personnel as may be necessary to carry out the prompt and timely preparation of applications under section 104 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1804) for orders under section 105 of that Act (50 U.S.C. 1805) approving electronic surveillance for foreign intelligence purposes.

(2) ASSIGNMENT.—The Director of the Federal Bureau of Investigation shall assign personnel authorized by paragraph (1) to and among the field offices of the Federal Bureau of Investigation in order that such personnel may directly assist personnel of the Bureau in such field offices in preparing applications described in that paragraph.

(c) ADDITIONAL LEGAL AND OTHER PERSONNEL FOR NATIONAL SECURITY AGENCY.—The National Security Agency is hereby authorized such additional legal and other personnel as may be necessary to carry out the prompt and timely preparation of applications under section 104 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1804) for orders under section 105 of that Act (50 U.S.C. 1805) approving electronic surveillance for foreign intelligence purposes.

(d) ADDITIONAL LEGAL AND OTHER PERSONNEL FOR FOREIGN INTELLIGENCE SURVEILLANCE COURT.—There is hereby authorized for the Foreign Intelligence Surveillance Court such additional staff personnel as may be necessary to facilitate the prompt and timely consideration by that Court of applications under section 104 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1804) for orders under section 105 of that Act (50 U.S.C. 1805) approving electronic surveillance for foreign intelligence purposes. Personnel authorized by this paragraph shall perform such duties relating to the consideration of such applications as that Court shall direct.

(e) SUPPLEMENT NOT SUPPLANT.—The personnel authorized by this section are in addition to any other personnel authorized by law.

SEC. 206. TRAINING OF FEDERAL BUREAU OF INVESTIGATION AND NATIONAL SECURITY AGENCY PERSONNEL IN FOREIGN INTELLIGENCE SURVEILLANCE MATTERS.

The Director of the Federal Bureau of Investigation and the Director of the National Security Agency shall each, in consultation with the Attorney General—

(1) develop regulations to establish procedures for conducting and seeking approval of electronic surveillance on an emergency basis, and for preparing and properly submitting and receiving applications and orders, under sections 104 and 105 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1804 and 1805); and

(2) prescribe related training for the personnel of the applicable agency.

SEC. 207. ENHANCEMENT OF ELECTRONIC SURVEILLANCE AUTHORITY IN WARTIME.

Section 111 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1811) is amended by striking ''fifteen calendar days following a declaration of war by the Congress.'' and inserting ''30 calendar days following any of the following:

''(1) A declaration of war by the Congress.

''(2) An authorization for the use of military force within the meaning of section 2(c)(2) of the War Powers Resolution (50 U.S.C. 1541(c)(2)).

''(3) A national emergency created by attack upon the United States, its territories or possessions, or the Armed Forces within the meaning of section 2(c)(3) of the War Powers Resolution (50 U.S.C. 1541(c)(3)).''.

TITLE III—CLARIFICATIONS TO THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978

SEC. 301. ACQUISITION OF FOREIGN-FOREIGN COMMUNICATIONS.

(a) IN GENERAL.—Notwithstanding any other provision of this Act or the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), no court order shall be required for the acquisition through electronic surveillance of the contents of any communication between one person who is not located within the United States and another person who is not located within the United States for the purpose of collecting foreign intelligence information even if such communication passes through, or the surveillance device is located within, the United States.

(b) TREATMENT OF INTERCEPTED COMMUNICATIONS INVOLVING DOMESTIC PARTY.—If surveillance conducted as described in subsection (a) inadvertently collects a communication in which at least one party is within the United States, the contents of such communications shall be handled in accordance with the minimization procedures set forth in section 101(h)(4) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(h)(4)).

(c) DEFINITIONS.—In this section, the terms ''contents'', ''electronic surveillance'', and ''foreign intelligence information'' have the meaning given such terms in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

SEC. 302. INDIVIDUALIZED FISA ORDERS.

Any order issued pursuant to section 105 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805) authorizing electronic surveillance shall be supported by an individualized or particularized finding of probable cause to believe the target of the electronic surveillance is a foreign power or an agent of a foreign power.

TITLE IV—OTHER MATTERS

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act and the amendments made by this Act.

SEC. 402. EFFECTIVE DATE.

Except as provided in section 103, this Act, and the amendments made by this Act, shall take effect on the date that is 30 days after the date of the enactment of this Act.

By Mr. BINGAMAN (for himself, Mr. DOMENICI, Mr. DORGAN, Mr.

LUGAR, Mr. AKAKA, Ms. MURKOWSKI, and Mr. CRAIG):

S. 1115. A bill to promote the efficient use of oil, natural gas, and electricity, reduce oil consumption, and heighten energy efficiency standards for consumer products and industrial equipment, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, I rise to introduce a comprehensive Energy efficiency bill. I am pleased to have the Ranking Member of the Energy Committee, the senior Senator from New Mexico, as my co-sponsor, along with Senator DORGAN, Senator LUGAR, Senator AKAKA, Senator MURKOWSKI and Senator CRAIG.

Energy efficiency can be viewed as the Nation's largest energy resource. Due to actions taken to increase efficiency since the 1973 oil crisis, we now save more energy each year than we get from any single energy supply resource, including oil.

When the Energy Policy Act of 2005 was signed into law in August of 2005, it included a strong package of energy efficiency initiatives. However, just a month later, when hurricanes devastated our Nation's primary oil and gas supply region and many of us recognized that we needed to enact additional and more aggressive efficiency measures.

During the last 2 years, gasoline, natural gas, and electricity prices have reached all-time high levels. These price increases cost American families and businesses over $300 billion dollars each year. In the 2006 elections, voters sent us a clear message that they wanted Congress to address high energy prices and also to provide solutions to climate change. Energy efficiency policies can alleviate both of these problems.

Our bill includes provisions that will improve efficiency in vehicles, buildings, appliances and industrial equipment. The legislation is also intended to motivate States and utilities to recognize energy efficiency as a resource and to remove current disincentives to programs that will benefit utility customers while reducing demand for electricity and natural gas.

Improving our energy productivity through efficiency has multiple benefits—it lowers the costs of consumers' energy bills; decreases the vulnerability of the economy to energy price shocks from natural disasters or problems with foreign sources of supply; provides environmental benefits such as lower air pollution and reduced greenhouse gas emissions. Moreover, energy efficiency investments help build local jobs and improve state economies.

The bill we are introducing today includes initiatives in six key areas: Promoting the development and use of advanced lighting technologies; Expediting new efficiency standards for appliances and industrial equipment; Promoting high efficiency vehicles, advanced batteries and energy storage; Setting aggressive goals for reducing gasoline consumption and improving overall energy productivity in the U.S.; Promoting Federal leadership in energy efficiency and renewable energy; and Assisting States, local governments and utilities in energy efficiency efforts.

In addition to the Energy Efficiency Promotion Act, I want to emphasize that other Senate committees are working on complementary efficiency initiatives, including the energy efficiency tax provisions we are developing in the Finance Committee and CAFE standards legislation in the Commerce Committee.

Finally, for the information on my colleagues, this bill is the 4th in a quartet of Energy bills that will be taken up by the Energy and Natural Resources Committee in the next few weeks. These bills are: S. 987, the Biofuels for Energy Security and Transportation Act; S. 731, the National Carbon Dioxide Storage Capacity Assessment Act; and S. 962 the Department of Energy Carbon Capture and Storage R D&D Act. We are working diligently to meet the Majority Leader's timetable for floor action on Energy legislation. I encourage Senators with questions or concerns about any of these bills to let me know so that we can try to address issues in a timely manner.

I have included at the end of my statement a preliminary estimate of the energy savings that would result from the implementation of the programs in this bill. I request that this estimate be printed in the RECORD.

There being no objection the material was ordered to be printed as follows.

ENERGY SAVING ESTIMATE FOR THE ENERGY EFFICIENCY PROMOTION ACT

Potential savings from the appliance efficiency standards included in Titles I and II: Electricity—At least 50 billion kilowatt hours per year, or enough to power roughly 4.8 million typical U.S. households; Natural gas—170 million therms per year or enough to heat about a quarter million typical U.S. homes; Water—At least 560 million gallons per day, or about 1.3 percent of total daily potable water usage; and Dollars—More than $12 billion in net present benefits for consumers.

POTENTIAL SAVINGS FROM FEDERAL GOVERNMENT LEADERSHIP IN EFFICIENCY—TITLE V

The Federal Government consumed 1.1 quadrillion Btus or ''quads'' of energy during Fiscal Year 2005. The Federal energy bill for Fiscal Year 2005 increased by 24 percent compared to Fiscal Year 2004.

About 30 percent of the Federal energy use is in standard buildings and about 60 percent is energy used by vehicles and equipment. Although savings can not be estimated at this time—the legislation requires the Federal Government to achieve a 30 percent reduction in energy usage per square foot by 2015 and to reduce its use of gasoline in fleet vehicles by 30 percent in Fiscal Year 2016.

POTENTIAL SAVINGS FROM ELECTRIC AND GAS UTILITY EFFICIENCY PROGRAMS—TITLE VI

Assuming all State utility regulatory commissions and nonregulated utilities adopt the energy efficiency policies and cost-effective energy efficiency programs recommended in this bill, the estimate cumulative potential energy savings by 2020 would be 7.8 quads and the energy cost savings would be $12 billion.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1115

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Energy Efficiency Promotion Act of 2007''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.

TITLE I—PROMOTING ADVANCED LIGHTING TECHNOLOGIES

Sec. 101. Accelerated procurement of energy efficient lighting.
Sec. 102. Incandescent reflector lamp efficiency standards.
Sec. 103. Bright Tomorrow Lighting Prizes.
Sec. 104. Sense of Senate concerning efficient lighting standards.

TITLE II—EXPEDITING NEW ENERGY EFFICIENCY STANDARDS

Sec. 201. Definition of energy conservation standard.
Sec. 202. Regional standards for heating and cooling products.
Sec. 203. Furnace fan rulemaking.
Sec. 204. Expedited rulemakings.
Sec. 205. Preemption limitation.
Sec. 206. Energy efficiency labeling for consumer products.
Sec. 207. Residential boiler efficiency standards.
Sec. 208. Technical corrections.
Sec. 209. Electric motor efficiency standards.
Sec. 210. Energy standards for home appliances.
Sec. 211. Improved energy efficiency for appliances and buildings in cold climates.
Sec. 212. Deployment of new technologies for high-efficiency consumer products.

TITLE III—PROMOTING HIGH EFFICIENCY VEHICLES, ADVANCED BATTERIES, AND ENERGY STORAGE

Sec. 301. Lightweight materials research and development.
Sec. 302. Loan guarantees for fuel-efficient automobile parts manufacturers.
Sec. 303. Advanced technology vehicles manufacturing incentive program.
Sec. 304. Energy storage competitiveness.

TITLE IV—SETTING ENERGY EFFICIENCY GOALS

Sec. 401. National goals for energy savings in transportation.
Sec. 402. National energy efficiency improvement goals.
Sec. 403. Nationwide media campaign to increase energy efficiency.

TITLE V—PROMOTING FEDERAL LEADERSHIP IN ENERGY EFFICIENCY AND RENEWABLE ENERGY

Sec. 501. Federal fleet conservation requirements.
Sec. 502. Federal requirement to purchase electricity generated by renewable energy.

Sec. 503. Energy savings performance contracts.
Sec. 504. Energy management requirements for Federal buildings.
Sec. 505. Combined heat and power and district energy installations at Federal sites.
Sec. 506. Federal building energy efficiency performance standards.
Sec. 507. Application of International Energy Conservation Code to public and assisted housing.

TITLE VI—ASSISTING STATE AND LOCAL GOVERNMENTS IN ENERGY EFFICIENCY

Sec. 601. Weatherization assistance for low-income persons.
Sec. 602. State energy conservation plans.
Sec. 603. Utility energy efficiency programs.
Sec. 604. Energy efficiency and demand response program assistance.
Sec. 605. Energy and environmental block grant.
Sec. 606. Energy sustainability and efficiency grants for institutions of higher education.
Sec. 607. Workforce training.
Sec. 608. Assistance to States to reduce school bus idling.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term ''Secretary'' means the Secretary of Energy.

TITLE I—PROMOTING ADVANCED LIGHTING TECHNOLOGIES

SEC. 101. ACCELERATED PROCUREMENT OF ENERGY EFFICIENT LIGHTING.

Section 553 of the National Energy Conservation Policy Act (42 U.S.C. 8259b) is amended by adding the following:

''(f) ACCELERATED PROCUREMENT OF ENERGY EFFICIENT LIGHTING.—

''(1) IN GENERAL.—Not later than October 1, 2010, in accordance with guidelines issued by the Secretary, all general purpose lighting in Federal buildings shall be Energy Star products or products designated under the Federal Energy Management Program.

''(2) GUIDELINES.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall issue guidelines to carry out this subsection.''.

SEC. 102. INCANDESCENT REFLECTOR LAMP EFFICIENCY STANDARDS.

(a) DEFINITIONS.—Section 321 of the Energy Policy and Conservation Act (42 U.S.C. 6291) is amended—

(1) in paragraph (30)(C)(ii)—

(A) in the matter preceding subclause (I)—

(i) by striking ''or similar bulb shapes (excluding ER or BR)'' and inserting ''ER, BR, BPAR, or similar bulb shapes''; and

(ii) by striking ''2.75'' and inserting ''2.25''; and

(B) by striking ''is either—'' and all that follows through subclause (II) and inserting ''has a rated wattage that is 40 watts or higher''; and

(2) by adding at the end the following:

''(52) BPAR INCANDESCENT REFLECTOR LAMP.—The term 'BPAR incandescent reflector lamp' means a reflector lamp as shown in figure C78.21–278 on page 32 of ANSI C78.21–2003.

''(53) BR INCANDESCENT REFLECTOR LAMP; BR30; BR40.—

''(A) BR INCANDESCENT REFLECTOR LAMP.—The term 'BR incandescent reflector lamp' means a reflector lamp that has—

''(i) a bulged section below the major diameter of the bulb and above the approximate baseline of the bulb, as shown in figure 1 (RB) on page 7 of ANSI C79.1–1994, incorporated by reference in section 430.22 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this paragraph); and

''(ii) a finished size and shape shown in ANSI C78.21–1989, including the referenced reflective characteristics in part 7 of ANSI C78.21–1989, incorporated by reference in section 430.22 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this paragraph).

''(B) BR30.—The term 'BR30' means a BR incandescent reflector lamp with a diameter of 30/8ths of an inch.

''(C) BR40.—The term 'BR40' means a BR incandescent reflector lamp with a diameter of 40/8ths of an inch.

''(54) ER INCANDESCENT REFLECTOR LAMP; ER30; ER40.—

''(A) ER INCANDESCENT REFLECTOR LAMP.—The term 'ER incandescent reflector lamp' means a reflector lamp that has—

''(i) an elliptical section below the major diameter of the bulb and above the approximate baseline of the bulb, as shown in figure 1 (RE) on page 7 of ANSI C79.1–1994, incorporated by reference in section 430.22 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this paragraph); and

''(ii) a finished size and shape shown in ANSI C78.21–1989, incorporated by reference in section 430.22 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this paragraph).

''(B) ER30.—The term 'ER30' means an ER incandescent reflector lamp with a diameter of 30/8ths of an inch.

''(C) ER40.—The term 'ER40' means an ER incandescent reflector lamp with a diameter of 40/8ths of an inch.

''(55) R20 INCANDESCENT REFLECTOR LAMP.—The term 'R20 incandescent reflector lamp' means a reflector lamp that has a face diameter of approximately 2.5 inches, as shown in figure 1(R) on page 7 of ANSI C79.1–1994.''.''.

(b) STANDARDS FOR FLUORESCENT LAMPS AND INCANDESCENT REFLECTOR LAMPS.—Section 325(i) of the Energy Policy and Conservation Act (42 U.S.C. 6925(i)) is amended by striking paragraph (1) and inserting the following:

''(1) STANDARDS.—

''(A) DEFINITION OF EFFECTIVE DATE.—In this paragraph (other than subparagraph (D)), the term 'effective date' means, with respect to each type of lamp specified in a table contained in subparagraph (B), the last day of the period of months corresponding to that type of lamp (as specified in the table) that follows October 24, 1992.

''(B) MINIMUM STANDARDS.—Each of the following general service fluorescent lamps and incandescent reflector lamps manufactured after the effective date specified in the tables contained in this paragraph shall meet or exceed the following lamp efficacy and CRI standards:

''FLUORESCENT LAMPS

Lamp Type	Nominal Lamp Wattage	Minimum CRI	Minimum Average Lamp Efficacy (LPW)	Effective Date (Period of Months)
4-foot medium bi-pin	>35 W	69	75.0	36
	≤35 W	45	75.0	36
2-foot U-shaped	>35 W	69	68.0	36
	≤35 W	45	64.0	36
8-foot slimline	65 W	69	80.0	18
	≤65 W	45	80.0	18
8-foot high output	>100 W	69	80.0	18
	≤100 W	45	80.0	18

''INCANDESCENT REFLECTOR LAMPS

Nominal Lamp Wattage	Minimum Average Lamp Efficacy (LPW)	Effective Date (Period of Months)
40–50	10.5	36
51–66	11.0	36
67–85	12.5	36
86–115	14.0	36
116–155	14.5	36
156–205	15.0	36

''(C) EXEMPTIONS.—The standards specified in subparagraph (B) shall not apply to the following types of incandescent reflector lamps:

''(i) Lamps rated at 50 watts or less that are ER30, BR30, BR40, or ER40 lamps.

''(ii) Lamps rated at 65 watts that are BR30, BR40, or ER40 lamps.

''(iii) R20 incandescent reflector lamps rated 45 watts or less.

''(D) EFFECTIVE DATES.—

''(i) ER, BR, AND BPAR LAMPS.—The standards specified in subparagraph (B) shall apply with respect to ER incandescent reflector lamps, BR incandescent reflector lamps, BPAR incandescent reflector lamps, and similar bulb shapes on and after January 1, 2008.

''(ii) LAMPS BETWEEN 2.25–2.75 INCHES IN DIAMETER.—The standards specified in subparagraph (B) shall apply with respect to incandescent reflector lamps with a diameter of more than 2.25 inches, but not more than 2.75 inches, on and after January 1, 2008.''.

SEC. 103. BRIGHT TOMORROW LIGHTING PRIZES.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, as part of the program carried out under section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396), the Secretary shall establish and award Bright Tomorrow Lighting Prizes for solid state lighting in accordance with this section.

(b) PRIZE SPECIFICATIONS.—

(1) 60-WATT INCANDESCENT REPLACEMENT LAMP PRIZE.—The Secretary shall award a 60-Watt Incandescent Replacement Lamp Prize to an entrant that produces a solid-state light package simultaneously capable of—

(A) producing a luminous flux greater than 900 lumens;

(B) consuming less than or equal to 10 watts;

(C) having an efficiency greater than 90 lumens per watt;

(D) having a color rendering index greater than 90;

(E) having a correlated color temperature of not less than 2,750, and not more than 3,000, degrees Kelvin;

(F) having a lifetime exceeding 25,000 hours under typical conditions expected in residential use;

(G) having a light distribution pattern similar to a soft 60-watt incandescent A19 bulb;

(H) having a size and shape similar to a 60-watt incandescent A19 bulb in accordance with American National Standards Institute standard C78.20–2003, figure C78.20–211;

(I) using an incandescent bulb power receptacle; and

(J) mass production for a competitive sales commercial market satisfied by the submission of 10,000 such units equal to or exceeding the criteria described in subparagraphs (A) through (I).

(2) PAR TYPE 38 HALOGEN REPLACEMENT LAMP PRIZE.—The Secretary shall award a Parabolic Aluminized Reflector Type 38 Halogen Replacement Lamp Prize (referred to in this section as the ''PAR Type 38 Halogen Replacement Lamp Prize'') to an entrant that produces a solid-state-light package simultaneously capable of—

(A) producing a luminous flux greater than or equal to 1,350 lumens;

(B) consuming less than or equal to 10 watts;

(C) having an efficiency greater than 90 lumens per watt;

(D) having a color rendering index greater than or equal to 90;

(E) having a correlated color coordinate temperature of not less than 2,750, and not more than 3,000, degrees Kelvin;

(F) having a lifetime exceeding 25,000 hours under typical conditions expected in residential use;

(G) having a light distribution pattern similar to a PAR 38 halogen lamp;

(H) having a size and shape that fits within the maximum dimensions of a PAR 38 halogen lamp in accordance with American National Standards Institute standard C78–21–2003, figure C78.21–238;

(I) using a PAR 38 halogen power receptacle; and

(J) mass production for a competitive sales commercial market satisfied by the submission of 10,000 such units equal to or exceeding the criteria described in subparagraphs (A) through (I).

(3) TWENTY-FIRST CENTURY LAMP PRIZE.—The Secretary shall award a Twenty-First Century Lamp Prize to an entrant that produces a solid-state-light-light capable of—

(A) producing a light output greater than 1,200 lumens;

(B) having an efficiency greater than 150 lumens per watt;

(C) having a color rendering index greater than 90;

(D) having a color coordinate temperature between 2,800 and 3,000 degrees Kelvin; and

(E) having a lifetime exceeding 25,000 hours.

(c) PRIVATE FUNDS.—The Secretary may accept and use funding from private sources as part of the prizes awarded under this section.

(d) TECHNICAL REVIEW.—The Secretary shall establish a technical review committee composed of non-Federal officers to review entrant data submitted under this section to determine whether the data meets the prize specifications described in subsection (b).

(e) THIRD PARTY ADMINISTRATION.—The Secretary may competitively select a third party to administer awards under this section.

(f) AWARD AMOUNTS.—Subject to the availability of funds to carry out this section, the amount of—

(1) the 60-Watt Incandescent Replacement Lamp Prize described in subsection (b)(1) shall be $10,000,000;

(2) the PAR Type 38 Halogen Replacement Lamp Prize described in subsection (b)(2) shall be $5,000,000; and

(3) the Twenty-First Century Lamp Prize described in subsection (b)(3) shall be $5,000,000.

(g) FEDERAL PROCUREMENT OF SOLID-STATE-LIGHTS.—

(1) 60-WATT INCANDESCENT REPLACEMENT.—Subject to paragraph (3), as soon as practicable after the successful award of the 60-Watt Incandescent Replacement Lamp Prize under subsection (b)(1), the Secretary (in consultation with the Administrator of General Services) shall develop governmentwide Federal purchase guidelines with a goal of replacing the use of 60-watt incandescent lamps in Federal Government buildings with a solid-state-light package described in subsection (b)(1) by not later than the date that is 5 years after the date the award is made.

(2) PAR 38 HALOGEN REPLACEMENT LAMP REPLACEMENT.—Subject to paragraph (3), as soon as practicable after the successful award of the PAR Type 38 Halogen Replacement Lamp Prize under subsection (b)(2), the Secretary (in consultation with the Administrator of General Services) shall develop governmentwide Federal purchase guidelines with the goal of replacing the use of PAR 38 halogen lamps in Federal Government buildings with a solid-state-light package described in subsection (b)(2) by not later than the date that is 5 years after the date the award is made.

(3) WAIVERS.—

(A) IN GENERAL.—The Secretary or the Administrator of General Services may waive the application of paragraph (1) or (2) if the Secretary or Administrator determines that the return on investment from the purchase of a solid-state-light package described in paragraph (1) or (2) of subsection (b), respectively, is cost prohibitive.

(B) REPORT OF WAIVER.—If the Secretary or Administrator waives the application of paragraph (1) or (2), the Secretary or Administrator, respectively, shall submit to Congress an annual report that describes the waiver and provides a detailed justification for the waiver.

(h) BRIGHT LIGHT TOMORROW AWARD FUND.—

(1) ESTABLISHMENT.—There is established in the United States Treasury a Bright Light Tomorrow permanent fund without fiscal year limitation to award prizes under paragraphs (1), (2), and (3) of subsection (b).

(2) SOURCES OF FUNDING.—The fund established under paragraph (1) shall accept—

(A) fiscal year appropriations; and

(B) private contributions authorized under subsection (c).

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 104. SENSE OF SENATE CONCERNING EFFICIENT LIGHTING STANDARDS.

(a) FINDINGS.—The Senate finds that—

(1) there are approximately 4,000,000,000 screw-based sockets in the United States that contain traditional, energy-inefficient, incandescent light bulbs;

(2) incandescent light bulbs are based on technology that is more than 125 years old;

(3) there are radically more efficient lighting alternatives in the market, with the promise of even more choices over the next several years;

(4) national policy can support a rapid substitution of new, energy-efficient light bulbs for the less efficient products in widespread use; and,

(5) transforming the United States market to use of more efficient lighting technologies can—

(A) reduce electric costs in the United States by more than $18,000,000,000 annually;

(B) save the equivalent electricity that is produced by 80 base load coal-fired power plants; and

(C) reduce fossil fuel related emissions by approximately 158,000,000 tons each year.

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

(1) pass a set of mandatory, technology-neutral standards to establish firm energy efficiency performance targets for lighting products;

(2) ensure that the standards become effective within the next 10 years; and

(3) in developing the standards—

(A) establish the efficiency requirements to ensure that replacement lamps will provide consumers with the same quantity of light while using significantly less energy;

(B) ensure that consumers will continue to have multiple product choices, including energy-saving halogen, incandescent, compact fluorescent, and LED light bulbs; and

(C) work with industry and key stakeholders on measures that can assist consumers and businesses in making the important transition to more efficient lighting.

TITLE II—EXPEDITING NEW ENERGY EFFICIENCY STANDARDS

SEC. 201. DEFINITION OF ENERGY CONSERVATION STANDARD.

Section 321 of the Energy Policy and Conservation Act (42 U.S.C. 6291) is amended by striking paragraph (6) and inserting the following:

''(6) ENERGY CONSERVATION STANDARD.—

''(A) IN GENERAL.—The term 'energy conservation standard' means—

''(i) 1 or more performance standards that prescribe a minimum level of energy efficiency or a maximum quantity of energy use, and, in the case of a showerhead, faucet, water closet, urinal, clothes washer, and dishwasher, water use, for a covered product, determined in accordance with test procedures prescribed under section 323; and

''(ii) 1 or more design requirements.

''(B) INCLUSIONS.—The term 'energy conservation standard' includes any other requirements that the Secretary may prescribe under subsections (o) and (r) of section 325.''.

SEC. 202. REGIONAL STANDARDS FOR HEATING AND COOLING PRODUCTS.

Section 325(o) of the Energy Policy and Conservation Act (42 U.S.C. 6295(o)) is amended by adding at the end the following:

''(6) REGIONAL STANDARDS FOR HEATING AND COOLING PRODUCTS.—

''(A) IN GENERAL.—Notwithstanding any other provision of this section, the Secretary may establish regional standards for space heating and air conditioning products.

''(B) MAXIMUM NUMBER OF REGIONS.—For each space heating and air conditioning product, the Secretary may establish not more than 3 regions with differing standards.

''(C) BOUNDARIES OF REGIONS.—

''(i) IN GENERAL.—The Secretary shall establish the regions so as to achieve the maximum level of energy savings that are technically feasible and economically justifiable.

''(ii) STATE BOUNDARIES.—Boundaries for a region shall conform to State borders and only include contiguous States (other than Alaska and Hawaii, which shall be noncontiguous).

''(D) FACTORS FOR ESTABLISHMENT.—In deciding whether to establish 1 or more regional standards for space heating and air

conditioning equipment, the Secretary shall consider all of the factors described in paragraphs (1) through (4).''.

SEC. 203. FURNACE FAN RULEMAKING.

Section 325(f)(3) of the Energy Policy and Conservation Act (42 U.S.C. 6295(f)(3)) is amended by adding at the end the following:

''(E) FINAL RULE.—

''(i) IN GENERAL.—The Secretary shall publish a final rule to carry out this subsection not later than December 31, 2012.

''(ii) CRITERIA.—The standards shall meet the criteria established under subsection (o).''.

SEC. 204. EXPEDITED RULEMAKINGS.

Section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295) is amended by adding at the end the following:

''(hh) EXPEDITED RULEMAKING FOR CONSENSUS STANDARDS.—

''(1) IN GENERAL.—The Secretary shall conduct an expedited rulemaking based on an energy conservation standard or test procedure recommended by interested persons, if—

''(A) the interested persons (demonstrating significant and broad support from manufacturers of a covered product, States, and environmental, energy efficiency, and consumer advocates) submit a joint comment recommending a consensus energy conservation standard or test procedure; and

''(B) the Secretary determines that the joint comment includes evidence that (assuming no other evidence were considered) provides an adequate basis for determining that the proposed consensus energy conservation standard or test procedure proposed in the joint comment complies with the provisions and criteria of this Act (including subsection o)) that apply to the type or class of covered products covered by the joint comment.

''(2) PROCEDURE.—

''(A) IN GENERAL.—Notwithstanding subsection (p) or section 336(a), if the Secretary receives a joint comment that meets the criteria described in paragraph (1), the Secretary shall conduct an expedited rulemaking with respect to the standard or test procedure proposed in the joint comment in accordance with this paragraph.

''(B) ADVANCED NOTICE OF PROPOSED RULEMAKING.—If no advanced notice of proposed rulemaking has been issued under subsection (p)(1) with respect to the rulemaking covered by the joint comment, the requirements of subsection (p) with respect to the issuance of an advanced notice of proposed rulemaking shall not apply.

''(C) PUBLICATION OF DETERMINATION.—Not later than 60 days after receipt of a joint comment described in paragraph (1)(A), the Secretary shall publish a description of a determination as to whether the proposed standard or test procedure covered by the joint comment meets the criteria described in paragraph (1).

''(D) PROPOSED RULE.—

''(i) PUBLICATION.—If the Secretary determines that the proposed consensus standard or test procedure covered by the joint comment meets the criteria described in paragraph (1), not later than 30 days after the determination, the Secretary shall publish a proposed rule proposing the consensus standard or test procedure covered by the joint comment.

''(ii) PUBLIC COMMENT PERIOD.—Notwithstanding paragraphs (2) and (3) of subsection (p), the public comment period for the proposed rule shall be the 30–day period beginning on the date of the publication of the proposed rule in the Federal Register.

''(iii) PUBLIC HEARING.—Notwithstanding section 336(a), the Secretary may waive the holding of a public hearing with respect to the proposed rule.

''(E) FINAL RULE.—Notwithstanding subsection (p)(4), the Secretary—

''(i) may publish a final rule at any time after the 60-day period beginning on the date of publication of the proposed rule in the Federal Register; and

''(ii) shall publish a final rule not later than 120 days after the date of publication of the proposed rule in the Federal Register.''.

SEC. 205. PREEMPTION LIMITATION.

Section 327 of the Energy Policy and Conservation Act (42 U.S.C. 6297) is amended—

(1) in subsection (b)—

(A) in paragraph (6), by striking ''or'' at the end;

(B) in paragraph (7), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(8) is a State regulation for a product for which a Federal energy conservation standard has not been established, in that—

''(A) the product is excluded from or not directly affected by a Federal standard; or

''(B) a rulemaking occurs that ultimately does not prescribe a Federal energy conservation standard for the product.''; and

(2) in subsection (c)—

(A) in paragraph (8), by striking the period at the end and inserting ''; or''; and

(B) by adding at the end the following:

''(9) is a State regulation for a product for which a Federal energy conservation standard has not been established, in that—

''(A) the product is excluded from or not directly affected by a Federal standard; or

''(B) a rulemaking occurs that ultimately does not prescribe a Federal energy conservation standard for the product.''.

SEC. 206. ENERGY EFFICIENCY LABELING FOR CONSUMER PRODUCTS.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Federal Trade Commission, in consultation with the Secretary and the Administrator of the Environmental Protection Agency (acting through the Energy Star program), shall promulgate regulations to add the consumer electronics product categories described in subsection (b) to the Energy Guide labeling program of the Commission.

(b) CONSUMER ELECTRONICS PRODUCT CATEGORIES.—The consumer electronics product categories referred to in subsection (a) are the following:

(1) Televisions.

(2) Personal computers.

(3) Cable or satellite set-top boxes.

(4) Stand-alone digital video recorder boxes (including TIVO and similar branded products).

(5) Computer monitors.

(c) LABEL PLACEMENT.—The regulations shall include specific requirements for each product on the placement of Energy Guide labels.

(d) DEADLINE FOR LABELING.—Not later than 1 year after the date of promulgation of regulations under subsection (a), the Commission shall require labeling electronic products described in subsection (b) in accordance with this section (including the regulations).

(e) AUTHORITY TO INCLUDE ADDITIONAL PRODUCT CATEGORIES.—The Commission may add additional product categories to the Energy Guide labeling program if the product categories include products, as determined by the Commission—

(1) that have an annual energy use in excess of 100 kilowatt hours per year; and

(2) for which there is a significant difference in energy use between the most and least efficient products.

SEC. 207. RESIDENTIAL BOILER EFFICIENCY STANDARDS.

Section 325(f) of the Energy Policy and Conservation Act (42 U.S.C. 6295(f)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

''(3) BOILERS.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), boilers manufactured on or after September 1, 2012, shall meet the following requirements:

Boiler Type	Minimum Annual Fuel Utilization Efficiency	Design Requirements
Gas Hot Water	82%	No Constant Burning Pilot, Automatic Means for Adjusting Water Temperature
Gas Steam	80%	No Constant Burning Pilot
Oil Hot Water	84%	Automatic Means for Adjusting Temperature
Oil Steam	82%	None
Electric Hot Water	None	Automatic Means for Adjusting Temperature
Electric Steam	None	None

''(B) PILOTS.—The manufacturer shall not equip gas hot water or steam boilers with constant-burning pilot lights.

''(C) AUTOMATIC MEANS FOR ADJUSTING WATER TEMPERATURE.—

''(i) IN GENERAL.—The manufacturer shall equip each gas, oil, and electric hot water boiler (other than a boiler equipped with tankless domestic water heating coils) with an automatic means for adjusting the temperature of the water supplied by the boiler to ensure that an incremental change in inferred heat load produces a corresponding incremental change in the temperature of water supplied.

''(ii) CERTAIN BOILERS.—For a boiler that fires at 1 input rate, the requirements of this subparagraph may be satisfied by providing an automatic means that allows the burner or heating element to fire only when the means has determined that the inferred heat load cannot be met by the residual heat of the water in the system.

''(iii) NO INFERRED HEAT LOAD.—When there is no inferred heat load with respect to a hot water boiler, the automatic means described in clauses (i) and (ii) shall limit the temperature of the water in the boiler to not more than 140 degrees Fahrenheit.

''(iv) OPERATION.—A boiler described in clause (i) or (ii) shall be operable only when the automatic means described in clauses (i), (ii), and (iii) is installed.''.

SEC. 208. TECHNICAL CORRECTIONS.

Section 321(30)(B)(viii) of the Energy Policy and Conservation Act (42 U.S.C. 6291(30)(B)(viii)) is amended by striking ''82'' and inserting ''87''.

SEC. 209. ELECTRIC MOTOR EFFICIENCY STANDARDS.

(a) DEFINITIONS.—Section 340(13) of the Energy Policy and Conservation Act (42 U.S.C. 6311(13)) is amended by striking subparagraph (A) and inserting the following:

''(A)(i) The term 'electric motor' means—

''(I) a general purpose electric motor - subtype I; and

''(II) a general purpose electric motor - subtype II.

''(ii) The term 'general purpose electric motor - subtype I' means any motor that is considered a general purpose motor under section 431.12 of title 10, Code of Federal Regulations (or successor regulations).

''(iii) The term 'general purpose electric motor - subtype II' means a motor that, in addition to the design elements for a general purpose electric motor - subtype I, incorporates the design elements (as established in National Electrical Manufacturers Association MG-1 (2006)) (or successor design elements) for any of the following:

''(I) A U-Frame Motor.

''(II) A Design C Motor.

''(III) A close-coupled pump motor.

''(IV) A footless motor.

''(V) A vertical solid shaft normal thrust (tested in a horizontal configuration).

''(VI) An 8-pole motor.

''(VII) A poly-phase motor with voltage of not more than 600 volts (other than 230 or 460 volts).''.

(b) STANDARDS.—Section 342(b) of the Energy Policy and Conservation Act (42 U.S.C. 6313(13)) is amended by striking paragraph (1) and inserting the following:

''(1) STANDARDS.—

''(A) GENERAL PURPOSE ELECTRIC MOTORS - SUBTYPE I.—

''(i) IN GENERAL.—Except as otherwise provided in this subparagraph, a general purpose electric motor - subtype I with a power rating of not less than 1, and not more than 200, horsepower manufactured (alone or as a component of another piece of equipment) after the 3-year period beginning on the date of enactment of this subparagraph, shall have a nominal full load efficiency established in Table 12-12 of National Electrical Manufacturers Association (referred to in this paragraph as 'NEMA') MG-1 (2006) (or a successor table).

''(ii) FIRE PUMP MOTORS.—A fire pump motor shall have a nominal full load efficiency established in Table 12-11 of NEMA MG-1 (2006) (or a successor table).

''(B) GENERAL PURPOSE ELECTRIC MOTORS - SUBTYPE II .—A general purpose electric motor - subtype II with a power rating of not less than 1, and not more than 200, horsepower manufactured (alone or as a component of another piece of equipment) after the 3-year period beginning on the date of enactment of this subparagraph, shall have a nominal full load efficiency established in Table 12-11 of NEMA MG-1 (2006) (or a successor table).

''(C) DESIGN B, GENERAL PURPOSE ELECTRIC MOTORS.—A NEMA Design B, general purpose electric motor with a power rating of not less than 201, and not more than 500, horsepower manufactured (alone or as a component of another piece of equipment) after the 3-year period beginning on the date of the enactment of this subparagraph shall have a nominal full load efficiency established in Table 12-11 of NEMA MG-1 (2006) (or a successor table).''.

(c) EFFECTIVE DATE.—The amendments made by this section take effect on the date that is 3 years after the date of enactment of this Act.

SEC. 210. ENERGY STANDARDS FOR HOME APPLIANCES.

(a) DEFINITION OF ENERGY CONSERVATION STANDARD.—Section 321(6)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6291(6)(A)) is amended by striking ''or, in the case of'' and inserting ''and, in the case of residential clothes washers, residential dishwashers,''.

(b) REFRIGERATORS, REFRIGERATOR-FREEZERS, AND FREEZERS.—Section 325(b) of the Energy Policy and Conservation Act (42 U.S.C. 6295(b)) is amended by adding at the end the following:

''(4) REFRIGERATORS, REFRIGERATOR-FREEZERS, AND FREEZERS MANUFACTURED ON OR AFTER JANUARY 1, 2014.—Not later than December 31, 2010, the Secretary shall publish a final rule determining whether to amend the standards in effect for refrigerators, refrigerator-freezers, and freezers manufactured on or after January 1, 2014, and including any amended standards.''.

(c) RESIDENTIAL CLOTHES WASHERS AND DISHWASHERS.—Section 325(g)(4) of the Energy Policy and Conservation Act (42 U.S.C. 6295(g)(4)) is amended by adding at the end the following:

''(D) CLOTHES WASHERS.—

''(i) CLOTHES WASHERS MANUFACTURED ON OR AFTER JANUARY 1, 2011.—A residential clothes washer manufactured on or after January 1, 2011, shall have—

''(I) an energy factor of at least 1.26; and

''(II) a water factor of not more than 9.5.

''(ii) CLOTHES WASHERS MANUFACTURED ON OR AFTER JANUARY 1, 2015.—Not later than December 31, 2011, the Secretary shall publish a final rule determining whether to amend the standards in effect for residential clothes washers manufactured on or after January 1, 2015, and including any amended standards.

''(E) DISHWASHERS.—

''(i) DISHWASHERS MANUFACTURED ON OR AFTER JANUARY 1, 2010.—A dishwasher manufactured on or after January 2, 2010, shall use not more than—

''(I) in the case of a standard-size dishwasher, 355 kWh per year or 6.5 gallons of water per cycle; and

''(II) in the case of a compact-size dishwasher, 260 kWh per year or 4.5 gallons of water per cycle.

''(ii) DISHWASHERS MANUFACTURED ON OR AFTER JANUARY 1, 2018.—Not later than December 31, 2015, the Secretary shall publish a final rule determining whether to amend the standards for dishwashers manufactured on or after January 2, 2018, and including any amended standards.''.

(d) DEHUMIDIFIERS.—Section 325(cc) of the Energy Policy and Conservation Act (42 U.S.C. 6295(cc)) is amended—

(1) in paragraph (1), by inserting ''and before October 1, 2012,'' after ''2007,''; and

(2) by striking paragraph (2) and inserting the following:

''(2) DEHUMIDIFIERS MANUFACTURED ON OR AFTER OCTOBER 1, 2012.—Dehumidifiers manufactured on or after October 1, 2012, shall have an Energy Factor that meets or exceeds the following values:

Product Capacity (pints/day):	Minimum Energy Factor liters/kWh
Up to 35.00	1.35
35.01–45.00	1.50
45.01–54.00	1.60
54.01–75.00	1.70
Greater than 75.00	2.5.''

(e) ENERGY STAR PROGRAM.—Section 324A(d)(2) of the Energy Policy and Conservation Act (42 U.S.C. 6294a(d)(2)) is amended by striking ''2010'' and inserting ''2009''.

SEC. 211. IMPROVED ENERGY EFFICIENCY FOR APPLIANCES AND BUILDINGS IN COLD CLIMATES.

(a) RESEARCH.—Section 911(a)(2) of the Energy Policy Act of 2005 (42 U.S.C. 16191(a)(2)) is amended—

(1) in subparagraph (C), by striking ''and'' at the end;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(E) technologies to improve the energy efficiency of appliances and mechanical systems for buildings in cold climates, including increased use of renewable resources, including fuel.''.

(b) REBATES.—Section 124 of the Energy Policy Act of 2005 (42 U.S.C. 15821) is amended—

(1) in subsection (b)(1), by inserting '', or products with improved energy efficiency in cold climates,'' after ''residential Energy Star products''; and

(2) in subsection (e), by inserting ''or product with improved energy efficiency in a cold climate'' after ''residential Energy Star product'' each place it appears.

SEC. 212. DEPLOYMENT OF NEW TECHNOLOGIES FOR HIGH-EFFICIENCY CONSUMER PRODUCTS.

(a) DEFINITIONS.—In this section:

(1) ENERGY SAVINGS.—The term ''energy savings'' means megawatt-hours of electricity or million British thermal units of natural gas saved by a product, in comparison to projected energy consumption under the energy efficiency standard applicable to the product.

(2) HIGH-EFFICIENCY CONSUMER PRODUCT.—The term ''high-efficiency consumer product'' means a product that exceeds the energy efficiency of comparable products available in the market by at least 25 percent.

(b) FINANCIAL INCENTIVES PROGRAM.—Effective beginning October 1, 2007, the Secretary shall competitively award financial incentives under this section for the manufacture of high-efficiency consumer products.

(c) REQUIREMENTS.—

(1) IN GENERAL.—The Secretary shall make awards under this section to manufacturers of high-efficiency consumer products, based on the bid of each manufacturer in terms of dollars per megawatt-hour or million British thermal units saved.

(2) ACCEPTANCE OF BIDS.—In making awards under this section, the Secretary shall—

(A) solicit bids for reverse auction from appropriate manufacturers, as determined by the Secretary; and

(B) award financial incentives to the manufacturers that submit the lowest bids that meet the requirements established by the Secretary.

(d) FORMS OF AWARDS.—An award for a high-efficiency consumer product under this section shall be in the form of a lump sum payment in an amount equal to the product obtained by multiplying—

(1) the amount of the bid by the manufacturer of the high-efficiency consumer product; and

(2) the energy savings during the projected useful life of the high-efficiency consumer product, not to exceed 10 years, as determined under regulations issued by the Secretary.

TITLE III—PROMOTING HIGH EFFICIENCY VEHICLES, ADVANCED BATTERIES, AND ENERGY STORAGE

SEC. 301. LIGHTWEIGHT MATERIALS RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall establish a research and development program to determine ways in which—

(1) the weight of vehicles may be reduced to improve fuel efficiency without compromising passenger safety; and

(2) the cost of lightweight materials (such as steel alloys and carbon fibers) required for the construction of lighter-weight vehicles may be reduced.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $60,000,000 for each of fiscal years 2007 through 2012.

SEC. 302. LOAN GUARANTEES FOR FUEL-EFFICIENT AUTOMOBILE PARTS MANUFACTURERS.

(a) IN GENERAL.—Section 712(a) of the Energy Policy Act of 2005 (42 U.S.C. 16062(a)) is amended in the second sentence by striking ''grants to automobile manufacturers'' and inserting ''grants and loan guarantees under section 1703 to automobile manufacturers and suppliers''.

(b) CONFORMING AMENDMENT.—Section 1703(b) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)) is amended by by striking paragraph (8) and inserting the following:

''(8) Production facilities for the manufacture of fuel efficient vehicles or parts of those vehicles, including electric drive transportation technology and advanced diesel vehicles.''.

SEC. 303. ADVANCED TECHNOLOGY VEHICLES MANUFACTURING INCENTIVE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADJUSTED AVERAGE FUEL ECONOMY.—The term ''adjusted average fuel economy'' means the average fuel economy of a manufacturer for all light duty vehicles produced by the manufacturer, adjusted such that the fuel economy of each vehicle that qualifies for an award shall be considered to be equal to the average fuel economy for vehicles of a similar footprint for model year 2002.

(2) ADVANCED TECHNOLOGY VEHICLE.—The term ''advanced technology vehicle'' means a light duty vehicle that meets—

(A) the Bin 5 Tier II emission standard established in regulations issued by the Administrator of the Environmental Protection Agency under section 202(i) of the Clean Air Act (42 U.S.C. 7521(i)), or a lower-numbered Bin emission standard;

(B) any new emission standard for fine particulate matter prescribed by the Administrator under that Act (42 U.S.C. 7401 et seq.); and

(C) at least 125 percent of the average base year combined fuel economy for vehicles of a substantially similar footprint.

(3) COMBINED FUEL ECONOMY.—The term ''combined fuel economy'' means—

(A) the combined city/highway miles per gallon values, as reported in accordance with section 32908 of title 49, United States Code; and

(B) in the case of an electric drive vehicle with the ability to recharge from an off-board source, the reported mileage, as determined in a manner consistent with the Society of Automotive Engineers Recommended Practice J1711 or a similar practice recommended by the Secretary .

(4) ENGINEERING INTEGRATION COSTS.—The term ''engineering integration costs'' includes the cost of engineering tasks relating to—

(A) incorporating qualifying components into the design of advanced technology vehicles; and

(B) designing new tooling and equipment for production facilities that produce qualifying components or advanced technology vehicles.

(5) QUALIFYING COMPONENTS.—The term ''qualifying components'' means components that the Secretary determines to be—

(A) specially designed for advanced technology vehicles; and

(B) installed for the purpose of meeting the performance requirements of advanced technology vehicles.

(b) MANUFACTURER FACILITY CONVERSION AWARDS.—The Secretary shall provide facility conversion funding awards under this section to automobile manufacturers and component suppliers to pay not more than 30 percent of the cost of—

(1) reequipping or expanding an existing manufacturing facility in the United States to produce—

(A) qualifying advanced technology vehicles; or

(B) qualifying components; and

(2) engineering integration performed in the United States of qualifying vehicles and qualifying components.

(c) PERIOD OF AVAILABILITY.—An award under subsection (b) shall apply to—

(1) facilities and equipment placed in service before December 30, 2017; and

(2) engineering integration costs incurred during the period beginning on the date of enactment of this Act and ending on December 30, 2017.

(d) IMPROVEMENT.—The Secretary shall issue regulations that require that, in order for an automobile manufacturer to be eligible for an award under this section during a particular year, the adjusted average fuel economy of the manufacturer for light duty vehicles produced by the manufacturer during the most recent year for which data are available shall be not less than the average fuel economy for all light duty vehicles of the manufacturer for model year 2002.

SEC. 304. ENERGY STORAGE COMPETITIVENESS.

(a) SHORT TITLE.—This section may be cited as the ''United States Energy Storage Competitiveness Act of 2007''.

(b) ENERGY STORAGE SYSTEMS FOR MOTOR TRANSPORTATION AND ELECTRICITY TRANSMISSION AND DISTRIBUTION.—

(1) DEFINITIONS.—In this subsection:

(A) COUNCIL.—The term ''Council'' means the Energy Storage Advisory Council established under paragraph (3).

(B) COMPRESSED AIR ENERGY STORAGE.—The term ''compressed air energy storage'' means, in the case of an electricity grid application, the storage of energy through the compression of air.

(C) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(D) FLYWHEEL.—The term ''flywheel'' means, in the case of an electricity grid application, a device used to store rotational kinetic energy.

(E) ULTRACAPACITOR.—The term ''ultracapacitor'' means an energy storage device that has a power density comparable to conventional capacitors but capable of exceeding the energy density of conventional capacitors by several orders of magnitude.

(2) PROGRAM.—The Secretary shall carry out a research, development, and demonstration program to support the ability of the United States to remain globally competitive in energy storage systems for motor transportation and electricity transmission and distribution.

(3) ENERGY STORAGE ADVISORY COUNCIL.—

(A) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish an Energy Storage Advisory Council.

(B) COMPOSITION.—

(i) IN GENERAL.—Subject to clause (ii), the Council shall consist of not less than 15 individuals appointed by the Secretary, based on recommendations of the National Academy of Sciences.

(ii) ENERGY STORAGE INDUSTRY.—The Council shall consist primarily of representatives of the energy storage industry of the United States.

(iii) CHAIRPERSON.—The Secretary shall select a Chairperson for the Council from among the members appointed under clause (i)

(C) MEETINGS.—

(i) IN GENERAL.—The Council shall meet not less than once a year.

(ii) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App. 2) shall apply to a meeting of the Council.

(D) PLANS.—No later than 1 year after the date of enactment of this Act, in conjunction with the Secretary, the Council shall develop 5-year plans for integrating basic and applied research so that the United States retains a globally competitive domestic energy storage industry for motor transportation and electricity transmission and distribution.

(E) REVIEW.—The Council shall—

(i) assess the performance of the Department in meeting the goals of the plans developed under subparagraph (D); and

(ii) make specific recommendations to the Secretary on programs or activities that should be established or terminated to meet those goals.

(4) BASIC RESEARCH PROGRAM.—

(A) BASIC RESEARCH.—The Secretary shall conduct a basic research program on energy storage systems to support motor transportation and electricity transmission and distribution, including—

(i) materials design;

(ii) materials synthesis and characterization;

(iii) electrolytes, including bioelectrolytes;

(iv) surface and interface dynamics; and

(v) modeling and simulation.

(B) NANOSCIENCE CENTERS.—The Secretary shall ensure that the nanoscience centers of the Department—

(i) support research in the areas described in subparagraph (A), as part of the mission of the centers; and

(ii) coordinate activities of the centers with activities of the Council.

(5) APPLIED RESEARCH PROGRAM.—The Secretary shall conduct an applied research program on energy storage systems to support motor transportation and electricity transmission and distribution technologies, including—

(A) ultracapacitors;

(B) flywheels;

(C) compressed air energy systems;

(D) power conditioning electronics; and

(E) manufacturing technologies for energy storage systems.

(6) ENERGY STORAGE RESEARCH CENTERS.—

(A) IN GENERAL.—The Secretary shall establish, through competitive bids, 4 energy storage research centers to translate basic research into applied technologies to advance the capability of the United States to maintain a globally competitive posture in energy storage systems for motor transportation and electricity transmission and distribution.

(B) PROGRAM MANAGEMENT.—The centers shall be jointly managed by the Under Secretary for Science and the Under Secretary of Energy of the Department.

(C) PARTICIPATION AGREEMENTS.—As a condition of participating in a center, a participant shall enter into a participation agreement with the center that requires that activities conducted by the participant for the center promote the goal of enabling the United States to compete successfully in global energy storage markets.

(D) PLANS.—A center shall conduct activities that promote the achievement of the goals of the plans of the Council under paragraph (3)(D).

(E) COST SHARING.—In carrying out this paragraph, the Secretary shall require cost-sharing in accordance with section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352).

(F) NATIONAL LABORATORIES.—A national laboratory (as defined in section 2 of the Energy Policy Act 2005 (42 U.S.C. 15801)) may participate in a center established under this paragraph as part of a cooperative research and development agreement (as defined in section 12(d) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d))).

(G) INTELLECTUAL PROPERTY.—A participant in a center under this paragraph shall

have a royalty-free, exclusive nontransferable license to intellectual property that the center invents from funding received under this subsection.

(7) REVIEW BY NATIONAL ACADEMY OF SCIENCES.—Not later than 5 years after the date of enactment of this Act, the Secretary shall offer to enter into an arrangement with the National Academy of Sciences to assess the performance of the Department in making the United States globally competitive in energy storage systems for motor transportation and electricity transmission and distribution.

(8) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out—

(A) the basic research program under paragraph (4) $50,000,000 for each of fiscal years 2008 through 2017;

(B) the applied research program under paragraph (5) $80,000,000 for each of fiscal years 2008 through 2017; and;

(C) the energy storage research center program under paragraph (6) $100,000,000 for each of fiscal years 2008 through 2017.

(c) ADVANCED BATTERY AND ELECTRIC VEHICLE TECHNOLOGY PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) BATTERY.—The term ''battery'' means an electrochemical energy storage device powered directly by electrical current.

(B) ELECTRIC DRIVE TRANSPORTATION TECHNOLOGY.—The term ''electric drive transportation technology'' means vehicle systems that use stored electrical energy to provide motive power, including electric motors and drivetrain systems.

(2) PROGRAM.—The Secretary shall conduct a program of research, development, demonstration, and commercial application for batteries and electric drive transportation technology, including—

(A) batteries;

(B) on-board and off-board charging components;

(C) drivetrain systems;

(D) vehicles systems integration; and

(E) control systems, including systems that optimize for—

(i) prolonging battery life;

(ii) reduction of petroleum consumption; and

(iii) reduction of fossil fuel emissions.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $200,000,000 for each of fiscal years 2007 through 2012.

TITLE IV—SETTING ENERGY EFFICIENCY GOALS

SEC. 401. NATIONAL GOALS FOR ENERGY SAVINGS IN TRANSPORTATION.

(a) GOALS.—The goals of the United States are to reduce gasoline usage in the United States from the levels projected under subsection (b) by—

(1) 20 percent by calendar year 2017;

(2) 35 percent by calendar year 2025; and

(3) 45 percent by calendar year 2030.

(b) MEASUREMENT.—For purposes of subsection (a), reduction in gasoline usage shall be measured from the estimates for each year in subsection (a) contained in the reference case in the report of the Energy Information Administration entitled ''Annual Energy Outlook 2007''.

(c) STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in cooperation with the Administrator of the Environmental Protection Agency and the heads of other appropriate Federal agencies, shall develop a strategic plan to achieve the national goals for reduction in gasoline usage established under subsection (a).

(2) PUBLIC INPUT AND COMMENT.—The Secretary shall develop the plan in a manner that provides appropriate opportunities for public comment.

(d) PLAN CONTENTS.—The strategic plan shall—

(1) establish future regulatory, funding, and policy priorities to ensure compliance with the national goals;

(2) include energy savings estimates for each sector; and

(3) include data collection methodologies and compilations used to establish baseline and energy savings data.

(e) PLAN UPDATES.—

(1) IN GENERAL.—The Secretary shall—

(A) update the strategic plan biennially; and

(B) include the updated strategic plan in the national energy policy plan required by section 801 of the Department of Energy Organization Act (42 U.S.C. 7321).

(2) CONTENTS.—In updating the plan, the Secretary shall—

(A) report on progress made toward implementing efficiency policies to achieve the national goals established under subsection (a); and

(B) to the maximum extent practicable, verify energy savings resulting from the policies.

(f) REPORT TO CONGRESS AND PUBLIC.—The Secretary shall submit to Congress, and make available to the public, the initial strategic plan developed under subsection (c) and each updated plan.

SEC. 402. NATIONAL ENERGY EFFICIENCY IMPROVEMENT GOALS.

(a) GOALS.—The goals of the United States are—

(1) to achieve an improvement in the overall energy productivity of the United States (measured in gross domestic product per unit of energy input) of at least 2.5 percent per year by the year 2012; and

(2) to maintain that annual rate of improvement each year through 2030.

(b) STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in cooperation with the Administrator of the Environmental Protection Agency and the heads of other appropriate Federal agencies, shall develop a strategic plan to achieve the national goals for improvement in energy productivity established under subsection (a).

(2) PUBLIC INPUT AND COMMENT.—The Secretary shall develop the plan in a manner that provides appropriate opportunities for public input and comment.

(c) PLAN CONTENTS.—The strategic plan shall—

(1) establish future regulatory, funding, and policy priorities to ensure compliance with the national goals;

(2) include energy savings estimates for each sector; and

(3) include data collection methodologies and compilations used to establish baseline and energy savings data.

(d) PLAN UPDATES.—

(1) IN GENERAL.—The Secretary shall—

(A) update the strategic plan biennially; and

(B) include the updated strategic plan in the national energy policy plan required by section 801 of the Department of Energy Organization Act (42 U.S.C. 7321).

(2) CONTENTS.—In updating the plan, the Secretary shall—

(A) report on progress made toward implementing efficiency policies to achieve the national goals established under subsection (a); and

(B) verify, to the maximum extent practicable, energy savings resulting from the policies.

(e) REPORT TO CONGRESS AND PUBLIC.—The Secretary shall submit to Congress, and make available to the public, the initial strategic plan developed under subsection (b) and each updated plan.

(f) NATIONAL ACTION PLAN ON ENERGY EFFICIENCY.—The Administrator of the Environmental Protection Agency and the Secretary, with the heads of other Federal agencies as appropriate, shall continue to support maintenance and updating of the National Action Plan on Energy Efficiency to help inform the development of the strategic plan under subsection (b).

SEC. 403. NATIONWIDE MEDIA CAMPAIGN TO INCREASE ENERGY EFFICIENCY.

(a) IN GENERAL.—The Secretary, acting through the Assistant Secretary for Energy Efficiency and Renewable Energy (referred to in this section as the ''Secretary''), shall develop and conduct a national media campaign for the purpose of increasing energy efficiency throughout the economy of the United States over the next decade.

(b) CONTRACT WITH ENTITY.—The Secretary shall carry out subsection (a) directly or through—

(1) competitively bid contracts with 1 or more nationally recognized media firms for the development and distribution of monthly television, radio, and newspaper public service announcements; or

(2) collective agreements with 1 or more nationally recognized institutes, businesses, or nonprofit organizations for the funding, development, and distribution of monthly television, radio, and newspaper public service announcements.

(c) USE OF FUNDS.—

(1) IN GENERAL.—Amounts made available to carry out this section shall be used for the following:

(A) ADVERTISING COSTS.—

(i) The purchase of media time and space.

(ii) Creative and talent costs.

(iii) Testing and evaluation of advertising.

(iv) Evaluation of the effectiveness of the media campaign.

(v) The negotiated fees for the winning bidder on requests from proposals issued either by the Secretary for purposes otherwise authorized in this section.

(vi) Entertainment industry outreach, interactive outreach, media projects and activities, public information, news media outreach, and corporate sponsorship and participation.

(B) ADMINISTRATIVE COSTS.—Operational and management expenses.

(2) LIMITATIONS.—In carrying out this section, the Secretary shall allocate not less than 85 percent of funds made available under subsection (e) for each fiscal year for the advertising functions specified under paragraph (1)(A).

(d) REPORTS.—The Secretary shall annually submit to Congress a report that describes—

(1) the strategy of the national media campaign and whether specific objectives of the campaign were accomplished, including—

(A) determinations concerning the rate of change of energy consumption, in both absolute and per capita terms; and

(B) an evaluation that enables consideration whether the media campaign contributed to reduction of energy consumption;

(2) steps taken to ensure that the national media campaign operates in an effective and efficient manner consistent with the overall strategy and focus of the campaign;

(3) plans to purchase advertising time and space;

(4) policies and practices implemented to ensure that Federal funds are used responsibly to purchase advertising time and space and eliminate the potential for waste, fraud, and abuse; and

(5) all contracts or cooperative agreements entered into with a corporation, partnership,

or individual working on behalf of the national media campaign.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2008 through 2012.

TITLE V—PROMOTING FEDERAL LEADERSHIP IN ENERGY EFFICIENCY AND RENEWABLE ENERGY

SEC. 501. FEDERAL FLEET CONSERVATION REQUIREMENTS.

(a) FEDERAL FLEET CONSERVATION REQUIREMENTS.—

(1) IN GENERAL.—Part J of title III of the Energy Policy and Conservation Act (42 U.S.C. 6374 et seq.) is amended by adding at the end the following:

"SEC. 400FF. FEDERAL FLEET CONSERVATION REQUIREMENTS.

''(a) MANDATORY REDUCTION IN PETROLEUM CONSUMPTION.—

''(1) IN GENERAL.—The Secretary shall issue regulations for Federal fleets subject to section 400AA requiring that not later than October 1, 2015, each Federal agency achieve at least a 20 percent reduction in petroleum consumption, and that each Federal agency increase alternative fuel consumption by 10 percent annually, as calculated from the baseline established by the Secretary for fiscal year 2005.

''(2) PLAN.—

''(A) REQUIREMENT.—The regulations shall require each Federal agency to develop a plan to meet the required petroleum reduction levels and the alternative fuel consumption increases.

''(B) MEASURES.—The plan may allow an agency to meet the required petroleum reduction level through—

''(i) the use of alternative fuels;

''(ii) the acquisition of vehicles with higher fuel economy, including hybrid vehicles and plug–in hybrid vehicles if the vehicles are commercially available;

''(iii) the substitution of cars for light trucks;

''(iv) an increase in vehicle load factors;

''(v) a decrease in vehicle miles traveled;

''(vi) a decrease in fleet size; and

''(vii) other measures.

''(b) FEDERAL EMPLOYEE INCENTIVE PROGRAMS FOR REDUCING PETROLEUM CONSUMPTION.—

''(1) IN GENERAL.—Each Federal agency shall actively promote incentive programs that encourage Federal employees and contractors to reduce petroleum through the use of practices such as—

''(A) telecommuting;

''(B) public transit;

''(C) carpooling; and

''(D) bicycling.

''(2) MONITORING AND SUPPORT FOR INCENTIVE PROGRAMS.—The Administrator of General Services, the Director of the Office of Personnel Management, and the Secretary of Energy shall monitor and provide appropriate support to agency programs described in paragraph (1).

''(3) RECOGNITION.—The Secretary may establish a program under which the Secretary recognizes private sector employers and State and local governments for outstanding programs to reduce petroleum usage through practices described in paragraph (1).

''(c) REPLACEMENT TIRES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the regulations issued under subsection (a)(1) shall include a requirement that, to the maximum extent practicable, each Federal agency purchase energy-efficient replacement tires for the respective fleet vehicles of the agency.

''(2) EXCEPTIONS.—This section does not apply to—

''(A) law enforcement motor vehicles;

''(B) emergency motor vehicles; or

''(C) motor vehicles acquired and used for military purposes that the Secretary of Defense has certified to the Secretary must be exempt for national security reasons.

''(d) ANNUAL REPORTS ON COMPLIANCE.—The Secretary shall submit to Congress an annual report that summarizes actions taken by Federal agencies to comply with this section.''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Energy Policy and Conservation Act (42 U.S.C. prec. 6201) is amended by adding at the end of the items relating to part J of title III the following:

''Sec. 400FF. Federal fleet conservation requirements.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the amendment made by this section $10,000,000 for the period of fiscal years 2008 through 2013.

SEC. 502. FEDERAL REQUIREMENT TO PURCHASE ELECTRICITY GENERATED BY RENEWABLE ENERGY.

Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) is amended by striking subsection (a) and inserting the following:

''(a) REQUIREMENT.—

''(1) IN GENERAL.—The President, acting through the Secretary, shall ensure that, of the total quantity of domestic electric energy the Federal Government consumes during any fiscal year, the following percentages shall be renewable energy from facilities placed in service after January 1, 1999:

''(A) Not less than 10 percent in fiscal year 2010.

''(B) Not less than 15 percent in fiscal year 2015.

''(2) CAPITOL COMPLEX.—The Architect of the Capitol, in consultation with the Secretary, shall ensure that, of the total quantity of electric energy the Capitol complex consumes during any fiscal year, the percentages prescribed in paragraph (1) shall be renewable energy.

''(3) WAIVER AUTHORITY.—The President may reduce or waive the requirement under paragraph (1) on an annual basis, if the President determines that the average governmentwide cost per kilowatt hour of complying with paragraph (1) will be more than 50 percent higher than the average governmentwide cost per kilowatt-hour for electric energy in the preceding year.''.

SEC. 503. ENERGY SAVINGS PERFORMANCE CONTRACTS.

(a) RETENTION OF SAVINGS.—Section 546(c) of the National Energy Conservation Policy Act (42 U.S.C. 8256(c)) is amended by striking paragraph (5).

(b) FINANCING FLEXIBILITY.—Section 801(a)(2) of the National Energy Conservation Policy Act (42 U.S.C. 8287(a)(2)) is amended by adding at the end the following:

''(E) SEPARATE CONTRACTS.—In carrying out a contract under this title, a Federal agency may—

''(i) enter into a separate contract for energy services and conservation measures under the contract; and

''(ii) provide all or part of the financing necessary to carry out the contract.''.

(c) SUNSET AND REPORTING REQUIREMENTS.—Section 801 of the National Energy Conservation Policy Act (42 U.S.C. 8287) is amended by striking subsection (c).

(d) DEFINITION OF ENERGY SAVINGS.—Section 804(2) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(2)) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and indenting appropriately;

(2) by striking ''means a reduction'' and inserting ''means—

''(A) a reduction'';

(3) by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(B) the increased efficient use of an existing energy source by cogeneration or heat recovery, and installation of renewable energy systems;

''(C) the sale or transfer of electrical or thermal energy generated on-site, but in excess of Federal needs, to utilities or non-Federal energy users; and

''(D) the increased efficient use of existing water sources in interior or exterior applications.''.

(e) ENERGY AND COST SAVINGS IN NONBUILDING APPLICATIONS.—

(1) DEFINITIONS.—In this subsection:

(A) NONBUILDING APPLICATION.—The term ''nonbuilding application'' means—

(i) any class of vehicles, devices, or equipment that is transportable under the power of the applicable vehicle, device, or equipment by land, sea, or air and that consumes energy from any fuel source for the purpose of—

(I) that transportation; or

(II) maintaining a controlled environment within the vehicle, device, or equipment; and

(ii) any federally-owned equipment used to generate electricity or transport water.

(B) SECONDARY SAVINGS.—

(i) IN GENERAL.—The term ''secondary savings'' means additional energy or cost savings that are a direct consequence of the energy savings that result from the energy efficiency improvements that were financed and implemented pursuant to an energy savings performance contract.

(ii) INCLUSIONS.—The term ''secondary savings'' includes—

(I) energy and cost savings that result from a reduction in the need for fuel delivery and logistical support;

(II) personnel cost savings and environmental benefits; and

(III) in the case of electric generation equipment, the benefits of increased efficiency in the production of electricity, including revenues received by the Federal Government from the sale of electricity so produced.

(2) STUDY.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary and the Secretary of Defense shall jointly conduct, and submit to Congress and the President a report of, a study of the potential for the use of energy savings performance contracts to reduce energy consumption and provide energy and cost savings in nonbuilding applications.

(B) REQUIREMENTS.—The study under this subsection shall include—

(i) an estimate of the potential energy and cost savings to the Federal Government, including secondary savings and benefits, from increased efficiency in nonbuilding applications;

(ii) an assessment of the feasibility of extending the use of energy savings performance contracts to nonbuilding applications, including an identification of any regulatory or statutory barriers to such use; and

(iii) such recommendations as the Secretary and Secretary of Defense determine to be appropriate.

SEC. 504. ENERGY MANAGEMENT REQUIREMENTS FOR FEDERAL BUILDINGS.

Section 543(a)(1) of the National Energy Conservation Policy Act (42 U.S.C. 8253(a)(1)) is amended by striking the table and inserting the following:

''Fiscal Year	Percentage reduction
2006	2
2007	4
2008	9

''Fiscal Year	Percentage reduction
2009	12
2010	15
2011	18
2012	21
2013	24
2014	27
2015	30.''.

SEC. 505. COMBINED HEAT AND POWER AND DISTRICT ENERGY INSTALLATIONS AT FEDERAL SITES.

Section 543 of the National Energy Conservation Policy Act (42 U.S.C. 8253) is amended by adding at the end the following:

''(f) COMBINED HEAT AND POWER AND DISTRICT ENERGY INSTALLATIONS AT FEDERAL SITES.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary, in consultation with the Administrator of General Services and the Secretary of Defense, shall identify Federal sites that could achieve significant cost-effective energy savings through the use of combined heat and power or district energy installations.

''(2) INFORMATION AND TECHNICAL ASSISTANCE.—The Secretary shall provide agencies with information and technical assistance that will enable the agencies to take advantage of the energy savings described in paragraph (1).

''(3) ENERGY PERFORMANCE REQUIREMENTS.—Any energy savings from the installations described in paragraph (1) may be applied to meet the energy performance requirements for an agency under subsection (a)(1).''.

SEC. 506. FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS.

Section 305(a)(3) of the Energy Conservation and Production Act (42 U.S.C. 6834(a)(3)) is amended by striking ''(3)(A)'' and all that follows through the end of subparagraph (A) and inserting the following:

''(3) FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Energy Efficiency Promotion Act of 2007, the Secretary shall establish, by rule, revised Federal building energy efficiency performance standards that require that:

''(i) For new Federal buildings and Federal buildings undergoing major renovations:

''(I) The buildings be designed to achieve energy consumption levels that are at least 30 percent below the levels established in the version of the ASHRAE Standard or the International Energy Conservation Code, as appropriate, that is in effect as of the date of enactment of the Energy Efficiency Promotion Act of 2007.

''(II) The buildings be designed so that the fossil fuel-generated energy consumption of the buildings is reduced, as compared with the fossil fuel-generated energy consumption by a similar Federal building in fiscal year 2003 (as measured by Commercial Buildings Energy Consumption Survey or Residential Energy Consumption Survey data from the Energy Information Agency), by the percentage specified in the following table:

''Fiscal Year	Percentage Reduction
2007	50
2010	60
2015	70
2020	80
2025	90
2030	100.

''(III) Sustainable design principles are applied to the siting, design, and construction of all new and replacement buildings and major renovations of buildings.

''(ii) If water is used to achieve energy efficiency, water conservation technologies shall be applied to the extent that the technologies are life-cycle cost-effective.''.

SEC. 507. APPLICATION OF INTERNATIONAL ENERGY CONSERVATION CODE TO PUBLIC AND ASSISTED HOUSING.

Section 109 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12709) is amended—

(1) in subsection (a)(2), by striking ''the Council of American'' and all that follows through ''2003'' and inserting ''the 2006'';

(2) in subsection (b)—

(A) in the heading, by striking ''MODEL ENERGY CODE.—'' and inserting ''INTERNATIONAL ENERGY CONSERVATION CODE.—''; and

(B) by striking ''CABO'' and all that follows through ''2003'' and inserting ''the 2006'';

(3) in subsection (c)—

(A) in the heading, by striking ''MODEL ENERGY CODE AND''; and

(B) by striking ''CABO'' and all that follows through ''2003'' and inserting ''the 2006''; and

(4) by adding at the end the following:

''(d) FAILURE TO AMEND THE STANDARDS.—Not later than 1 year after the requirements of the 2006 International Energy Conservation Code are revised, if the Secretaries have not amended the energy efficiency standards under this section or made a determination under subsection (c), and if the Secretary of Energy has made a determination under section 304 of the Energy Conservation and Production Act (42 U.S.C. 6833) that such revised International Energy Conservation Code would improve energy efficiency, all new construction of housing described in subsection (a) shall meet the requirements of such revised International Energy Conservation Code.''.

TITLE VI—ASSISTING STATE AND LOCAL GOVERNMENTS IN ENERGY EFFICIENCY

SEC. 601. WEATHERIZATION ASSISTANCE FOR LOW-INCOME PERSONS.

Section 422 of the Energy Conservation and Production Act (42 U.S.C. 6872) is amended by striking ''$700,000,000 for fiscal year 2008'' and inserting ''$750,000,000 for each of fiscal years 2008 through 2012''.

SEC. 602. STATE ENERGY CONSERVATION PLANS.

Section 365(f) of the Energy Policy and Conservation Act (42 U.S.C. 6325(f)) is amended by striking ''fiscal year 2008'' and inserting ''each of fiscal years 2008 through 2012''.

SEC. 603. UTILITY ENERGY EFFICIENCY PROGRAMS.

(a) ELECTRIC UTILITIES.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

''(16) INTEGRATED RESOURCE PLANNING.—Each electric utility shall—

''(A) integrate energy efficiency resources into utility, State, and regional plans; and

''(B) adopt policies establishing cost-effective energy efficiency as a priority resource.

''(17) RATE DESIGN MODIFICATIONS TO PROMOTE ENERGY EFFICIENCY INVESTMENTS.—

''(A) IN GENERAL.—The rates allowed to be charged by any electric utility shall—

''(i) align utility incentives with the delivery of cost-effective energy efficiency; and

''(ii) promote energy efficiency investments.

''(B) POLICY OPTIONS.—In complying with subparagraph (A), each State regulatory authority and each nonregulated utility shall consider—

''(i) removing the throughput incentive and other regulatory and management disincentives to energy efficiency;

''(ii) providing utility incentives for the successful management of energy efficiency programs;

''(iii) including the impact on adoption of energy efficiency as 1 of the goals of retail rate design, recognizing that energy efficiency must be balanced with other objectives;

''(iv) adopting rate designs that encourage energy efficiency for each customer class; and

''(v) allowing timely recovery of energy efficiency-related costs.''.

(b) NATURAL GAS UTILITIES.—Section 303(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 3203(b)) is amended by adding at the end the following:

''(5) ENERGY EFFICIENCY.—Each natural gas utility shall—

''(A) integrate energy efficiency resources into the plans and planning processes of the natural gas utility; and

''(B) adopt policies that establish energy efficiency as a priority resource in the plans and planning processes of the natural gas utility.

''(6) RATE DESIGN MODIFICATIONS TO PROMOTE ENERGY EFFICIENCY INVESTMENTS.—

''(A) IN GENERAL.—The rates allowed to be charged by a natural gas utility shall align utility incentives with the deployment of cost-effective energy efficiency.

''(B) POLICY OPTIONS.—In complying with subparagraph (A), each State regulatory authority and each nonregulated utility shall consider—

''(i) separating fixed-cost revenue recovery from the volume of transportation or sales service provided to the customer;

''(ii) providing to utilities incentives for the successful management of energy efficiency programs, such as allowing utilities to retain a portion of the cost-reducing benefits accruing from the programs;

''(iii) promoting the impact on adoption of energy efficiency as 1 of the goals of retail rate design, recognizing that energy efficiency must be balanced with other objectives; and

''(iv) adopting rate designs that encourage energy efficiency for each customer class.''.

SEC. 604. ENERGY EFFICIENCY AND DEMAND RESPONSE PROGRAM ASSISTANCE.

The Secretary shall provide technical assistance regarding the design and implementation of the energy efficiency and demand response programs established under this title, and the amendments made by this title, to State energy offices, public utility regulatory commissions, and nonregulated utilities through the appropriate national laboratories of the Department of Energy.

SEC. 605. ENERGY AND ENVIRONMENTAL BLOCK GRANT.

(a) DEFINITIONS.—In this section

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a State;

(B) an eligible unit of local government within a State; and

(C) the District of Columbia.

(2) ELIGIBLE UNIT OF LOCAL GOVERNMENT.—The term ''eligible unit of local government'' means—

(A) a city with a population of at least 35,000; and

(B) a county with a population of at least 200,000.

(3) STATE.—The term ''State'' means—

(A) each of the several States of the United States;

(B) the Commonwealth of Puerto Rico;

(C) Guam;

(D) American Samoa; and

(E) the United States Virgin Islands.

(b) PURPOSE.—The purpose of this section is to assist State and local governments in implementing strategies—

(1) to reduce fossil fuel emissions created as a result of activities within the boundaries of the States or units of local government;

(2) to reduce the total energy use of the States and units of local government; and

(3) to improve energy efficiency in the transportation sector, building sector, and any other appropriate sectors.

(c) PROGRAM.—

(1) IN GENERAL.—The Secretary shall provide to eligible entities block grants to carry out eligible activities (as specified under paragraph (2)) relating to the implementation of environmentally beneficial energy strategies.

(2) ELIGIBLE ACTIVITIES.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Transportation, and the Secretary of Housing and Urban Development, shall establish a list of activities that are eligible for assistance under the grant program.

(3) ALLOCATION TO STATES AND ELIGIBLE UNITS OF LOCAL GOVERNMENT.—

(A) IN GENERAL.—Of the amounts made available to provide grants under this subsection, the Secretary shall allocate—

(i) 70 percent to eligible units of local government; and

(ii) 30 percent to States.

(B) DISTRIBUTION TO ELIGIBLE UNITS OF LOCAL GOVERNMENT.—

(i) IN GENERAL.—The Secretary shall establish a formula for the distribution of amounts under subparagraph (A)(i) to eligible units of local government, taking into account any factors that the Secretary determines to be appropriate, including the residential and daytime population of the eligible units of local government.

(ii) CRITERIA.—Amounts shall be distributed to eligible units of local government under clause (i) only if the eligible units of local government meet the criteria for distribution established by the Secretary for units of local government.

(C) DISTRIBUTION TO STATES.—

(i) IN GENERAL.—Of the amounts provided to States under subparagraph (A)(ii), the Secretary shall distribute—

(I) at least 1.25 percent to each State; and

(II) the remainder among the States, based on a formula, to be determined by the Secretary, that takes into account the population of the States and any other criteria that the Secretary determines to be appropriate.

(ii) CRITERIA.—Amounts shall be distributed to States under clause (i) only if the States meet the criteria for distribution established by the Secretary for States.

(iii) LIMITATION ON USE OF STATE FUNDS.—At least 40 percent of the amounts distributed to States under this subparagraph shall be used by the States for the conduct of eligible activities in nonentitlement areas in the States, in accordance with any criteria established by the Secretary.

(4) REPORT.—Not later than 2 years after the date on which an eligible entity first receives a grant under this section, and every 2 years thereafter, the eligible entity shall submit to the Secretary a report that describes any eligible activities carried out using assistance provided under this subsection.

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this subsection for each of fiscal years 2008 through 2012.

(d) ENVIRONMENTALLY BENEFICIAL ENERGY STRATEGIES SUPPLEMENTAL GRANT PROGRAM.—

(1) IN GENERAL.—The Secretary shall provide to each eligible entity that meets the applicable criteria under subparagraph (B)(ii) or (C)(ii) of subsection (c)(3) a supplemental grant to pay the Federal share of the total costs of carrying out an eligible activity (as specified under subsection (c)(2)) relating to the implementation of an environmentally beneficial energy strategy.

(2) REQUIREMENTS.—To be eligible for a grant under paragraph (1), an eligible entity shall—

(A) demonstrate to the satisfaction of the Secretary that the eligible entity meets the applicable criteria under subparagraph (B)(ii) or (C)(ii) of subsection (c)(3); and

(B) submit to the Secretary for approval a plan that describes the activities to be funded by the grant.

(3) COST-SHARING REQUIREMENT.—

(A) FEDERAL SHARE.—The Federal share of the cost of carrying out any activities under this subsection shall be 75 percent.

(B) NON-FEDERAL SHARE.—

(i) FORM.—Not more than 50 percent of the non-Federal share may be in the form of in-kind contributions.

(ii) LIMITATION.—Amounts provided to an eligible entity under subsection (c) shall not be used toward the non-Federal share.

(4) MAINTENANCE OF EFFORT.—An eligible entity shall provide assurances to the Secretary that funds provided to the eligible entity under this subsection will be used only to supplement, not to supplant, the amount of Federal, State, and local funds otherwise expended by the eligible entity for eligible activities under this subsection.

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this subsection for each of fiscal years 2008 through 2012.

(e) GRANTS TO OTHER STATES AND COMMUNITIES.—

(1) IN GENERAL.—Of the total amount of funds that are made available each fiscal year to carry out this section, the Secretary shall use 2 percent of the amount to make competitive grants under this section to States and units of local government that are not eligible entities or to consortia of such units of local government.

(2) APPLICATIONS.—To be eligible for a grant under this subsection, a State, unit of local government, or consortia described in paragraph (1) shall apply to the Secretary for a grant to carry out an activity that would otherwise be eligible for a grant under subsection (c) or (d).

(3) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to—

(A) States with populations of less than 2,000,000; and

(B) projects that would result in significant energy efficiency improvements, reductions in fossil fuel use, or capital improvements.

SEC. 606. ENERGY SUSTAINABILITY AND EFFICIENCY GRANTS FOR INSTITUTIONS OF HIGHER EDUCATION.

(a) DEFINITIONS.—In this section:

(1) ENERGY SUSTAINABILITY.—The term ''energy sustainability'' includes using a renewable energy resource and a highly efficient technology for electricity generation, transportation, heating, or cooling.

(2) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(b) GRANTS FOR ENERGY EFFICIENCY IMPROVEMENT.—

(1) IN GENERAL.—The Secretary shall award not more than 100 grants to institutions of higher education to carry out projects to improve energy efficiency on the grounds and facilities of the institution of higher education, including not less than 1 grant to an institution of higher education in each State.

(2) CONDITION.—As a condition of receiving a grant under this subsection, an institution of higher education shall agree to—

(A) implement a public awareness campaign in the community in which the institution of higher education is located to promote the project; and

(B) submit to the Secretary, and make available to the public, reports on any improvements achieved as part of a project carried out under paragraph (1).

(c) GRANTS FOR INNOVATION IN ENERGY SUSTAINABILITY.—

(1) IN GENERAL.—The Secretary shall award not more than 250 grants to institutions of higher education to engage in innovative energy sustainability projects, including not less than 2 grants to institutions of higher education in each State.

(2) INNOVATION PROJECTS.—An innovation project carried out with a grant under this subsection shall—

(A) involve an innovative technology that is not yet commercially available;

(B) have the greatest potential for testing or modeling new technologies or processes; and

(C) ensure active student participation in the project, including the planning, implementation, evaluation, and other phases of the project.

(3) CONDITION.—As a condition of receiving a grant under this subsection, an institution of higher education shall agree to submit to the Secretary, and make available to the public, reports that describe the results of the projects carried out under paragraph (1).

(d) AWARDING OF GRANTS.—

(1) APPLICATION.—An institution of higher education that seeks to receive a grant under this section may submit to the Secretary an application for the grant at such time, in such form, and containing such information as the Secretary may prescribe.

(2) SELECTION.—The Secretary shall establish a committee to assist in the selection of grant recipients under this section.

(e) ALLOCATION TO INSTITUTIONS OF HIGHER EDUCATION WITH SMALL ENDOWMENTS.—Of the amount of grants provided for a fiscal year under this section, the Secretary shall provide not less 50 percent of the amount to institutions of higher education that have an endowment of not more than $100,000,000, with 50 percent of the allocation set aside for institutions of higher education that have an endowment of not more than $50,000,000.

(f) GRANT AMOUNTS.—The maximum amount of grants for a project under this section shall not exceed—

(1) in the case of grants for energy efficiency improvement under subsection (b), $1,000,000; or.

(2) in the case of grants for innovation in energy sustainability under subsection (c), $500,000.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2008 through 2012.

SEC. 607. WORKFORCE TRAINING.

Section 1101 of the Energy Policy Act of 2005 (42 U.S.C. 16411) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

''(d) WORKFORCE TRAINING.—

''(1) IN GENERAL.—The Secretary, in cooperation with the Secretary of Labor, shall promulgate regulations to implement a program to provide workforce training to meet the high demand for workers skilled in the energy efficiency and renewable energy industries.

''(2) CONSULTATION.—In carrying out this subsection, the Secretary shall consult with

representatives of the energy efficiency and renewable energy industries concerning skills that are needed in those industries.''.

SEC. 608. ASSISTANCE TO STATES TO REDUCE SCHOOL BUS IDLING.

(a) STATEMENT OF POLICY.—Congress encourages each local educational agency (as defined in section 9101(26) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(26))) that receives Federal funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to develop a policy to reduce the incidence of school bus idling at schools while picking up and unloading students.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary, working in coordination with the Secretary of Education, $5,000,000 for each of fiscal years 2007 through 2012 for use in educating States and local education agencies about—

(1) benefits of reducing school bus idling; and

(2) ways in which school bus idling may be reduced.

Mr. DOMENICI. Mr. President, over 18 months ago, the President signed into law the Energy Policy Act of 2005. The enactment of that comprehensive legislation was a watershed event in structuring sound Energy policy for this Nation's future. We did a great deal in that energy bill on energy conservation and improved energy efficiency.

EPAct implemented new efficiency standards for 15 large commercial and residential appliances that have, in the past, consumed a great deal of energy, such as commercial washers, refrigerators, freezers, air-conditioners, and icemakers. In response to that mandate, the Department of Energy codified 15 new efficiency standards. Because of these new standards alone, we will save 50,000 megawatts of off-peak electricity use by 2020—which is an energy savings equal to more than eighty 600-megawatt power plants.

EPAct also encourages consumers to make their homes more energy efficient by giving them a 10-percent personal tax credit for energy efficient improvements. Additionally, homebuilders get a business tax credit for the construction of new homes that meet a 30-percent energy reduction standard. The law aids businesses in saving energy by providing a deduction for energy-efficient commercial buildings meeting a 50-percent energy reduction standard. Manufacturers are also assisted in building more energy-efficient home products via a manufacturers' tax credit for energy-efficient dishwashers, clothes washers, and refrigerators.

Still, there is no doubt that much can be done to improve the ways in which we use energy. That is why I am pleased today to introduce the Energy Efficiency Promotion Act of 2007 with Senator BINGAMAN. The bill we are introducing is a good starting point—but it is still a work in progress. I expect this bill to evolve over the course of the next several weeks with important input from those who will be tasked with implementing this policy and those who will be impacted by it. In particular, I am very interested in the Energy Department's views on this bill, and the committee will conduct a hearing next week at which the Department will testify.

The Energy Efficiency Promotion Act of 2007 represents over $12 billion in net present benefits for consumers. Potential electricity savings of 50 billion kilowatt hours per year equal enough energy savings to power almost 5 million households. Potential natural gas savings of 170 million therms per year equal enough energy savings to heat 250,000 households. And water savings from the legislation amount to about 560 million gallons per day.

This bill presses for better energy efficiency in the Federal Government—the appropriate place to start. Title I focuses on the promotion of energy-efficient lighting technologies within Federal Government and requires all general purpose lighting in Federal buildings to be Energy Star rated or designated as efficient by the Federal Energy Management Program. Title I also contains a sense of the Senate that Federal policies be adopted on efficient lightbulb standards.

Title II, which deals with energy efficiency standards, sets forth a number of consensus standards on such products as residential boilers, clothes washers, dishwashers, dehumidifiers, and electric motors. Such efficiency standards have the potential to save significant amounts of energy. This title also provides DOE with the authority to expedite rulemakings for energy-efficient consensus standards.

Title III promotes high efficiency vehicles, advanced batteries, and energy storage. It provides for lightweight materials research and development and loan guarantee the manufacture of fuel-efficient vehicle parts, including hybrid and advanced diesel vehicles.

Title IV sets forth national energy savings goals in the areas of transportation and the Nation's energy productivity. This title extends the President's goal for gasoline savings and further seeks to improve the Nation's overall energy productivity.

Title V calls for increased federal leadership in energy efficiency and renewable energy. It directs DOE to reduce petroleum consumption and increases the Federal requirement to purchase electricity generated by renewable energy. This title also permanently authorizes the Energy Savings Performance Contracts Program.

Title VI seeks to assist State and local governments with their ongoing efforts to improve their energy efficiency. It extends the authorization for both the Weatherization Assistance Program and the State Energy Conservation Program. This title also establishes energy efficiency grant programs for local governments and institutions of higher learning.

Again, I think the Energy Efficiency Promotion Act of 2007 we are introducing today is a good starting point for our continued work in the energy efficiency area. I look forward to working with Senator BINGAMAN, the administration, and all affected stakeholders as we move forward on this bill.

By Mr. BOND (for himself and Mr. DODD):

S. 1117. A bill to establish a grant program to provide vision care to children, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. BOND. Mr. President, children endure a lot. They cannot always tell us what's wrong. Often they do not know themselves. So it takes a special person to work with young people and help identify their problems. Every child deserves the opportunity to reach their full potential, but it takes more than a book-bag full of pencils, paper, books and rulers to equip children with the tools necessary to succeed in school.

The most important tool kids will take to school is their eyes. Good vision is critical to learning. 80 percent of what kids learn in their early school years is visual. Unfortunately, we overlook that fact sometimes. According to the CDC only one in three children receive any form of preventive vision care before entering school. That means many kids are in school with an undetected vision problem. One in four children has a vision problem that can interfere with learning. Some children are even labeled ''disruptive'' or thought to have a learning disability when the real reason for their difficulty is an undetected vision problem.

Without any vision care, some of our children will continue to fall through the cracks. I sympathize with these kids because I suffer from permanent vision loss in one eye as a result of undiagnosed Amblyopia in childhood. Amblyopia is the number one cause of vision loss in young Americans. If discovered and treated early, vision loss from Amblyopia can be largely prevented. Had I been identified and treated before I entered school, I could have avoided a lifetime of vision loss. Parents are not always aware that their child may suffer from a vision problem. By educating parents on the importance of vision care and recognizing signs of visual impairment we can help children avoid unnecessary vision loss.

To ensure that children get the vital vision care that they need to succeed, today Senator DODD and I are introducing the Vision Care for Kids Act which will establish a grant program to compliment and encourage existing State efforts to improve children's vision care. More specifically, grant funds will be used to: (1) provide comprehensive eye exams to children that have been previously identified as needing such services; (2) provide treatment or services necessary to correct vision problems identified in that eye exam; and (3) develop and disseminate educational materials to recognize the signs of visual impairment in children

for parents, teachers, and health care practitioners.

We need to do this. We must improve vision care for children to better equip them to succeed in school and in life. The Vision Care for Kids Act, endorsed by the American Academy of Ophthalmology, American Optometric Association, and Vision Council of America, will make a difference in the lives of children across the country.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1117

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Vision Care for Kids Act of 2007''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Millions of children in the United States suffer from vision problems, many of which go undetected. Because children with vision problems can struggle developmentally, resulting in physical, emotional, and social consequences, good vision is essential for proper physical development and educational progress.

(2) Vision problems in children range from common conditions such as refractive errors, amblyopia, strabismus, ocular trauma, and infections, to rare but potentially life- or sight-threatening problems such as retinoblastoma, infantile cataracts, congenital glaucoma, and genetic or metabolic diseases of the eye.

(3) Since many serious ocular conditions are treatable if identified in the preschool and early school-aged years, early detection provides the best opportunity for effective treatment and can have far-reaching implications for vision.

(4) Various identification methods, including vision screening and comprehensive eye examinations required by State laws, can be helpful in identifying children needing services. A child identified as needing services through vision screening should receive a comprehensive eye examination followed by subsequent treatment as needed. Any child identified as needing services should have access to subsequent treatment as needed.

(5) There is a need to increase public awareness about the prevalence and devastating consequences of vision disorders in children and to educate the public and health care providers about the warning signs and symptoms of ocular and vision disorders and the benefits of early detection, evaluation, and treatment.

SEC. 3. GRANTS REGARDING VISION CARE FOR CHILDREN.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary''), acting through the Director of the Centers for Disease Control and Prevention, may award grants to States on the basis of an established review process for the purpose of complementing existing State efforts for—

(1) providing comprehensive eye examinations by a licensed optometrist or ophthalmologist for children who have been previously identified through a vision screening or eye examination by a licensed health care provider or vision screener as needing such services, with priority given to children who are under the age of 9 years;

(2) providing treatment or services, subsequent to the examinations described in paragraph (1), necessary to correct vision problems; and

(3) developing and disseminating, to parents, teachers, and health care practitioners, educational materials on recognizing signs of visual impairment in children.

(b) CRITERIA AND COORDINATION.—

(1) CRITERIA.—The Secretary, in consultation with appropriate professional and consumer organizations including individuals with knowledge of age appropriate vision services, shall develop criteria—

(A) governing the operation of the grant program under subsection (a); and

(B) for the collection of data related to vision assessment and the utilization of follow up services.

(2) COORDINATION.—The Secretary shall, as appropriate, coordinate the program under subsection (a) with the program under section 330 of the Public Health Service Act (relating to health centers) (42 U.S.C. 254b), the program under title XIX of the Social Security Act (relating to the Medicaid program) (42 U.S.C. 1396 et seq.), the program under title XXI of such Act (relating to the State children's health insurance program) (42 U.S.C. 1397aa et seq.), and with other Federal or State programs that provide services to children.

(c) APPLICATION.—To be eligible to receive a grant under subsection (a), a State shall submit to the Secretary an application in such form, made in such manner, and containing such information as the Secretary may require, including—

(1) information on existing Federal, Federal-State, or State-funded children's vision programs;

(2) a plan for the use of grant funds, including how funds will be used to complement existing State efforts (including possible partnerships with non-profit entities);

(3) a plan to determine if a grant eligible child has been identified as provided for in subsection (a); and

(4) a description of how funds will be used to provide items or services, only as a secondary payer—

(A) for an eligible child, to the extent that the child is not covered for the items or services under any State compensation program, under an insurance policy, or under any Federal or State health benefits program; or

(B) for an eligible child, to the extent that the child receives the items or services from an entity that provides health services on a prepaid basis.

(d) EVALUATIONS.—To be eligible to receive a grant under subsection (a), a State shall agree that, not later than 1 year after the date on which amounts under the grant are first received by the State, and annually thereafter while receiving amounts under the grant, the State will submit to the Secretary an evaluation of the operations and activities carried out under the grant, including—

(1) an assessment of the utilization of vision services and the status of children receiving these services as a result of the activities carried out under the grant;

(2) the collection, analysis, and reporting of children's vision data according to guidelines prescribed by the Secretary; and

(3) such other information as the Secretary may require.

(e) LIMITATIONS IN EXPENDITURE OF GRANT.—A grant may be made under subsection (a) only if the State involved agrees that the State will not expend more than 20 percent of the amount received under the grant to carry out the purpose described in paragraph (3) of such subsection.

(f) DEFINITION.—For purposes of this section, the term ''comprehensive eye examination'' includes an assessment of a patient's history, general medical observation, external and ophthalmoscopic examination, visual acuity, ocular alignment and motility, refraction, and as appropriate, binocular vision or gross visual fields, performed by an optometrist or an ophthalmologist.

(g) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2008 through 2012.

Mr. DODD. Mr. President, today, Senator BOND and I are introducing the Vision Care for Kids Act of 2007. This legislation will provide follow-up vision care services for those children who have visual problems and are not covered under an insurance policy or under any Federal, or State health benefits program.

Why is this legislation needed? Let's look at the facts. According to the 2004 Vision Problems Action Plan, published by Prevent Blindness America, vision problems affect one in 20 preschoolers and 80 percent of children under age six are not screened for vision problems before entering public school.

Perhaps even more startling than the statistics I have just mentioned, is that 20 States do not require children to receive any vision care prior to entry or during their early school years. Thus, millions of children are at risk of having possible vision problems later in life.

I am pleased that my home State of Connecticut provides annual screenings to children in kindergarten through grade six. In addition, during the ninth grade, each student also receives a vision screening. Following the eye tests that are administered in Connecticut's schools, the local superintendent sends a note to the parent or guardian of each student who is found to have a problem.

Although Connecticut provides screenings in the early years, it is important to note that out of the 467,488 children in Connecticut, there are almost 70,000 who have untreated vision disorders, according to the most recent Census data. Nationwide, almost 6 million out of close to 40 million children have untreated vision disorders. The Centers for Disease Control and Prevention said that ''impaired vision can affect a child's cognitive, emotional, neurological, and physical development.''

With the introduction of the Vision Care for Kids Act, Senator BOND and I are seeking to improve the data I have outlined. When this legislation is enacted, the States will have the resources to pay for follow-up vision treatment for children who now do not have the financial means to undergo this much needed care.

Our initiative will enable Federal funding to complement existing State efforts in regard to: providing comprehensive eye examinations for children under age nine; furnishing the necessary treatment or services needed if an eye exam determines additional

care is needed; and developing educational materials for parents, teachers, and health care practitioners that will increase recognition of the signs of visual impairment in children. The Vision Care for Kids Act will serve as an incentive to States to provide eye care to those youngsters who are in need of treatment and are currently unable to access care.

This year, we are working on the reauthorization of the State Children's Health Insurance Program (SCHIP). SCHIP was created to provide health care to millions of children who were previously uninsured. Over the last ten years, we have seen the positive impact of this essential program. Passage of the Vision Care for Kids Act will be a key component of ensuring that we have a comprehensive children's health care delivery system in this country. I look forward to working with Senator BOND and my colleagues to see that this legislation is not only is not only passed by this body soon, but that it is signed into law.

By Mr. DORGAN (for himself and Mr. CRAIG):

S. 1118. A bill to improve the energy security of the United States by raising average fuel economy standards, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. DORGAN. Mr. President, today I am pleased to be joined by Senator CRAIG to introduce legislation called the Fuel Efficiency Act of 2007. This legislation is an important component of broader legislation that my colleague and I recently introduced on March 14, 2007. That legislation is a balanced plan with the overall goal to improve the energy security of the U.S. through a 50 percent reduction in the oil intensity of the economy by 2030.

This is important to me because the United States remains dangerously dependent on foreign sources of oil. Today we import over 60 percent of our oil from Iraq, Kuwait, Saudi Arabia, Nigeria, Venezuela, and other unstable nations of the world. This is very troubling to me.

Our larger proposal is grounded in four cornerstone principles. The first principle is achievable, stepped increases in fuel efficiency of the transportation fleet. The second principle promotes increased availability of alternative fuel sources and infrastructure. The third principle calls for expanded production and enhanced exploration of domestic and other secure oil and natural gas resources. Finally, the fourth principle improves the management of alliances to better secure global energy supplies.

In the United States, we use about 67 percent of our oil to power our vehicles. This is the area where we are least secure and increasingly dependent. For these reasons and more, we introduced S. 875 as a bi-partisan, balanced approach to securing our future energy through reducing our dependence on foreign oil.

I am also a member of the Senate Commerce, Science and Transportation Committee which has jurisdiction over the fuel economy standards of our Nation's vehicle fleet. I look forward to working with Chairman INOUYE, Ranking Member STEVENS, and other members of the committee who are interested in enacting strong, fair, and forwarding-looking fuel economy standards.

It should be noted that this is the first time that both Senator CRAIG and I have publicly stated our support for increased fuel economy standards beyond the incremental steps that the current administration has made to date. Our Nation's fuel economy standards have not significantly changed since the mid–1980s. We now have lower passenger vehicle fuel efficiency standards than Japan, the European Union, Australia, Canada, and yes, even China.

The bill we have introduced today reforms and strengthens fuel efficiency standards by establishing an annual 4 percent increase in the fuel economy of the entire new vehicle fleet, including automobiles, medium trucks, and heavy trucks from 2012–2030. The National Highway Traffic Safety Administration will have discretion to invoke ''off-ramps'' if it is determined that the increase is not technologically achievable, creates material safety concerns, or is not cost effective.

Senator CRAIG and I came together to develop a new pathway forward because we believe that bolder energy security measures must be taken now to address our long-term security, economic growth and environmental protection. There is no silver bullet to solving our energy dependence. Digging and drilling is a strategy I call yesterday forever. Conservation alone is not the answer. Renewable fuels hold promise, but we need to do much more here. We believe the combination of steps sets the right pathway to U.S. energy security, and we look forward to moving increased fuel economy standards through the Senate Commerce Committee.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 149—EXPRESSING THE CONDOLENCES OF THE SENATE ON THE TRAGIC EVENTS AT VIRGINIA TECH UNIVERSITY

Mr. WARNER (for himself, Mr. WEBB, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAIG, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TESTER, Mr. THOMAS, Mr. THUNE, Mr. VITTER, Mr. VOINOVICH, Mr. WHITEHOUSE, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 149

Resolved, that the Senate—

(1) offers its heartfelt condolences to the victims and their families, and to students, faculty, administration and staff and their families who have been deeply affected by the tragic events that occurred today at Virginia Tech in Blacksburg, Virginia;

(2) expresses its hope that today's losses will lead to a shared national commitment to take steps that will help our communities prevent such tragedies from occurring in the future; and

(3) recognizes that Virginia Tech has served as an exemplary institution of teaching, learning, and research for well over a century; and that the University's historic and proud traditions will carry on.

AMENDMENTS SUBMITTED AND PROPOSED

SA 843. Mr. ROCKEFELLER (for himself and Mr. BOND) proposed an amendment to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

SA 844. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 372, supra; which was ordered to lie on the table.

SA 845. Mr. BAYH submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 846. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 847. Ms. COLLINS (for herself, Mr. LIEBERMAN, Mr. CARPER, Mr. COLEMAN, and Mr. AKAKA) submitted an amendment intended to be proposed to amendment SA 843 proposed by Mr. ROCKEFELLER (for himself and Mr. BOND) to the bill S. 372, supra.

SA 848. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 849. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 850. Mr. CORNYN submitted an amendment intended to be proposed by him to the

bill S. 372, supra; which was ordered to lie on the table.

SA 851. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 852. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 853. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 854. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 855. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 856. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 857. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 858. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 859. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 860. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 861. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 862. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 863. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 864. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 865. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 866. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 867. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 868. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 869. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 870. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 871. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 872. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 873. Mr. CHAMBLISS (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 874. Mr. CHAMBLISS (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 875. Mr. CHAMBLISS (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 876. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 877. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 878. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 879. Mr. INHOFE (for himself and Mr. CRAIG) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 880. Mr. INHOFE (for himself and Mr. CRAIG) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 881. Mr. WYDEN (for himself, Mr. BOND, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 882. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 883. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 884. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 843. Mr. ROCKEFELLER (for himself and Mr. BOND) proposed an amendment to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 2007''.

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

Sec. 1. Short title; table of contents.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified schedule of authorizations.
Sec. 103. Incorporation of classified annex.
Sec. 104. Personnel ceiling adjustments.
Sec. 105. Intelligence Community Management Account.
Sec. 106. Incorporation of reporting requirements.
Sec. 107. Availability to public of certain intelligence funding information.
Sec. 108. Response of intelligence community to requests from Congress for intelligence documents and information.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—INTELLIGENCE AND GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. Clarification of definition of intelligence community under the National Security Act of 1947.
Sec. 304. Improvement of notification of Congress regarding intelligence activities of the United States Government.
Sec. 305. Delegation of authority for travel on common carriers for intelligence collection personnel.
Sec. 306. Modification of availability of funds for different intelligence activities.
Sec. 307. Additional limitation on availability of funds for intelligence and intelligence-related activities.
Sec. 308. Increase in penalties for disclosure of undercover intelligence officers and agents.
Sec. 309. Retention and use of amounts paid as debts to elements of the intelligence community.
Sec. 310. Extension to intelligence community of authority to delete information about receipt and disposition of foreign gifts and decorations.
Sec. 311. Availability of funds for travel and transportation of personal effects, household goods, and automobiles.
Sec. 312. Director of National Intelligence report on compliance with the Detainee Treatment Act of 2005.
Sec. 313. Report on any clandestine detention facilities for individuals captured in the Global War on Terrorism.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

Sec. 401. Additional authorities of the Director of National Intelligence on intelligence information sharing.
Sec. 402. Modification of limitation on delegation by the Director of National Intelligence of the protection of intelligence sources and methods.
Sec. 403. Authority of the Director of National Intelligence to manage access to human intelligence information.
Sec. 404. Additional administrative authority of the Director of National Intelligence.
Sec. 405. Clarification of limitation on co-location of the Office of the Director of National Intelligence.
Sec. 406. Additional duties of the Director of Science and Technology of the Office of the Director of National Intelligence.

Sec. 407. Appointment and title of Chief Information Officer of the Intelligence Community.
Sec. 408. Inspector General of the Intelligence Community.
Sec. 409. Leadership and location of certain offices and officials.
Sec. 410. National Space Intelligence Center.
Sec. 411. Operational files in the Office of the Director of National Intelligence.
Sec. 412. Eligibility for incentive awards of personnel assigned to the Office of the Director of National Intelligence.
Sec. 413. Repeal of certain authorities relating to the Office of the National Counterintelligence Executive.
Sec. 414. Inapplicability of Federal Advisory Committee Act to advisory committees of the Office of the Director of National Intelligence.
Sec. 415. Membership of the Director of National Intelligence on the Transportation Security Oversight Board.
Sec. 416. Applicability of the Privacy Act to the Director of National Intelligence and the Office of the Director of National Intelligence.

Subtitle B—Central Intelligence Agency

Sec. 421. Director and Deputy Director of the Central Intelligence Agency.
Sec. 422. Enhanced protection of Central Intelligence Agency intelligence sources and methods from unauthorized disclosure.
Sec. 423. Additional exception to foreign language proficiency requirement for certain senior level positions in the Central Intelligence Agency.
Sec. 424. Additional functions and authorities for protective personnel of the Central Intelligence Agency.
Sec. 425. Director of National Intelligence report on retirement benefits for former employees of Air America.

Subtitle C—Defense Intelligence Components

Sec. 431. Enhancements of National Security Agency training program.
Sec. 432. Codification of authorities of National Security Agency protective personnel.
Sec. 433. Inspector general matters.
Sec. 434. Confirmation of appointment of heads of certain components of the intelligence community.
Sec. 435. Clarification of national security missions of National Geospatial-Intelligence Agency for analysis and dissemination of certain intelligence information.
Sec. 436. Security clearances in the National Geospatial-Intelligence Agency.

Subtitle D—Other Elements

Sec. 441. Foreign language incentive for certain non-special agent employees of the Federal Bureau of Investigation.
Sec. 442. Authority to secure services by contract for the Bureau of Intelligence and Research of the Department of State.
Sec. 443. Clarification of inclusion of Coast Guard and Drug Enforcement Administration as elements of the intelligence community.
Sec. 444. Clarifying amendments relating to section 105 of the Intelligence Authorization Act for fiscal year 2004.

TITLE V—OTHER MATTERS

Sec. 501. Technical amendments to the National Security Act of 1947.
Sec. 502. Technical clarification of certain references to Joint Military Intelligence Program and Tactical Intelligence and Related Activities.
Sec. 503. Technical amendments to the Intelligence Reform and Terrorism Prevention Act of 2004.
Sec. 504. Technical amendments to title 10, United States Code, arising from enactment of the Intelligence Reform and Terrorism Prevention Act of 2004.
Sec. 505. Technical amendment to the Central Intelligence Agency Act of 1949.
Sec. 506. Technical amendments relating to the multiyear National Intelligence Program.
Sec. 507. Technical amendments to the Executive Schedule.
Sec. 508. Technical amendments relating to redesignation of the National Imagery and Mapping Agency as the National Geospatial-Intelligence Agency.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2007 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.
(2) The Central Intelligence Agency.
(3) The Department of Defense.
(4) The Defense Intelligence Agency.
(5) The National Security Agency.
(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(7) The Department of State.
(8) The Department of the Treasury.
(9) The Department of Energy.
(10) The Department of Justice.
(11) The Federal Bureau of Investigation.
(12) The National Reconnaissance Office.
(13) The National Geospatial-Intelligence Agency.
(14) The Coast Guard.
(15) The Department of Homeland Security.
(16) The Drug Enforcement Administration.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 2007, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the conference report on the bill S. 372 of the One Hundred Tenth Congress and in the Classified Annex to such report as incorporated in this Act under section 103.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

SEC. 103. INCORPORATION OF CLASSIFIED ANNEX.

(a) STATUS OF CLASSIFIED ANNEX.—The Classified Annex prepared by the Select Committee on Intelligence of the Senate to accompany its report on the bill S. 372 of the One Hundred Tenth Congress and transmitted to the President is hereby incorporated into this Act.

(b) CONSTRUCTION WITH OTHER PROVISIONS OF DIVISION.—Unless otherwise specifically stated, the amounts specified in the Classified Annex are not in addition to amounts authorized to be appropriated by other provisions of this Act.

(c) LIMITATION ON USE OF FUNDS.—Funds appropriated pursuant to an authorization contained in this Act that are made available for a program, project, or activity referred to in the Classified Annex may only be expended for such program, project, or activity in accordance with such terms, conditions, limitations, restrictions, and requirements as are set out for that program, project, or activity in the Classified Annex.

(d) DISTRIBUTION OF CLASSIFIED ANNEX.—The President shall provide for appropriate distribution of the Classified Annex, or of appropriate portions of the annex, within the executive branch of the Government.

SEC. 104. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2007 under section 102 when the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 2 percent of the number of civilian personnel authorized under such section for such element.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall promptly notify the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives whenever the Director exercises the authority granted by this section.

SEC. 105. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2007 the sum of $648,952,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2008.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 1,575 full-time personnel as of September 30, 2007. Personnel serving in such elements may be permanent employees of the Intelligence Community Management Account or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are also authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2007 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for research and development shall remain available until September 30, 2008.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence

Community Management Account as of September 30, 2007, there are also authorized such additional personnel for such elements as of that date as are specified in the classified Schedule of Authorizations.

(d) REIMBURSEMENT.—Except as provided in section 113 of the National Security Act of 1947 (50 U.S.C. 404h), during fiscal year 2007 any officer or employee of the United States or a member of the Armed Forces who is detailed to the staff of the Intelligence Community Management Account from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of National Intelligence.

SEC. 106. INCORPORATION OF REPORTING REQUIREMENTS.

(a) IN GENERAL.—Each requirement to submit a report to the congressional intelligence committees that is included in the joint explanatory statement to accompany the conference report on the bill _____ of the One Hundred Tenth Congress, or in the classified annex to this Act, is hereby incorporated into this Act, and is hereby made a requirement in law.

(b) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term ''congressional intelligence committees'' means—

(1) the Select Committee on Intelligence of the Senate; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 107. AVAILABILITY TO PUBLIC OF CERTAIN INTELLIGENCE FUNDING INFORMATION.

(a) AMOUNTS REQUESTED EACH FISCAL YEAR.—The President shall disclose to the public for each fiscal year after fiscal year 2007 the aggregate amount of appropriations requested in the budget of the President for such fiscal year for the National Intelligence Program.

(b) AMOUNTS AUTHORIZED AND APPROPRIATED EACH FISCAL YEAR.—Congress shall disclose to the public for each fiscal year after fiscal year 2006 the aggregate amount of funds authorized to be appropriated, and the aggregate amount of funds appropriated, by Congress for such fiscal year for the National Intelligence Program.

SEC. 108. RESPONSE OF INTELLIGENCE COMMUNITY TO REQUESTS FROM CONGRESS FOR INTELLIGENCE DOCUMENTS AND INFORMATION.

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.) is amended by adding at the end the following new section:

''RESPONSE OF INTELLIGENCE COMMUNITY TO REQUESTS FROM CONGRESS FOR INTELLIGENCE DOCUMENTS AND INFORMATION

''SEC. 508. (a) REQUESTS OF COMMITTEES.—(1) The Director of National Intelligence, the Director of the National Counterterrorism Center, the Director of a national intelligence center, or the head of any other department, agency, or element of the Federal Government, or other organization within the Executive branch, that is an element of the intelligence community shall, not later than 30 days after receiving a request for any intelligence assessment, report, estimate, legal opinion, or other intelligence information from the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives, make available to such committee such assessment, report, estimate, legal opinion, or other information, as the case may be.

''(2) A committee making a request under paragraph (1) may specify a greater number of days for submittal to such committee of information in response to such request than is otherwise provided for under that paragraph.

''(b) REQUESTS OF CERTAIN MEMBERS.—(1) The Director of National Intelligence, the Director of the National Counterterrorism Center, the Director of a national intelligence center, or the head of any other department, agency, or element of the Federal Government, or other organization within the Executive branch, that is an element of the intelligence community shall respond, in the time specified in subsection (a), to a request described in that subsection from the Chairman or Vice Chairman of the Select Committee on Intelligence of the Senate or the Chairman or Ranking Member of the Permanent Select Committee on Intelligence of the House of Representatives.

''(2) Upon making a request covered by paragraph (1)—

''(A) the Chairman or Vice Chairman, as the case may be, of the Select Committee on Intelligence of the Senate shall notify the other of the Chairman or Vice Chairman of such request; and

''(B) the Chairman or Ranking Member, as the case may be, of the Permanent Select Committee on Intelligence of the House of Representatives shall notify the other of the Chairman or Ranking Member of such request.

''(c) ASSERTION OF PRIVILEGE.—In response to a request covered by subsection (a) or (b), the Director of National Intelligence, the Director of the National Counterterrorism Center, the Director of a national intelligence center, or the head of any other department, agency, or element of the Federal Government, or other organization within the Executive branch, that is an element of the intelligence community shall provide the document or information covered by such request unless the President certifies that such document or information is not being provided because the President is asserting a privilege pursuant to the Constitution of the United States.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of that Act is amended by inserting after the item relating to section 507 the following new item:

''Sec. 508. Response of intelligence community to requests from Congress for intelligence documents and information.''.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2007 the sum of $256,400,000.

TITLE III—INTELLIGENCE AND GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. CLARIFICATION OF DEFINITION OF INTELLIGENCE COMMUNITY UNDER THE NATIONAL SECURITY ACT OF 1947.

Subparagraph (L) of section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)) is amended by striking ''other'' the second place it appears.

SEC. 304. IMPROVEMENT OF NOTIFICATION OF CONGRESS REGARDING INTELLIGENCE ACTIVITIES OF THE UNITED STATES GOVERNMENT.

(a) CLARIFICATION OF DEFINITION OF CONGRESSIONAL INTELLIGENCE COMMITTEES TO INCLUDE ALL MEMBERS OF COMMITTEES.—Section 3(7) of the National Security Act of 1947 (50 U.S.C. 401a(7)) is amended—

(1) in subparagraph (A), by inserting '', and includes each member of the Select Committee'' before the semicolon; and

(2) in subparagraph (B), by inserting '', and includes each member of the Permanent Select Committee'' before the period.

(b) NOTICE ON INFORMATION NOT DISCLOSED.—

(1) IN GENERAL.—Section 502 of such Act (50 U.S.C. 413a) is amended—

(A) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(B) by inserting after subsection (a) the following new subsection (b):

''(b) NOTICE ON INFORMATION NOT DISCLOSED.—(1) If the Director of National Intelligence or the head of a department, agency, or other entity of the United States Government does not provide information required by subsection (a) in full or to all the members of the congressional intelligence committees, and requests that such information not be provided, the Director shall, in a timely fashion, notify such committees of the determination not to provide such information in full or to all members of such committees. Such notice shall be submitted in writing in a classified form, include a statement of the reasons for such determination and a description that provides the main features of the intelligence activities covered by such determination, and contain no restriction on access to this notice by all members of the committee.

''(2) Nothing in this subsection shall be construed as authorizing less than full and current disclosure to all the members of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives of any information necessary to keep all the members of such committees fully and currently informed on all intelligence activities covered by this section.''.

(2) CONFORMING AMENDMENT.—Subsection (d) of such section, as redesignated by paragraph (1)(A) of this subsection, is amended by striking ''subsection (b)'' and inserting ''subsections (b) and (c)''.

(c) REPORTS AND NOTICE ON COVERT ACTIONS.—

(1) FORM AND CONTENT OF CERTAIN REPORTS.—Subsection (b) of section 503 of such Act (50 U.S.C. 413b) is amended—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) by inserting ''(1)'' after ''(b)''; and

(C) by adding at the end the following new paragraph:

''(2) Any report relating to a covert action that is submitted to the congressional intelligence committees for the purposes of paragraph (1) shall be in writing, and shall contain the following:

''(A) A concise statement of any facts pertinent to such report.

''(B) An explanation of the significance of the covert action covered by such report.''.

(2) NOTICE ON INFORMATION NOT DISCLOSED.—Subsection (c) of such section is amended by adding at the end the following new paragraph:

''(5) If the Director of National Intelligence or the head of a department, agency, or other entity of the United States Government does not provide information required by subsection (b) in full or to all the members of the congressional intelligence committees, and requests that such information not be provided, the Director shall, in a timely fashion, notify such committees of the determination not to provide such information in full or to all members of such committees. Such notice shall be submitted in writing in a classified form, include a statement of the reasons for such determination and a description that provides the main features of the covert action covered by such determination, and contain no restriction on access to this notice by all members of the committee.''.

(3) MODIFICATION OF NATURE OF CHANGE OF COVERT ACTION TRIGGERING NOTICE REQUIREMENTS.—Subsection (d) of such section is amended by striking ''significant'' the first place it appears.

SEC. 305. DELEGATION OF AUTHORITY FOR TRAVEL ON COMMON CARRIERS FOR INTELLIGENCE COLLECTION PERSONNEL.

(a) DELEGATION OF AUTHORITY.—Section 116(b) of the National Security Act of 1947 (50 U.S.C. 404k(b)) is amended—

(1) by inserting ''(1)'' before ''The Director'';

(2) in paragraph (1), by striking ''may only delegate'' and all that follows and inserting ''may delegate the authority in subsection (a) to the head of any other element of the intelligence community.''; and

(3) by adding at the end the following new paragraph:

''(2) The head of an element of the intelligence community to whom the authority in subsection (a) is delegated pursuant to paragraph (1) may further delegate such authority to such senior officials of such element as are specified in guidelines prescribed by the Director of National Intelligence for purposes of this paragraph.''.

(b) SUBMITTAL OF GUIDELINES TO CONGRESS.—Not later than six months after the date of the enactment of this Act, the Director of National Intelligence shall prescribe and submit to the congressional intelligence committees the guidelines referred to in paragraph (2) of section 116(b) of the National Security Act of 1947, as added by subsection (a).

(c) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term ''congressional intelligence committees'' means—

(1) the Select Committee on Intelligence of the Senate; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 306. MODIFICATION OF AVAILABILITY OF FUNDS FOR DIFFERENT INTELLIGENCE ACTIVITIES.

Subparagraph (B) of section 504(a)(3) of the National Security Act of 1947 (50 U.S.C. 414(a)(3)) is amended to read as follows:

''(B) the use of such funds for such activity supports an emergent need, improves program effectiveness, or increases efficiency; and''.

SEC. 307. ADDITIONAL LIMITATION ON AVAILABILITY OF FUNDS FOR INTELLIGENCE AND INTELLIGENCE-RELATED ACTIVITIES.

Section 504 of the National Security Act of 1947 (50 U.S.C. 414) is amended—

(1) in subsection (a), by inserting ''the congressional intelligence committees have been fully and currently informed of such activity and if'' after ''only if'';

(2) by redesignating subsections (b), (c), (d), and (e) as subsections (c), (d), (e), and (f), respectively; and

(3) by inserting after subsection (a) the following new subsection (b):

''(b) In any case in which notice to the congressional intelligence committees on an intelligence or intelligence-related activity is covered by section 502(b), or in which notice to the congressional intelligence committees on a covert action is covered by section 503(c)(5), the congressional intelligence committees shall be treated as being fully and currently informed on such activity or covert action, as the case may be, for purposes of subsection (a) if the requirements of such section 502(b) or 503(c)(5), as applicable, have been met.''.

SEC. 308. INCREASE IN PENALTIES FOR DISCLOSURE OF UNDERCOVER INTELLIGENCE OFFICERS AND AGENTS.

(a) DISCLOSURE OF AGENT AFTER ACCESS TO INFORMATION IDENTIFYING AGENT.—Subsection (a) of section 601 of the National Security Act of 1947 (50 U.S.C. 421) is amended by striking ''ten years'' and inserting ''15 years''.

(b) DISCLOSURE OF AGENT AFTER ACCESS TO CLASSIFIED INFORMATION.—Subsection (b) of such section is amended by striking ''five years'' and inserting ''ten years''.

SEC. 309. RETENTION AND USE OF AMOUNTS PAID AS DEBTS TO ELEMENTS OF THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 442 et seq.) is amended by adding at the end the following new section:

''RETENTION AND USE OF AMOUNTS PAID AS DEBTS TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

''SEC. 1103. (a) AUTHORITY TO RETAIN AMOUNTS PAID.—Notwithstanding section 3302 of title 31, United States Code, or any other provision of law, the head of an element of the intelligence community may retain amounts paid or reimbursed to the United States, including amounts paid by an employee of the Federal Government from personal funds, for repayment of a debt owed to the element of the intelligence community.

''(b) CREDITING OF AMOUNTS RETAINED.—(1) Amounts retained under subsection (a) shall be credited to the current appropriation or account from which such funds were derived or whose expenditure formed the basis for the underlying activity from which the debt concerned arose.

''(2) Amounts credited to an appropriation or account under paragraph (1) shall be merged with amounts in such appropriation or account, and shall be available in accordance with subsection (c).

''(c) AVAILABILITY OF AMOUNTS.—Amounts credited to an appropriation or account under subsection (b) with respect to a debt owed to an element of the intelligence community shall be available to the head of such element, for such time as is applicable to amounts in such appropriation or account, or such longer time as may be provided by law, for purposes as follows:

''(1) In the case of a debt arising from lost or damaged property of such element, the repair of such property or the replacement of such property with alternative property that will perform the same or similar functions as such property.

''(2) The funding of any other activities authorized to be funded by such appropriation or account.

''(d) DEBT OWED TO AN ELEMENT OF THE INTELLIGENCE COMMUNITY DEFINED.—In this section, the term 'debt owed to an element of the intelligence community' means any of the following:

''(1) A debt owed to an element of the intelligence community by an employee or former employee of such element for the negligent or willful loss of or damage to property of such element that was procured by such element using appropriated funds.

''(2) A debt owed to an element of the intelligence community by an employee or former employee of such element as repayment for default on the terms and conditions associated with a scholarship, fellowship, or other educational assistance provided to such individual by such element, whether in exchange for future services or otherwise, using appropriated funds.

''(3) Any other debt or repayment owed to an element of the intelligence community by a private person or entity by reason of the negligent or willful action of such person or entity, as determined by a court of competent jurisdiction or in a lawful administrative proceeding.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of that Act is amended by adding at the end the following new item:

''Sec. 1103. Retention and use of amounts paid as debts to elements of the intelligence community.''.

SEC. 310. EXTENSION TO INTELLIGENCE COMMUNITY OF AUTHORITY TO DELETE INFORMATION ABOUT RECEIPT AND DISPOSITION OF FOREIGN GIFTS AND DECORATIONS.

Paragraph (4) of section 7342(f) of title 5, United States Code, is amended to read as follows:

''(4)(A) In transmitting such listings for an element of the intelligence community, the head of such element may delete the information described in subparagraphs (A) and (C) of paragraphs (2) and (3) if the head of such element certifies in writing to the Secretary of State that the publication of such information could adversely affect United States intelligence sources or methods.

''(B) Any information not provided to the Secretary of State pursuant to the authority in subparagraph (A) shall be transmitted to the Director of National Intelligence.

''(C) In this paragraph, the term 'element of the intelligence community' means an element of the intelligence community listed in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).''.

SEC. 311. AVAILABILITY OF FUNDS FOR TRAVEL AND TRANSPORTATION OF PERSONAL EFFECTS, HOUSEHOLD GOODS, AND AUTOMOBILES.

(a) FUNDS OF OFFICE OF DIRECTOR OF NATIONAL INTELLIGENCE.—Funds appropriated to the Office of the Director of National Intelligence and available for travel and transportation expenses shall be available for such expenses when any part of the travel or transportation concerned begins in a fiscal year pursuant to travel orders issued in such fiscal year, notwithstanding that such travel or transportation is or may not be completed during such fiscal year.

(b) FUNDS OF CENTRAL INTELLIGENCE AGENCY.—Funds appropriated to the Central Intelligence Agency and available for travel and transportation expenses shall be available for such expenses when any part of the travel or transportation concerned begins in a fiscal year pursuant to travel orders issued in such fiscal year, notwithstanding that such travel or transportation is or may not be completed during such fiscal year.

(c) TRAVEL AND TRANSPORTATION EXPENSES DEFINED.—In this section, the term ''travel and transportation expenses'' means the following:

(1) Expenses in connection with travel of personnel, including travel of dependents.

(2) Expenses in connection with transportation of personal effects, household goods, or automobiles of personnel.

SEC. 312. DIRECTOR OF NATIONAL INTELLIGENCE REPORT ON COMPLIANCE WITH THE DETAINEE TREATMENT ACT OF 2005.

(a) REPORT REQUIRED.—Not later than May 1, 2007, the Director of National Intelligence shall submit to the congressional intelligence committees a comprehensive report on all measures taken by the Office of the Director of National Intelligence and by each element, if any, of the intelligence community with relevant responsibilities to comply with the provisions of the Detainee Treatment Act of 2005 (title X of division A of Public Law 109–148).

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the detention or interrogation methods, if any, that have been determined to comply with section 1003 of the Detainee Treatment Act of 2005 (119 Stat. 2739; 42 U.S.C. 2000dd), and, with respect to each such method—

(A) an identification of the official making such determination; and

(B) a statement of the basis for such determination.

(2) A description of the detention or interrogation methods, if any, whose use has been discontinued pursuant to the Detainee Treatment Act of 2005, and, with respect to each such method—

(A) an identification of the official making the determination to discontinue such method; and

(B) a statement of the basis for such determination.

(3) A description of any actions that have been taken to implement section 1004 of the Detainee Treatment Act of 2005 (119 Stat. 2740; 42 U.S.C. 2000dd–1), and, with respect to each such action—

(A) an identification of the official taking such action; and

(B) a statement of the basis for such action.

(4) Any other matters that the Director considers necessary to fully and currently inform the congressional intelligence committees about the implementation of the Detainee Treatment Act of 2005.

(5) An appendix containing—

(A) all guidelines for the application of the Detainee Treatment Act of 2005 to the detention or interrogation activities, if any, of any element of the intelligence community; and

(B) all legal opinions of any office or official of the Department of Justice about the meaning or application of Detainee Treatment Act of 2005 with respect to the detention or interrogation activities, if any, of any element of the intelligence community.

(c) FORM.—The report required by subsection (a) shall be submitted in classified form.

(d) DEFINITIONS.—In this section:

(1) The term ''congressional intelligence committees'' means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee of the House of Representatives.

(2) The term ''intelligence community'' means the elements of the intelligence community specified in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

SEC. 313. REPORT ON ANY CLANDESTINE DETENTION FACILITIES FOR INDIVIDUALS CAPTURED IN THE GLOBAL WAR ON TERRORISM.

(a) IN GENERAL.—The President shall ensure that the United States Government continues to comply with the authorization, reporting, and notification requirements of title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).

(b) DIRECTOR OF NATIONAL INTELLIGENCE REPORT.—

(1) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the members of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on any clandestine prison or detention facility currently or formerly operated by the United States Government for individuals captured in the global war on terrorism.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The date each prison or facility became operational, and if applicable, the date on which each prison or facility ceased its operations.

(B) The total number of prisoners or detainees held at each prison or facility during its operation.

(C) The current number of prisoners or detainees held at each operational prison or facility.

(D) The total and average annual costs of each prison or facility during its operation.

(E) A description of the interrogation procedures used or formerly used on detainees at each prison or facility, including whether a determination has been made that such procedures are or were in compliance with the United States obligations under the Geneva Conventions and the Convention Against Torture.

(3) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in classified form.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. ADDITIONAL AUTHORITIES OF THE DIRECTOR OF NATIONAL INTELLIGENCE ON INTELLIGENCE INFORMATION SHARING.

Section 102A(g)(1) of the National Security Act of 1947 (50 U.S.C. 403–1(g)(1)) is amended—

(1) in subparagraph (E), by striking ''and'' at the end;

(2) in subparagraph (F), by striking the period and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

''(G) in carrying out this subsection, have the authority—

''(i) to direct the development, deployment, and utilization of systems of common concern for elements of the intelligence community, or that support the activities of such elements, related to the collection, processing, analysis, exploitation, and dissemination of intelligence information; and

''(ii) without regard to any provision of law relating to the transfer, reprogramming, obligation, or expenditure of funds, other than the provisions of this Act and the National Security Intelligence Reform Act of 2004 (title I of Public Law 108–458), to expend funds for purposes associated with the development, deployment, and utilization of such systems, which funds may be received and utilized by any department, agency, or other element of the United States Government for such purposes; and

''(H) for purposes of addressing critical gaps in intelligence information sharing or access capabilities, have the authority to transfer funds appropriated for a program within the National Intelligence Program to a program funded by appropriations not within the National Intelligence Program, consistent with paragraphs (3) through (7) of subsection (d).''.

SEC. 402. MODIFICATION OF LIMITATION ON DELEGATION BY THE DIRECTOR OF NATIONAL INTELLIGENCE OF THE PROTECTION OF INTELLIGENCE SOURCES AND METHODS.

Section 102A(i)(3) of the National Security Act of 1947 (50 U.S.C. 403–1(i)(3)) is amended by inserting before the period the following: '', any Deputy Director of National Intelligence, or the Chief Information Officer of the Intelligence Community''.

SEC. 403. AUTHORITY OF THE DIRECTOR OF NATIONAL INTELLIGENCE TO MANAGE ACCESS TO HUMAN INTELLIGENCE INFORMATION.

Section 102A(b) of the National Security Act of 1947 (50 U.S.C. 403–1(b)) is amended—

(1) by inserting ''(1)'' before ''Unless''; and

(2) by adding at the end the following new paragraph:

''(2) The Director of National Intelligence shall—

''(A) have access to all national intelligence, including intelligence reports, operational data, and other associated information, concerning the human intelligence operations of any element of the intelligence community authorized to undertake such collection;

''(B) consistent with the protection of intelligence sources and methods and applicable requirements in Executive Order 12333 (or any successor order) regarding the retention and dissemination of information concerning United States persons, ensure maximum access to the intelligence information contained in the information referred to in subparagraph (A) throughout the intelligence community; and

''(C) consistent with subparagraph (B), provide within the Office of the Director of National Intelligence a mechanism for intelligence community analysts and other officers with appropriate clearances and an official need-to-know to gain access to information referred to in subparagraph (A) or (B) when relevant to their official responsibilities.''.

SEC. 404. ADDITIONAL ADMINISTRATIVE AUTHORITY OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 102A of the National Security Act of 1947 (50 U.S.C. 403–1) is amended by adding at the end the following new subsection:

''(s) ADDITIONAL ADMINISTRATIVE AUTHORITIES.—(1) Notwithstanding section 1532 of title 31, United States Code, or any other provision of law prohibiting the interagency financing of activities described in clause (i) or (ii) of subparagraph (A), in the performance of the responsibilities, authorities, and duties of the Director of National Intelligence or the Office of the Director of National Intelligence—

''(A) the Director may authorize the use of interagency financing for—

''(i) national intelligence centers established by the Director under section 119B; and

''(ii) boards, commissions, councils, committees, and similar groups established by the Director; and

''(B) upon the authorization of the Director, any department, agency, or element of the United States Government, including any element of the intelligence community, may fund or participate in the funding of such activities.

''(2) No provision of law enacted after the date of the enactment of this subsection shall be deemed to limit or supersede the authority in paragraph (1) unless such provision makes specific reference to the authority in that paragraph.''.

SEC. 405. CLARIFICATION OF LIMITATION ON COLOCATION OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 103(e) of the National Security Act of 1947 (50 U.S.C. 403–3(e)) is amended—

(1) by striking ''**WITH**'' and inserting ''**OF HEADQUARTERS WITH HEADQUARTERS OF**'';

(2) by inserting ''the headquarters of'' before ''the Office''; and

(3) by striking ''any other element'' and inserting ''the headquarters of any other element''.

SEC. 406. ADDITIONAL DUTIES OF THE DIRECTOR OF SCIENCE AND TECHNOLOGY OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) COORDINATION AND PRIORITIZATION OF RESEARCH CONDUCTED BY ELEMENTS OF INTELLIGENCE COMMUNITY.—Subsection (d) of section 103E of the National Security Act of 1947 (50 U.S.C. 403–3e) is amended—

(1) in paragraph (3)(A), by inserting ''and prioritize'' after ''coordinate''; and

(2) by adding at the end the following new paragraph:

''(4) In carrying out paragraph (3)(A), the Committee shall identify basic, advanced, and applied research programs to be carried out by elements of the intelligence community.''.

(b) DEVELOPMENT OF TECHNOLOGY GOALS.—That section is further amended—

(1) in subsection (c)—

(A) in paragraph (4), by striking ''and'' at the end;

(B) by redesignating paragraph (5) as paragraph (8); and

(C) by inserting after paragraph (4) the following new paragraphs:

''(5) assist the Director in establishing goals for the elements of the intelligence community to meet the technology needs of the intelligence community;

''(6) under the direction of the Director, establish engineering standards and specifications applicable to each acquisition of a major system (as that term is defined in section 506A(e)(3)) by the intelligence community;

''(7) ensure that each acquisition program of the intelligence community for a major system (as so defined) complies with the standards and specifications established under paragraph (6); and''; and

(2) by adding at the end the following new subsection:

''(e) GOALS FOR TECHNOLOGY NEEDS OF INTELLIGENCE COMMUNITY.—In carrying out subsection (c)(5), the Director of Science and Technology shall—

''(1) systematically identify and assess the most significant intelligence challenges that require technical solutions;

''(2) examine options to enhance the responsiveness of research and design programs of the elements of the intelligence community to meet the requirements of the intelligence community for timely support; and

''(3) assist the Director of National Intelligence in establishing research and development priorities and projects for the intelligence community that—

''(A) are consistent with current or future national intelligence requirements;

''(B) address deficiencies or gaps in the collection, processing, analysis, or dissemination of national intelligence;

''(C) take into account funding constraints in program development and acquisition; and

''(D) address system requirements from collection to final dissemination (also known as 'end-to-end architecture').''.

(c) REPORT.—(1) Not later than June 30, 2007, the Director of National Intelligence shall submit to Congress a report containing a strategy for the development and use of technology in the intelligence community through 2021.

(2) The report shall include—

(A) an assessment of the highest priority intelligence gaps across the intelligence community that may be resolved by the use of technology;

(B) goals for advanced research and development and a strategy to achieve such goals;

(C) an explanation of how each advanced research and development project funded under the National Intelligence Program addresses an identified intelligence gap;

(D) a list of all current and projected research and development projects by research type (basic, advanced, or applied) with estimated funding levels, estimated initiation dates, and estimated completion dates; and

(E) a plan to incorporate technology from research and development projects into National Intelligence Program acquisition programs.

(3) The report may be submitted in classified form.

SEC. 407. APPOINTMENT AND TITLE OF CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

(a) APPOINTMENT.—

(1) IN GENERAL.—Subsection (a) of section 103G of the National Security Act of 1947 (50 U.S.C. 403–3g) is amended by striking ''the President, by and with the advice and consent of the Senate'' and inserting ''the Director of National Intelligence''.

(2) APPLICABILITY.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act, and shall apply with respect to any appointment of an individual as Chief Information Officer of the Intelligence Community that is made on or after that date.

(b) TITLE.—Such section is further amended—

(1) in subsection (a), by inserting ''of the Intelligence Community'' after ''Chief Information Officer'';

(2) in subsection (b), by inserting ''of the Intelligence Community'' after ''Chief Information Officer'';

(3) in subsection (c), by inserting ''of the Intelligence Community'' after ''Chief Information Officer''; and

(4) in subsection (d), by inserting ''of the Intelligence Community'' after ''Chief Information Officer'' the first place it appears.

SEC. 408. INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.

(a) ESTABLISHMENT.—(1) Title I of the National Security Act of 1947 (50 U.S.C. 402 et seq.) is amended by inserting after section 103G the following new section:

''INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY

''SEC. 103H. (a) OFFICE OF INSPECTOR GENERAL OF INTELLIGENCE COMMUNITY.—There is within the Office of the Director of National Intelligence an Office of the Inspector General of the Intelligence Community.

''(b) PURPOSE.—The purpose of the Office of the Inspector General of the Intelligence Community is to—

''(1) create an objective and effective office, appropriately accountable to Congress, to initiate and conduct independently investigations, inspections, and audits relating to—

''(A) the programs and operations of the intelligence community;

''(B) the elements of the intelligence community within the National Intelligence Program; and

''(C) the relationships between the elements of the intelligence community within the National Intelligence Program and the other elements of the intelligence community;

''(2) recommend policies designed—

''(A) to promote economy, efficiency, and effectiveness in the administration and implementation of such programs and operations, and in such relationships; and

''(B) to prevent and detect fraud and abuse in such programs, operations, and relationships;

''(3) provide a means for keeping the Director of National Intelligence fully and currently informed about—

''(A) problems and deficiencies relating to the administration and implementation of such programs and operations, and to such relationships; and

''(B) the necessity for, and the progress of, corrective actions; and

''(4) in the manner prescribed by this section, ensure that the congressional intelligence committees are kept similarly informed of—

''(A) significant problems and deficiencies relating to the administration and implementation of such programs and operations, and to such relationships; and

''(B) the necessity for, and the progress of, corrective actions.

''(c) INSPECTOR GENERAL OF INTELLIGENCE COMMUNITY.—(1) There is an Inspector General of the Intelligence Community, who shall be the head of the Office of the Inspector General of the Intelligence Community, who shall be appointed by the President, by and with the advice and consent of the Senate.

''(2) The nomination of an individual for appointment as Inspector General shall be made—

''(A) without regard to political affiliation;

''(B) solely on the basis of integrity, compliance with the security standards of the intelligence community, and prior experience in the field of intelligence or national security; and

''(C) on the basis of demonstrated ability in accounting, financial analysis, law, management analysis, public administration, or auditing.

''(3) The Inspector General shall report directly to and be under the general supervision of the Director of National Intelligence.

''(4) The Inspector General may be removed from office only by the President. The President shall immediately communicate in writing to the congressional intelligence committees the reasons for the removal of any individual from the position of Inspector General.

''(d) DUTIES AND RESPONSIBILITIES.—Subject to subsections (g) and (h), it shall be the duty and responsibility of the Inspector General of the Intelligence Community—

''(1) to provide policy direction for, and to plan, conduct, supervise, and coordinate independently, the investigations, inspections, and audits relating to the programs and operations of the intelligence community, the elements of the intelligence community within the National Intelligence Program, and the relationships between the elements of the intelligence community within the National Intelligence Program and the other elements of the intelligence community to ensure they are conducted efficiently and in accordance with applicable law and regulations;

''(2) to keep the Director of National Intelligence fully and currently informed concerning violations of law and regulations, violations of civil liberties and privacy, and fraud and other serious problems, abuses, and deficiencies that may occur in such programs and operations, and in such relationships, and to report the progress made in implementing corrective action;

''(3) to take due regard for the protection of intelligence sources and methods in the preparation of all reports issued by the Inspector General, and, to the extent consistent with the purpose and objective of such reports, take such measures as may be appropriate to minimize the disclosure of intelligence sources and methods described in such reports; and

''(4) in the execution of the duties and responsibilities under this section, to comply

with generally accepted government auditing standards.

''(e) LIMITATIONS ON ACTIVITIES.—(1) The Director of National Intelligence may prohibit the Inspector General of the Intelligence Community from initiating, carrying out, or completing any investigation, inspection, or audit if the Director determines that such prohibition is necessary to protect vital national security interests of the United States.

''(2) If the Director exercises the authority under paragraph (1), the Director shall submit an appropriately classified statement of the reasons for the exercise of such authority within 7 days to the congressional intelligence committees.

''(3) The Director shall advise the Inspector General at the time a report under paragraph (2) is submitted, and, to the extent consistent with the protection of intelligence sources and methods, provide the Inspector General with a copy of such report.

''(4) The Inspector General may submit to the congressional intelligence committees any comments on a report of which the Inspector General has notice under paragraph (3) that the Inspector General considers appropriate.

''(f) AUTHORITIES.—(1) The Inspector General of the Intelligence Community shall have direct and prompt access to the Director of National Intelligence when necessary for any purpose pertaining to the performance of the duties of the Inspector General.

''(2)(A) The Inspector General shall have access to any employee, or any employee of a contractor, of any element of the intelligence community whose testimony is needed for the performance of the duties of the Inspector General.

''(B) The Inspector General shall have direct access to all records, reports, audits, reviews, documents, papers, recommendations, or other material which relate to the programs and operations with respect to which the Inspector General has responsibilities under this section.

''(C) The level of classification or compartmentation of information shall not, in and of itself, provide a sufficient rationale for denying the Inspector General access to any materials under subparagraph (B).

''(D) Failure on the part of any employee, or any employee of a contractor, of any element of the intelligence community to cooperate with the Inspector General shall be grounds for appropriate administrative actions by the Director or, on the recommendation of the Director, other appropriate officials of the intelligence community, including loss of employment or the termination of an existing contractual relationship.

''(3) The Inspector General is authorized to receive and investigate complaints or information from any person concerning the existence of an activity constituting a violation of laws, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety. Once such complaint or information has been received from an employee of the Federal Government—

''(A) the Inspector General shall not disclose the identity of the employee without the consent of the employee, unless the Inspector General determines that such disclosure is unavoidable during the course of the investigation or the disclosure is made to an official of the Department of Justice responsible for determining whether a prosecution should be undertaken; and

''(B) no action constituting a reprisal, or threat of reprisal, for making such complaint may be taken by any employee in a position to take such actions, unless the complaint was made or the information was disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

''(4) The Inspector General shall have authority to administer to or take from any person an oath, affirmation, or affidavit, whenever necessary in the performance of the duties of the Inspector General, which oath, affirmation, or affidavit when administered or taken by or before an employee of the Office of the Inspector General of the Intelligence Community designated by the Inspector General shall have the same force and effect as if administered or taken by or before an officer having a seal.

''(5)(A) Except as provided in subparagraph (B), the Inspector General is authorized to require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence necessary in the performance of the duties and responsibilities of the Inspector General.

''(B) In the case of departments, agencies, and other elements of the United States Government, the Inspector General shall obtain information, documents, reports, answers, records, accounts, papers, and other data and evidence for the purpose specified in subparagraph (A) using procedures other than by subpoenas.

''(C) The Inspector General may not issue a subpoena for or on behalf of any other element of the intelligence community, including the Office of the Director of National Intelligence.

''(D) In the case of contumacy or refusal to obey a subpoena issued under this paragraph, the subpoena shall be enforceable by order of any appropriate district court of the United States.

''(g) COORDINATION AMONG INSPECTORS GENERAL OF INTELLIGENCE COMMUNITY.—(1) In the event of a matter within the jurisdiction of the Inspector General of the Intelligence Community that may be subject to an investigation, inspection, or audit by both the Inspector General of the Intelligence Community and an Inspector General, whether statutory or administrative, with oversight responsibility for an element or elements of the intelligence community, the Inspector General of the Intelligence Community and such other Inspector or Inspectors General shall expeditiously resolve which Inspector General shall conduct such investigation, inspection, or audit.

''(2) The Inspector General conducting an investigation, inspection, or audit covered by paragraph (1) shall submit the results of such investigation, inspection, or audit to any other Inspector General, including the Inspector General of the Intelligence Community, with jurisdiction to conduct such investigation, inspection, or audit who did not conduct such investigation, inspection, or audit.

''(3)(A) If an investigation, inspection, or audit covered by paragraph (1) is conducted by an Inspector General other than the Inspector General of the Intelligence Community, the Inspector General of the Intelligence Community may, upon completion of such investigation, inspection, or audit by such other Inspector General, conduct under this section a separate investigation, inspection, or audit of the matter concerned if the Inspector General of the Intelligence Community determines that such initial investigation, inspection, or audit was deficient in some manner or that further investigation, inspection, or audit is required.

''(B) This paragraph shall not apply to the Inspector General of the Department of Defense or to any other Inspector General within the Department of Defense.

''(h) STAFF AND OTHER SUPPORT.—(1) The Inspector General of the Intelligence Community shall be provided with appropriate and adequate office space at central and field office locations, together with such equipment, office supplies, maintenance services, and communications facilities and services as may be necessary for the operation of such offices.

''(2)(A) Subject to applicable law and the policies of the Director of National Intelligence, the Inspector General shall select, appoint, and employ such officers and employees as may be necessary to carry out the functions of the Inspector General. The Inspector General shall ensure that any officer or employee so selected, appointed, or employed has security clearances appropriate for the assigned duties of such officer or employee.

''(B) In making selections under subparagraph (A), the Inspector General shall ensure that such officers and employees have the requisite training and experience to enable the Inspector General to carry out the duties of the Inspector General effectively.

''(C) In meeting the requirements of this paragraph, the Inspector General shall create within the Office of the Inspector General of the Intelligence Community a career cadre of sufficient size to provide appropriate continuity and objectivity needed for the effective performance of the duties of the Inspector General.

''(3)(A) Subject to the concurrence of the Director, the Inspector General may request such information or assistance as may be necessary for carrying out the duties and responsibilities of the Inspector General from any department, agency, or other element of the United States Government.

''(B) Upon request of the Inspector General for information or assistance under subparagraph (A), the head of the department, agency, or element concerned shall, insofar as is practicable and not in contravention of any existing statutory restriction or regulation of the department, agency, or element, furnish to the Inspector General, or to an authorized designee, such information or assistance.

''(C) The Inspector General of the Intelligence Community may, upon reasonable notice to the head of any element of the intelligence community, conduct, as authorized by this section, an investigation, inspection, or audit of such element and may enter into any place occupied by such element for purposes of the performance of the duties of the Inspector General.

''(i) REPORTS.—(1)(A) The Inspector General of the Intelligence Community shall, not later than January 31 and July 31 of each year, prepare and submit to the Director of National Intelligence a classified, and, as appropriate, unclassified semiannual report summarizing the activities of the Office of the Inspector General of the Intelligence Community during the immediately preceding 6-month periods ending December 31 (of the preceding year) and June 30, respectively.

''(B) Each report under this paragraph shall include, at a minimum, the following:

''(i) A list of the title or subject of each investigation, inspection, or audit conducted during the period covered by such report, including a summary of the progress of each particular investigation, inspection, or audit since the preceding report of the Inspector General under this paragraph.

''(ii) A description of significant problems, abuses, and deficiencies relating to the administration and implementation of programs and operations of the intelligence community, and in the relationships between elements of the intelligence community, identified by the Inspector General during the period covered by such report.

''(iii) A description of the recommendations for corrective or disciplinary action

made by the Inspector General during the period covered by such report with respect to significant problems, abuses, or deficiencies identified in clause (ii).

''(iv) A statement whether or not corrective or disciplinary action has been completed on each significant recommendation described in previous semiannual reports, and, in a case where corrective action has been completed, a description of such corrective action.

''(v) A certification whether or not the Inspector General has had full and direct access to all information relevant to the performance of the functions of the Inspector General.

''(vi) A description of the exercise of the subpoena authority under subsection (f)(5) by the Inspector General during the period covered by such report.

''(vii) Such recommendations as the Inspector General considers appropriate for legislation to promote economy, efficiency, and effectiveness in the administration and implementation of programs and operations undertaken by the intelligence community, and in the relationships between elements of the intelligence community, and to detect and eliminate fraud and abuse in such programs and operations and in such relationships.

''(C) Not later than the 30 days after the date of receipt of a report under subparagraph (A), the Director shall transmit the report to the congressional intelligence committees together with any comments the Director considers appropriate.

''(2)(A) The Inspector General shall report immediately to the Director whenever the Inspector General becomes aware of particularly serious or flagrant problems, abuses, or deficiencies relating to the administration and implementation of programs or operations of the intelligence community or in the relationships between elements of the intelligence community.

''(B) The Director shall transmit to the congressional intelligence committees each report under subparagraph (A) within seven calendar days of receipt of such report, together with such comments as the Director considers appropriate.

''(3) In the event that—

''(A) the Inspector General is unable to resolve any differences with the Director affecting the execution of the duties or responsibilities of the Inspector General;

''(B) an investigation, inspection, or audit carried out by the Inspector General focuses on any current or former intelligence community official who—

''(i) holds or held a position in an element of the intelligence community that is subject to appointment by the President, whether or not by and with the advice and consent of the Senate, including such a position held on an acting basis;

''(ii) holds or held a position in an element of the intelligence community, including a position held on an acting basis, that is appointed by the Director of National Intelligence; or

''(iii) holds or held a position as head of an element of the intelligence community or a position covered by subsection (b) or (c) of section 106;

''(C) a matter requires a report by the Inspector General to the Department of Justice on possible criminal conduct by a current or former official described in subparagraph (B);

''(D) the Inspector General receives notice from the Department of Justice declining or approving prosecution of possible criminal conduct of any current or former official described in subparagraph (B); or

''(E) the Inspector General, after exhausting all possible alternatives, is unable to obtain significant documentary information in the course of an investigation, inspection, or audit,

the Inspector General shall immediately notify and submit a report on such matter to the congressional intelligence committees.

''(4) Pursuant to title V, the Director shall submit to the congressional intelligence committees any report or findings and recommendations of an investigation, inspection, or audit conducted by the office which has been requested by the Chairman or Vice Chairman or Ranking Minority Member of either committee.

''(5)(A) An employee of an element of the intelligence community, an employee assigned or detailed to an element of the intelligence community, or an employee of a contractor to the intelligence community who intends to report to Congress a complaint or information with respect to an urgent concern may report such complaint or information to the Inspector General.

''(B) Not later than the end of the 14-calendar day period beginning on the date of receipt from an employee of a complaint or information under subparagraph (A), the Inspector General shall determine whether the complaint or information appears credible. Upon making such a determination, the Inspector General shall transmit to the Director a notice of that determination, together with the complaint or information.

''(C) Upon receipt of a transmittal from the Inspector General under subparagraph (B), the Director shall, within seven calendar days of such receipt, forward such transmittal to the congressional intelligence committees, together with any comments the Director considers appropriate.

''(D)(i) If the Inspector General does not find credible under subparagraph (B) a complaint or information submitted under subparagraph (A), or does not transmit the complaint or information to the Director in accurate form under subparagraph (B), the employee (subject to clause (ii)) may submit the complaint or information to Congress by contacting either or both of the congressional intelligence committees directly.

''(ii) An employee may contact the intelligence committees directly as described in clause (i) only if the employee—

''(I) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee's complaint or information and notice of the employee's intent to contact the congressional intelligence committees directly; and

''(II) obtains and follows from the Director, through the Inspector General, direction on how to contact the intelligence committees in accordance with appropriate security practices.

''(iii) A member or employee of one of the congressional intelligence committees who receives a complaint or information under clause (i) does so in that member or employee's official capacity as a member or employee of such committee.

''(E) The Inspector General shall notify an employee who reports a complaint or information to the Inspector General under this paragraph of each action taken under this paragraph with respect to the complaint or information. Such notice shall be provided not later than 3 days after any such action is taken.

''(F) An action taken by the Director or the Inspector General under this paragraph shall not be subject to judicial review.

''(G) In this paragraph, the term 'urgent concern' means any of the following:

''(i) A serious or flagrant problem, abuse, violation of law or Executive order, or deficiency relating to the funding, administration, or operation of an intelligence activity involving classified information, but does not include differences of opinions concerning public policy matters.

''(ii) A false statement to Congress, or a willful withholding from Congress, on an issue of material fact relating to the funding, administration, or operation of an intelligence activity.

''(iii) An action, including a personnel action described in section 2302(a)(2)(A) of title 5, United States Code, constituting reprisal or threat of reprisal prohibited under subsection (f)(3)(B) of this section in response to an employee's reporting an urgent concern in accordance with this paragraph.

''(H) In support of this paragraph, Congress makes the findings set forth in paragraphs (1) through (6) of section 701(b) of the Intelligence Community Whistleblower Protection Act of 1998 (title VII of Public Law 105–272; 5 U.S.C. App. 8H note).

''(6) In accordance with section 535 of title 28, United States Code, the Inspector General shall report to the Attorney General any information, allegation, or complaint received by the Inspector General relating to violations of Federal criminal law that involves a program or operation of an element of the intelligence community, or in the relationships between the elements of the intelligence community, consistent with such guidelines as may be issued by the Attorney General pursuant to subsection (b)(2) of such section. A copy of each such report shall be furnished to the Director.

''(j) SEPARATE BUDGET ACCOUNT.—The Director of National Intelligence shall, in accordance with procedures to be issued by the Director in consultation with the congressional intelligence committees, include in the National Intelligence Program budget a separate account for the Office of Inspector General of the Intelligence Community.

''(k) CONSTRUCTION OF DUTIES REGARDING ELEMENTS OF INTELLIGENCE COMMUNITY.—Except as resolved pursuant to subsection (g), the performance by the Inspector General of the Intelligence Community of any duty, responsibility, or function regarding an element of the intelligence community shall not be construed to modify or effect the duties and responsibilities of any other Inspector General, whether statutory or administrative, having duties and responsibilities relating to such element.''.

(2) The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 103G the following new item:

''Sec. 103H. Inspector General of the Intelligence Community.''.

(b) REPEAL OF SUPERSEDED AUTHORITY TO ESTABLISH POSITION.—Section 8K of the Inspector General Act of 1978 (5 U.S.C. App.) is repealed.

(c) EXECUTIVE SCHEDULE LEVEL IV.—Section 5314 of title 5, United States Code, is amended by adding at the end the following new item:

''Inspector General of the Intelligence Community.''.

SEC. 409. LEADERSHIP AND LOCATION OF CERTAIN OFFICES AND OFFICIALS.

(a) NATIONAL COUNTER PROLIFERATION CENTER.—Section 119A(a) of the National Security Act of 1947 (50 U.S.C. 404o–1(a)) is amended—

(1) by striking ''(a) ESTABLISHMENT.—Not later than 18 months after the date of the enactment of the National Security Intelligence Reform Act of 2004, the'' and inserting the following:

''(a) IN GENERAL.—

''(1) ESTABLISHMENT.—The''; and

(2) by adding at the end the following new paragraphs:

''(2) DIRECTOR.—The head of the National Counter Proliferation Center shall be the Director of the National Counter Proliferation

Center, who shall be appointed by the Director of National Intelligence.

''(3) LOCATION.—The National Counter Proliferation Center shall be located within the Office of the Director of National Intelligence.''.

(b) OFFICERS.—Section 103(c) of that Act (50 U.S.C. 403–3(c)) is amended—

(1) by redesignating paragraph (9) as paragraph (13); and

(2) by inserting after paragraph (8) the following new paragraphs:

''(9) The Chief Information Officer of the Intelligence Community.

''(10) The Inspector General of the Intelligence Community.

''(11) The Director of the National Counterterrorism Center.

''(12) The Director of the National Counter Proliferation Center.''.

SEC. 410. NATIONAL SPACE INTELLIGENCE CENTER.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended by adding after section 119B the following new section:

''NATIONAL SPACE INTELLIGENCE CENTER

''SEC. 119C. (a) ESTABLISHMENT.—There is established within the Office of the Director of National Intelligence a National Space Intelligence Center.

''(b) DIRECTOR OF NATIONAL SPACE INTELLIGENCE CENTER.—The National Intelligence Officer for Science and Technology, or a successor position designated by the Director of National Intelligence, shall act as the Director of the National Space Intelligence Center.

''(c) MISSIONS.—The National Space Intelligence Center shall have the following missions:

''(1) To coordinate and provide policy direction for the management of space-related intelligence assets.

''(2) To prioritize collection activities consistent with the National Intelligence Collection Priorities framework, or a successor framework or other document designated by the Director of National Intelligence.

''(3) To provide policy direction for programs designed to ensure a sufficient cadre of government and nongovernment personnel in fields relating to space intelligence, including programs to support education, recruitment, hiring, training, and retention of qualified personnel.

''(4) To evaluate independent analytic assessments of threats to classified United States space intelligence systems throughout all phases of the development, acquisition, and operation of such systems.

''(d) ACCESS TO INFORMATION.—The Director of National Intelligence shall ensure that the National Space Intelligence Center has access to all national intelligence information (as appropriate), and such other information (as appropriate and practical), necessary for the Center to carry out the missions of the Center under subsection (c).

''(e) SEPARATE BUDGET ACCOUNT.—The Director of National Intelligence shall include in the National Intelligence Program budget a separate line item for the National Space Intelligence Center.''.

(2) CLERICAL AMENDMENT.—The table of contents for that Act is amended by inserting after the item relating to section 119B the following new item:

''Sec. 119C. National Space Intelligence Center.''.

(b) REPORT ON ORGANIZATION OF CENTER.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Space Intelligence Center shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on the organizational structure of the National Space Intelligence Center established by section 119C of the National Security Act of 1947 (as added by subsection (a)).

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The proposed organizational structure of the National Space Intelligence Center.

(B) An identification of key participants in the Center.

(C) A strategic plan for the Center during the five-year period beginning on the date of the report.

SEC. 411. OPERATIONAL FILES IN THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) IN GENERAL.—Title VII of the National Security Act of 1947 (50 U.S.C. 431 et seq.) is amended by inserting before section 701 the following new section:

''OPERATIONAL FILES IN THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

''SEC. 700. (a) EXEMPTION OF CERTAIN FILES FROM SEARCH, REVIEW, PUBLICATION, OR DISCLOSURE.—(1) Information and records described in paragraph (2) shall be exempt from the provisions of section 552 of title 5, United States Code, that require search, review, publication, or disclosure in connection therewith when—

''(A) such information or records are not disseminated outside the Office of the Director of National Intelligence; or

''(B) such information or records are incorporated into new information or records created by personnel of the Office in a manner that identifies such new information or records as incorporating such information or records and such new information or records are not disseminated outside the Office.

''(2) Information and records described in this paragraph are the following:

''(A) Information disseminated or otherwise provided to an element of the Office of the Director of National Intelligence from the operational files of an element of the intelligence community that have been exempted from search, review, publication, or disclosure in accordance with this title or any other provision of law.

''(B) Any information or records created by the Office that incorporate information described in subparagraph (A).

''(3) An operational file of an element of the intelligence community from which information described in paragraph (2)(A) is disseminated or provided to the Office of the Director of National Intelligence as described in that paragraph shall remain exempt from search, review, publication, or disclosure under section 552 of title 5, United States Code, to the extent the operational files from which such information was derived remain exempt from search, review, publication, or disclosure under section 552 of such title.

''(b) SEARCH AND REVIEW OF CERTAIN FILES.—Information disseminated or otherwise provided to the Office of the Director of National Intelligence by another element of the intelligence community that is not exempt from search, review, publication, or disclosure under subsection (a), and that is authorized to be disseminated outside the Office, shall be subject to search and review under section 552 of title 5, United States Code, but may remain exempt from publication and disclosure under such section by the element disseminating or providing such information to the Office to the extent authorized by such section.

''(c) SEARCH AND REVIEW FOR CERTAIN PURPOSES.—Notwithstanding subsection (a), exempted operational files shall continue to be subject to search and review for information concerning any of the following:

''(1) United States citizens or aliens lawfully admitted for permanent residence who have requested information on themselves pursuant to the provisions of section 552 or 552a of title 5, United States Code.

''(2) Any special activity the existence of which is not exempt from disclosure under the provisions of section 552 of title 5, United States Code.

''(3) The specific subject matter of an investigation by any of the following for any impropriety, or violation of law, Executive order, or Presidential directive, in the conduct of an intelligence activity:

''(A) The Select Committee on Intelligence of the Senate.

''(B) The Permanent Select Committee on Intelligence of the House of Representatives.

''(C) The Intelligence Oversight Board.

''(D) The Department of Justice.

''(E) The Office of the Director of National Intelligence.

''(F) The Office of the Inspector General of the Intelligence Community.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of that Act is amended by inserting before the item relating to section 701 the following new item:

''Sec. 700. Operational files in the Office of the Director of National Intelligence.''.

SEC. 412. ELIGIBILITY FOR INCENTIVE AWARDS OF PERSONNEL ASSIGNED TO THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) IN GENERAL.—Subsection (a) of section 402 of the Intelligence Authorization Act for Fiscal Year 1984 (50 U.S.C. 403e–1) is amended to read as follows:

''(a) AUTHORITY FOR PAYMENT OF AWARDS.—(1) The Director of National Intelligence may exercise the authority granted in section 4503 of title 5, United States Code, with respect to Federal employees and members of the Armed Forces detailed or assigned to the Office of the Director of National Intelligence in the same manner as such authority may be exercised with respect to personnel of the Office.

''(2) The Director of the Central Intelligence Agency may exercise the authority granted in section 4503 of title 5, United States Code, with respect to Federal employees and members of the Armed Forces detailed or assigned to the Central Intelligence Agency in the same manner as such authority may be exercised with respect to personnel of the Agency.''.

(b) REPEAL OF OBSOLETE AUTHORITY.—That section is further amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(c) EXPEDITIOUS PAYMENT.—That section is further amended by adding at the end the following new subsection (d):

''(d) EXPEDITIOUS PAYMENT.—Payment of an award under this authority in this section shall be made as expeditiously as is practicable after the making of the award.''.

(d) CONFORMING AMENDMENTS.—That section is further amended—

(1) in subsection (b), by striking ''to the Central Intelligence Agency or to the Intelligence Community Staff'' and inserting ''to the Office of the Director of National Intelligence or to the Central Intelligence Agency''; and

(2) in subsection (c), as redesignated by subsection (b)(2) of this section, by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence or Director of the Central Intelligence Agency''.

(e) TECHNICAL AND STYLISTIC AMENDMENTS.—That section is further amended—

(1) in subsection (b)—

(A) by inserting ''PERSONNEL ELIGIBLE FOR AWARDS.—'' after ''(b)'';

(B) by striking ''subsection (a) of this section'' and inserting ''subsection (a)''; and

(C) by striking ''a date five years before the date of enactment of this section'' and inserting ''December 9, 1978''; and

(2) in subsection (c), as so redesignated, by inserting ''PAYMENT AND ACCEPTANCE OF AWARDS.—'' after ''(c)''.

SEC. 413. REPEAL OF CERTAIN AUTHORITIES RELATING TO THE OFFICE OF THE NATIONAL COUNTERINTELLIGENCE EXECUTIVE.

(a) REPEAL OF CERTAIN AUTHORITIES.—Section 904 of the Counterintelligence Enhancement Act of 2002 (title IX of Public Law 107–306; 50 U.S.C. 402c) is amended—

(1) by striking subsections (d), (g), (h), (i), and (j); and

(2) by redesignating subsections (e), (f), (k), (l), and (m) as subsections (d), (e), (f), (g), and (h), respectively.

(b) CONFORMING AMENDMENTS.—That section is further amended—

(1) in subsection (d), as redesignated by subsection (a)(2) of this section, by striking ''subsection (f)'' each place it appears in paragraphs (1) and (2) and inserting ''subsection (e)''; and

(2) in subsection (e), as so redesignated—

(A) in paragraph (1), by striking ''subsection (e)(1)'' and inserting ''subsection (d)(1)''; and

(B) in paragraph (2), by striking ''subsection (e)(2)'' and inserting ''subsection (d)(2)''.

SEC. 414. INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT TO ADVISORY COMMITTEES OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 4(b) of the Federal Advisory Committee Act (5 U.S.C. App.) is amended—

(1) in paragraph (1), by striking ''or'';

(2) in paragraph (2), by striking the period and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(3) the Office of the Director of National Intelligence.''.

SEC. 415. MEMBERSHIP OF THE DIRECTOR OF NATIONAL INTELLIGENCE ON THE TRANSPORTATION SECURITY OVERSIGHT BOARD.

Subparagraph (F) of section 115(b)(1) of title 49, United States Code, is amended to read as follows:

''(F) The Director of National Intelligence, or the Director's designee.''.

SEC. 416. APPLICABILITY OF THE PRIVACY ACT TO THE DIRECTOR OF NATIONAL INTELLIGENCE AND THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) AUTHORITY TO EXEMPT.—The Director of National Intelligence may prescribe regulations to exempt any system of records within the Office of the Director of National Intelligence from the applicability of the provisions of subsections (c)(3), (c)(4), and (d) of section 552a of title 5, United States Code.

(b) PROMULGATION REQUIREMENTS.—In prescribing any regulations under subsection (a), the Director shall comply with the requirements (including general notice requirements) of subsections (b), (c), and (e) of section 553 of title 5, United States Code.

Subtitle B—Central Intelligence Agency

SEC. 421. DIRECTOR AND DEPUTY DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.

(a) APPOINTMENT OF DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—Subsection (a) of section 104A of the National Security Act of 1947 (50 U.S.C. 403–4a) is amended by inserting ''from civilian life'' after ''who shall be appointed''.

(b) ESTABLISHMENT OF POSITION OF DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—Such section is further amended—

(1) by redesignating subsections (b), (c), (d), (e), (f), and (g) as subsections (c), (d), (e), (f), (g), and (h), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

''(b) DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—(1) There is a Deputy Director of the Central Intelligence Agency who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(2) The Deputy Director of the Central Intelligence Agency shall assist the Director of the Central Intelligence Agency in carrying out the duties and responsibilities of the Director.

''(3) The Deputy Director of the Central Intelligence Agency shall act for, and exercise the powers of, the Director of the Central Intelligence Agency during the absence or disability of the Director of the Central Intelligence Agency or during a vacancy in the position of Director of the Central Intelligence Agency.''.

(c) CONFORMING AMENDMENT.—Paragraph (2) of subsection (d) of such section, as redesignated by subsection (b)(1) of this section, is further amended by striking ''subsection (d)'' and inserting ''subsection (e)''.

(d) EXECUTIVE SCHEDULE LEVEL III.—Section 5314 of title 5, United States Code, is amended by adding at the end the following new item:

''Deputy Director of the Central Intelligence Agency.''.

(e) ROLE OF DNI IN APPOINTMENT.—Section 106(a)(2) of the National Security Act of 1947 (50 U.S.C. 403–6) is amended by adding at the end the following new subparagraph:

''(C) The Deputy Director of the Central Intelligence Agency.''.

(f) MILITARY STATUS OF INDIVIDUAL SERVING AS DIRECTOR OF CENTRAL INTELLIGENCE AGENCY OR ADMINISTRATIVELY PERFORMING DUTIES OF DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—(1) A commissioned officer of the Armed Forces who is serving as the Director of the Central Intelligence Agency or is engaged in administrative performance of the duties of Deputy Director of the Central Intelligence Agency as of the date of the enactment of this Act shall not, while continuing in such service, or in the administrative performance of such duties, after that date—

(A) be subject to supervision or control by the Secretary of Defense or by any officer or employee of the Department of Defense; or

(B) exercise, by reason of the officer's status as a commissioned officer, any supervision or control with respect to any of the military or civilian personnel of the Department of Defense except as otherwise authorized by law.

(2) Except as provided in subparagraph (A) or (B) of paragraph (1), the service, or the administrative performance of duties, described in that paragraph by an officer described in that paragraph shall not affect the status, position, rank, or grade of such officer in the Armed Forces, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of such status, position, rank, or grade.

(3) A commissioned officer described in paragraph (1), while serving, or continuing in the administrative performance of duties, as described in that paragraph and while remaining on active duty, shall continue to receive military pay and allowances. Funds from which such pay and allowances are paid shall be reimbursed from funds available to the Director of the Central Intelligence Agency.

(g) EFFECTIVE DATE AND APPLICABILITY.—

(1) DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—The amendment made by subsection (a) shall—

(A) take effect on the date of the enactment of this Act; and

(B) apply upon the occurrence of any act creating a vacancy in the position of Director of the Central Intelligence Agency after such date, except that if the vacancy occurs by resignation from such position of the individual serving in such position on such date, that individual may continue serving in such position after such resignation until the individual appointed to succeed such resigning individual as Director of the Central Intelligence Agency, by and with the advice and consent of the Senate, assumes the duties of such position.

(2) DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—The amendments made by subsections (b) through (e) shall take effect on the date of the enactment of this Act and shall apply upon the earlier of—

(A) the date of the nomination by the President of an individual to serve as Deputy Director of the Central Intelligence Agency, except that the individual administratively performing the duties of the Deputy Director of the Central Intelligence Agency as of the date of the enactment of this Act may continue to perform such duties after such date of nomination and until the individual appointed to the position of Deputy Director of the Central Intelligence Agency, by and with the advice and consent of the Senate, assumes the duties of such position; or

(B) the date of the cessation of the performance of the duties of Deputy Director of the Central Intelligence Agency by the individual administratively performing such duties as of the date of the enactment of this Act.

SEC. 422. ENHANCED PROTECTION OF CENTRAL INTELLIGENCE AGENCY INTELLIGENCE SOURCES AND METHODS FROM UNAUTHORIZED DISCLOSURE.

(a) RESPONSIBILITY OF DIRECTOR OF CENTRAL INTELLIGENCE AGENCY UNDER NATIONAL SECURITY ACT OF 1947.—Subsection (e) of section 104A of the National Security Act of 1947 (50 U.S.C. 403–4a), as redesignated by section 421(b)(1) of this Act, is further amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph (4):

''(4) protect intelligence sources and methods of the Central Intelligence Agency from unauthorized disclosure, consistent with any direction issued by the President or the Director of National Intelligence; and''.

(b) PROTECTION UNDER CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—Section 6 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403g) is amended by striking ''section 102A(i)'' and all that follows through ''unauthorized disclosure'' and inserting ''sections 102A(i) and 104A(e)(4) of the National Security Act of 1947 (50 U.S.C. 403–1(i), 403–4a(e)(4))''.

(c) CONSTRUCTION WITH EXEMPTION FROM REQUIREMENT FOR DISCLOSURE OF INFORMATION TO PUBLIC.—Section 104A(e)(4) of the National Security Act of 1947, as amended by subsection (a), and section 6 of the Central Intelligence Agency Act of 1949, as amended by subsection (b), shall be treated as statutes that specifically exempt from disclosure the matters specified in such sections for purposes of section 552(b)(3) of title 5, United States Code.

(d) TECHNICAL AMENDMENTS TO CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT.—Section 201(c) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2011(c)) is amended—

(1) in the subsection caption, by striking ''OF DCI'';

(2) by striking ''section 102A(i)'' and inserting ''sections 102A(i) and 104A(e)(4)'';

(3) by striking ''of National Intelligence''; and

(4) by inserting ''of the Central Intelligence Agency'' after ''methods''.

SEC. 423. ADDITIONAL EXCEPTION TO FOREIGN LANGUAGE PROFICIENCY REQUIREMENT FOR CERTAIN SENIOR LEVEL POSITIONS IN THE CENTRAL INTELLIGENCE AGENCY.

(a) ADDITIONAL EXCEPTION.—Subsection (h) of section 104A of the National Security Act of 1947 (50 U.S.C. 403–4a), as redesignated by section 421(b)(1) of this Act, is further amended—

(1) in paragraph (1)—

(A) by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

(B) by striking ''Directorate of Operations'' and inserting ''National Clandestine Service'';

(2) in paragraph (2), by striking ''position or category of positions'' each place it appears and inserting ''individual, individuals, position, or category of positions''; and

(3) by adding at the end the following new paragraph:

''(3) Paragraph (1) shall not apply to any individual in the Directorate of Intelligence or the National Clandestine Service of the Central Intelligence Agency who is serving in a Senior Intelligence Service position as of December 23, 2005, regardless of whether such individual is a member of the Senior Intelligence Service.''.

(b) REPORT ON WAIVERS.—Section 611(c) of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108–487; 118 Stat. 3955) is amended—

(1) by striking the first sentence and inserting the following new sentence: ''The Director of the Central Intelligence Agency shall submit to Congress a report that identifies individuals who, or positions within the Senior Intelligence Service in the Directorate of Intelligence or the National Clandestine Service of the Central Intelligence Agency that, are determined by the Director to require a waiver under subsection (h) of section 104A of the National Security Act of 1947, as added by subsection (a) and redesignated by section 421(b)(1) of the Intelligence Authorization Act for Fiscal Year 2007.''; and

(2) in the second sentence—

(A) by striking ''section 104A(g)(2), as so added'' and inserting ''subsection (h)(2) of section 104A, as so added and redesignated''; and

(B) by striking ''position or category of positions'' and inserting ''individual, individuals, position, or category of positions''.

SEC. 424. ADDITIONAL FUNCTIONS AND AUTHORITIES FOR PROTECTIVE PERSONNEL OF THE CENTRAL INTELLIGENCE AGENCY.

Section 5(a)(4) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f(a)(4)) is amended—

(1) by inserting ''(A)'' after ''(4)'';

(2) in subparagraph (A), as so designated—

(A) by striking ''and the protection'' and inserting ''the protection''; and

(B) by striking the semicolon and inserting '', and the protection of the Director of National Intelligence and such personnel of the Office of the Director of National Intelligence as the Director of National Intelligence may designate; and''; and

(3) by adding at the end the following new subparagraph:

''(B) Authorize personnel engaged in the performance of protective functions authorized pursuant to subparagraph (A), when engaged in the performance of such functions, to make arrests without warrant for any offense against the United States committed in the presence of such personnel, or for any felony cognizable under the laws of the United States, if such personnel have reasonable grounds to believe that the person to be arrested has committed or is committing such felony, except that any authority pursuant to this subparagraph may be exercised only in accordance with guidelines approved by the Director and the Attorney General and such personnel may not exercise any authority for the service of civil process or for the investigation of criminal offenses;''.

SEC. 425. DIRECTOR OF NATIONAL INTELLIGENCE REPORT ON RETIREMENT BENEFITS FOR FORMER EMPLOYEES OF AIR AMERICA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a report on the advisability of providing Federal retirement benefits to United States citizens for the service of such individuals before 1977 as employees of Air America or an associated company while such company was owned or controlled by the United States Government and operated or managed by the Central Intelligence Agency.

(b) REPORT ELEMENTS.—(1) The report required by subsection (a) shall include the following:

(A) The history of Air America and associated companies before 1977, including a description of—

(i) the relationship between such companies and the Central Intelligence Agency and other elements of the United States Government;

(ii) the workforce of such companies;

(iii) the missions performed by such companies and their employees for the United States; and

(iv) the casualties suffered by employees of such companies in the course of their employment with such companies.

(B) A description of the retirement benefits contracted for or promised to the employees of such companies before 1977, the contributions made by such employees for such benefits, the retirement benefits actually paid such employees, the entitlement of such employees to the payment of future retirement benefits, and the likelihood that former employees of such companies will receive any future retirement benefits.

(C) An assessment of the difference between—

(i) the retirement benefits that former employees of such companies have received or will receive by virtue of their employment with such companies; and

(ii) the retirement benefits that such employees would have received and in the future receive if such employees had been, or would now be, treated as employees of the United States whose services while in the employ of such companies had been or would now be credited as Federal service for the purpose of Federal retirement benefits.

(D) The recommendations of the Director regarding the advisability of legislative action to treat employment at such companies as Federal service for the purpose of Federal retirement benefits in light of the relationship between such companies and the United States Government and the services and sacrifices of such employees to and for the United States, and if legislative action is considered advisable, a proposal for such action and an assessment of its costs.

(2) The Director of National Intelligence shall include in the report any views of the Director of the Central Intelligence Agency on the matters covered by the report that the Director of the Central Intelligence Agency considers appropriate.

(c) ASSISTANCE OF COMPTROLLER GENERAL.—The Comptroller General of the United States shall, upon the request of the Director of National Intelligence and in a manner consistent with the protection of classified information, assist the Director in the preparation of the report required by subsection (a).

(d) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) DEFINITIONS.—In this section:

(1) The term ''Air America'' means Air America, Incorporated.

(2) The term ''associated company'' means any company associated with or subsidiary to Air America, including Air Asia Company Limited and the Pacific Division of Southern Air Transport, Incorporated.

Subtitle C—Defense Intelligence Components

SEC. 431. ENHANCEMENTS OF NATIONAL SECURITY AGENCY TRAINING PROGRAM.

(a) TERMINATION OF EMPLOYEES.—Subsection (d)(1)(C) of section 16 of the National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended by striking ''terminated either by'' and all that follows and inserting ''terminated—

''(i) by the Agency due to misconduct by the employee;

''(ii) by the employee voluntarily; or

''(iii) by the Agency for the failure of the employee to maintain such level of academic standing in the educational course of training as the Director of the National Security Agency shall have specified in the agreement of the employee under this subsection; and''.

(b) AUTHORITY TO WITHHOLD DISCLOSURE OF AFFILIATION WITH NSA.—Subsection (e) of such section is amended by striking ''(1) When an employee'' and all that follows through ''(2) Agency efforts'' and inserting ''Agency efforts''.

SEC. 432. CODIFICATION OF AUTHORITIES OF NATIONAL SECURITY AGENCY PROTECTIVE PERSONNEL.

The National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended by adding at the end the following new section:

''SEC. 21. (a) The Director is authorized to designate personnel of the Agency to perform protective functions for the Director and for any personnel of the Agency designated by the Director.

''(b)(1) In the performance of protective functions under this section, personnel of the Agency designated to perform protective functions pursuant to subsection (a) are authorized, when engaged in the performance of such functions, to make arrests without a warrant for—

''(A) any offense against the United States committed in the presence of such personnel; or

''(B) any felony cognizable under the laws of the United States if such personnel have reasonable grounds to believe that the person to be arrested has committed or is committing such felony.

''(2) The authority in paragraph (1) may be exercised only in accordance with guidelines approved by the Director and the Attorney General.

''(3) Personnel of the Agency designated to perform protective functions pursuant to subsection (a) shall not exercise any authority for the service of civil process or the investigation of criminal offenses.

''(c) Nothing in this section shall be construed to impair or otherwise affect any authority under any other provision of law relating to the performance of protective functions.''.

SEC. 433. INSPECTOR GENERAL MATTERS.

(a) COVERAGE UNDER INSPECTOR GENERAL ACT OF 1978.—Subsection (a)(2) of section 8G of the Inspector General Act of 1978 (5 U.S.C. App. 8G) is amended—

(1) by inserting ''the Defense Intelligence Agency,'' after ''the Corporation for Public Broadcasting,'';

(2) by inserting ''the National Geospatial-Intelligence Agency,'' after ''the National Endowment for the Arts,''; and

(3) by inserting ''the National Reconnaissance Office, the National Security Agency,'' after ''the National Labor Relations Board,''.

(b) CERTAIN DESIGNATIONS UNDER INSPECTOR GENERAL ACT OF 1978.—Subsection (a) of section 8H of the Inspector General Act of 1978 (5 U.S.C. App. 8H) is amended by adding at the end the following new paragraph:

''(3) The Inspectors General of the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Reconnaissance Office, and the National Security Agency shall be designees of the Inspector General of the Department of Defense for purposes of this section.''.

(c) POWER OF HEADS OF ELEMENTS OVER INVESTIGATIONS.—Subsection (d) of section 8G of that Act—

(1) by inserting ''(1)'' after ''(d)'';

(2) in the second sentence of paragraph (1), as designated by paragraph (1) of this subsection, by striking ''The head'' and inserting ''Except as provided in paragraph (2), the head''; and

(3) by adding at the end the following new paragraph:

''(2)(A) The Director of National Intelligence or the Secretary of Defense may prohibit the Inspector General of an element of the intelligence community specified in subparagraph (D) from initiating, carrying out, or completing any audit or investigation if the Director or the Secretary, as the case may be, determines that the prohibition is necessary to protect vital national security interests of the United States.

''(B) If the Director or the Secretary exercises the authority under subparagraph (A), the Director or the Secretary, as the case may be, shall submit to the committees of Congress specified in subparagraph (E) an appropriately classified statement of the reasons for the exercise of the authority not later than seven days after the exercise of the authority.

''(C) At the same time the Director or the Secretary submits under subparagraph (B) a statement on the exercise of the authority in subparagraph (A) to the committees of Congress specified in subparagraph (E), the Director or the Secretary, as the case may be, shall notify the Inspector General of such element of the submittal of such statement and, to the extent consistent with the protection of intelligence sources and methods, provide the Inspector General with a copy of such statement. The Inspector General may submit to such committees of Congress any comments on a notice or statement received by the Inspector General under this subparagraph that the Inspector General considers appropriate.

''(D) The elements of the intelligence community specified in this subparagraph are as follows:

''(i) The Defense Intelligence Agency.

''(ii) The National Geospatial-Intelligence Agency.

''(iii) The National Reconnaissance Office.

''(iv) The National Security Agency.

''(E) The committees of Congress specified in this subparagraph are—

''(i) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

''(ii) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.''.

SEC. 434. CONFIRMATION OF APPOINTMENT OF HEADS OF CERTAIN COMPONENTS OF THE INTELLIGENCE COMMUNITY.

(a) DIRECTOR OF NATIONAL SECURITY AGENCY.—The National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended by inserting after the first section the following new section:

''SEC. 2. (a) There is a Director of the National Security Agency.

''(b) The Director of the National Security Agency shall be appointed by the President, by and with the advice and consent of the Senate.

''(c) The Director of the National Security Agency shall be the head of the National Security Agency and shall discharge such functions and duties as are provided by this Act or otherwise by law.''.

(b) DIRECTOR OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.—Section 441(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) The Director of the National Geospatial Intelligence Agency shall be appointed by the President, by and with the advice and consent of the Senate.''.

(c) DIRECTOR OF NATIONAL RECONNAISSANCE OFFICE.—The Director of the National Reconnaissance Office shall be appointed by the President, by and with the advice and consent of the Senate.

(d) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—

(1) DESIGNATION OF POSITIONS.—The President may designate any of the positions referred to in paragraph (2) as positions of importance and responsibility under section 601 of title 10, United States Code.

(2) COVERED POSITIONS.—The positions referred to in this paragraph are as follows:

(A) The Director of the National Security Agency.

(B) The Director of the National Geospatial-Intelligence Agency.

(C) The Director of the National Reconnaissance Office.

(e) EFFECTIVE DATE AND APPLICABILITY.—(1) The amendments made by subsections (a) and (b), and subsection (c), shall take effect on the date of the enactment of this Act and shall apply upon the earlier of—

(A) the date of the nomination by the President of an individual to serve in the position concerned, except that the individual serving in such position as of the date of the enactment of this Act may continue to perform such duties after such date of nomination and until the individual appointed to such position, by and with the advice and consent of the Senate, assumes the duties of such position; or

(B) the date of the cessation of the performance of the duties of such position by the individual performing such duties as of the date of the enactment of this Act.

(2) Subsection (d) shall take effect on the date of the enactment of this Act.

SEC. 435. CLARIFICATION OF NATIONAL SECURITY MISSIONS OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY FOR ANALYSIS AND DISSEMINATION OF CERTAIN INTELLIGENCE INFORMATION.

Section 442(a) of title 10, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2)(A) As directed by the Director of National Intelligence, the National Geospatial-Intelligence Agency shall also analyze, disseminate, and incorporate into the National System for Geospatial-Intelligence, likenesses, videos, or presentations produced by ground-based platforms, including handheld or clandestine photography taken by or on behalf of human intelligence collection organizations or available as open-source information.

''(B) The authority provided by this paragraph does not include the authority to manage or direct the tasking of, set requirements and priorities for, set technical requirements related to, or modify any classification or dissemination limitations related to the collection of, handheld or clandestine photography taken by or on behalf of human intelligence collection organizations.''; and

(3) in paragraph (3), as so redesignated, by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)''.

SEC. 436. SECURITY CLEARANCES IN THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

The Secretary of Defense shall, during the period beginning on the date of the enactment of this Act and ending on December 31, 2007, delegate to the Director of the National Geospatial-Intelligence Agency personnel security authority with respect to the National Geospatial-Intelligence Agency (including authority relating to the use of contractor personnel in investigations and adjudications for security clearances) that is identical to the personnel security authority of the Director of the National Security Agency with respect to the National Security Agency.

Subtitle D—Other Elements

SEC. 441. FOREIGN LANGUAGE INCENTIVE FOR CERTAIN NON-SPECIAL AGENT EMPLOYEES OF THE FEDERAL BUREAU OF INVESTIGATION.

(a) AUTHORITY TO PAY INCENTIVE.—The Director of the Federal Bureau of Investigation may pay a cash award authorized by section 4523 of title 5, United States Code, in accordance with the provisions of such section, to any employee of the Federal Bureau of Investigation described in subsection (b) as if such employee were a law enforcement officer as specified in such section.

(b) COVERED EMPLOYEES.—An employee of the Federal Bureau of Investigation described in this subsection is any employee of the Federal Bureau of Investigation—

(1) who uses foreign language skills in support of the analyses, investigations, or operations of the Bureau to protect against international terrorism or clandestine intelligence activities (or maintains foreign language skills for purposes of such support); and

(2) whom the Director of the Federal Bureau of Investigation, subject to the joint guidance of the Attorney General and the Director of National Intelligence, may designate for purposes of this section.

SEC. 442. AUTHORITY TO SECURE SERVICES BY CONTRACT FOR THE BUREAU OF INTELLIGENCE AND RESEARCH OF THE DEPARTMENT OF STATE.

Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by inserting after section 23 the following new section:

''SERVICES BY CONTRACT FOR BUREAU OF INTELLIGENCE AND RESEARCH

''SEC. 23A. (a) AUTHORITY TO ENTER INTO CONTRACTS.—The Secretary may enter into contracts with individuals or organizations for the provision of services in support of the mission of the Bureau of Intelligence and Research of the Department of State if the Secretary determines that—

''(1) the services to be procured are urgent or unique; and

''(2) it would not be practicable for the Department to obtain such services by other means.

''(b) TREATMENT AS EMPLOYEES OF THE UNITED STATES GOVERNMENT.—(1) Individuals employed under a contract pursuant to the authority in subsection (a) shall not, by virtue of the performance of services under such contract, be considered employees of the United States Government for purposes of any law administered by the Office of Personnel Management.

''(2) The Secretary may provide for the applicability to individuals described in paragraph (1) of any law administered by the Secretary concerning the employment of such individuals.

''(c) CONTRACT TO BE APPROPRIATE MEANS OF SECURING SERVICES.—The chief contracting officer of the Department of State shall ensure that each contract entered into by the Secretary under this section is the appropriate means of securing the services to be provided under such contract.''.

SEC. 443. CLARIFICATION OF INCLUSION OF COAST GUARD AND DRUG ENFORCEMENT ADMINISTRATION AS ELEMENTS OF THE INTELLIGENCE COMMUNITY.

Section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)) is amended—

(1) in subparagraph (H)—

(A) by inserting ''the Coast Guard,'' after ''the Marine Corps,''; and

(B) by inserting ''the Drug Enforcement Administration,'' after ''the Federal Bureau of Investigation,''; and

(2) in subparagraph (K), by striking '', including the Office of Intelligence of the Coast Guard''.

SEC. 444. CLARIFYING AMENDMENTS RELATING TO SECTION 105 OF THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2004.

Section 105(b) of the Intelligence Authorization Act for Fiscal Year 2004 (Public Law 108–177; 117 Stat. 2603; 31 U.S.C. 311 note) is amended—

(1) by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence''; and

(2) by inserting ''or in section 313 of such title,'' after ''subsection (a)),''.

TITLE V—OTHER MATTERS

SEC. 501. TECHNICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947.

The National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended as follows:

(1) In section 102A (50 U.S.C. 403–1)—

(A) in subsection (c)(7)(A), by striking ''section'' and inserting ''subsection'';

(B) in subsection (d)—

(i) in paragraph (3), by striking ''subparagraph (A)'' in the matter preceding subparagraph (A) and inserting ''paragraph (1)(A)'';

(ii) in paragraph (5)(A), by striking ''or personnel'' in the matter preceding clause (i); and

(iii) in paragraph (5)(B), by striking ''or agency involved'' in the second sentence and inserting ''involved or the Director of the Central Intelligence Agency (in the case of the Central Intelligence Agency)'';

(C) in subsection (l)(2)(B), by striking ''section'' and inserting ''paragraph''; and

(D) in subsection (n), by inserting ''AND OTHER'' after ''ACQUISITION''.

(2) In section 119(c)(2)(B) (50 U.S.C. 404o(c)(2)(B)), by striking ''subsection (h)'' and inserting ''subsection (i)''.

(3) In section 705(e)(2)(D)(i) (50 U.S.C. 432c(e)(2)(D)(i)), by striking ''responsible'' and inserting ''responsive''.

SEC. 502. TECHNICAL CLARIFICATION OF CERTAIN REFERENCES TO JOINT MILITARY INTELLIGENCE PROGRAM AND TACTICAL INTELLIGENCE AND RELATED ACTIVITIES.

Section 102A of the National Security Act of 1947 (50 U.S.C. 403–1) is amended—

(1) in subsection (c)(3)(A), by striking ''annual budgets for the Joint Military Intelligence Program and for Tactical Intelligence and Related Activities'' and inserting ''annual budget for the Military Intelligence Program or any successor program or programs''; and

(2) in subsection (d)(1)(B), by striking ''Joint Military Intelligence Program'' and inserting ''Military Intelligence Program or any successor program or programs''.

SEC. 503. TECHNICAL AMENDMENTS TO THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

(a) AMENDMENTS TO NATIONAL SECURITY INTELLIGENCE REFORM ACT OF 2004.—The National Security Intelligence Reform Act of 2004 (title I of Public Law 108–458) is further amended as follows:

(1) In section 1016(e)(10)(B) (6 U.S.C. 458(e)(10)(B)), by striking ''Attorney General'' the second place it appears and inserting ''Department of Justice''.

(2) In section 1061 (5 U.S.C. 601 note)—

(A) in subsection (d)(4)(A), by striking ''National Intelligence Director'' and inserting ''Director of National Intelligence''; and

(B) in subsection (h), by striking ''National Intelligence Director'' and inserting ''Director of National Intelligence''.

(3) In section 1071(e), by striking ''(1)''.

(4) In section 1072(b), by inserting ''AGENCY'' after ''INTELLIGENCE''.

(b) OTHER AMENDMENTS TO INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—The Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458) is amended as follows:

(1) In section 2001 (28 U.S.C. 532 note)—

(A) in subsection (c)(1), by inserting ''of'' before ''an institutional culture'';

(B) in subsection (e)(2), by striking ''the National Intelligence Director in a manner consistent with section 112(e)'' and inserting ''the Director of National Intelligence in a manner consistent with applicable law''; and

(C) in subsection (f), by striking ''shall,'' in the matter preceding paragraph (1) and inserting ''shall''.

(2) In section 2006 (28 U.S.C. 509 note)—

(A) in paragraph (2), by striking ''the Federal'' and inserting ''Federal''; and

(B) in paragraph (3), by striking ''the specific'' and inserting ''specific''.

SEC. 504. TECHNICAL AMENDMENTS TO TITLE 10, UNITED STATES CODE, ARISING FROM ENACTMENT OF THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

(a) REFERENCES TO HEAD OF INTELLIGENCE COMMUNITY.—Title 10, United States Code, is amended by striking ''Director of Central Intelligence'' each place it appears in a provision as follows and inserting ''Director of National Intelligence'':

(1) Section 193(d)(2).
(2) Section 193(e).
(3) Section 201(a).
(4) Section 201(b)(1).
(5) Section 201(c)(1).
(6) Section 425(a).
(7) Section 431(b)(1).
(8) Section 441(c).
(9) Section 441(d).
(10) Section 443(d).
(11) Section 2273(b)(1).
(12) Section 2723(a).

(b) CLERICAL AMENDMENTS.—Such title is further amended by striking ''DIRECTOR OF CENTRAL INTELLIGENCE'' each place it appears in a provision as follows and inserting ''DIRECTOR OF NATIONAL INTELLIGENCE'':

(1) Section 441(c).
(2) Section 443(d).

(c) REFERENCE TO HEAD OF CENTRAL INTELLIGENCE AGENCY.—Section 444 of such title is amended by striking ''Director of Central Intelligence'' each place it appears and inserting ''Director of the Central Intelligence Agency''.

SEC. 505. TECHNICAL AMENDMENT TO THE CENTRAL INTELLIGENCE AGENCY ACT OF 1949.

Section 5(a)(1) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f(a)(1)) is amended by striking ''authorized under paragraphs (2) and (3) of section 102(a), subsections (c)(7) and (d) of section 103, subsections (a) and (g) of section 104, and section 303 of the National Security Act of 1947 (50 U.S.C. 403(a)(2), (3), 403–3(c)(7), (d), 403–4(a), (g), and 405)'' and inserting ''authorized under subsections (d), (e), (f), and (g) of section 104A of the National Security Act of 1947 (50 U.S.C. 403–4a).''.

SEC. 506. TECHNICAL AMENDMENTS RELATING TO THE MULTIYEAR NATIONAL INTELLIGENCE PROGRAM.

(a) IN GENERAL.—Subsection (a) of section 1403 of the National Defense Authorization Act for Fiscal Year 1991 (50 U.S.C. 404b) is amended—

(1) in the subsection caption, by striking ''FOREIGN''; and

(2) by striking ''foreign'' each place it appears.

(b) RESPONSIBILITY OF DNI.—That section is further amended—

(1) in subsections (a) and (c), by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence''; and

(2) in subsection (b), by inserting ''of National Intelligence'' after ''Director''.

(c) CONFORMING AMENDMENT.—The heading of that section is amended to read as follows:

''SEC. 1403. MULTIYEAR NATIONAL INTELLIGENCE PROGRAM.''.

SEC. 507. TECHNICAL AMENDMENTS TO THE EXECUTIVE SCHEDULE.

(a) EXECUTIVE SCHEDULE LEVEL II.—Section 5313 of title 5, United States Code, is amended by striking the item relating to the Director of Central Intelligence and inserting the following new item:

''Director of the Central Intelligence Agency.''.

(b) EXECUTIVE SCHEDULE LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking the item relating to the Deputy Directors of Central Intelligence.

(c) EXECUTIVE SCHEDULE LEVEL IV.—Section 5315 of title 5, United States Code, is amended by striking the item relating to the General Counsel of the Office of the National Intelligence Director and inserting the following new item:

''General Counsel of the Office of the Director of National Intelligence.''.

SEC. 508. TECHNICAL AMENDMENTS RELATING TO REDESIGNATION OF THE NATIONAL IMAGERY AND MAPPING AGENCY AS THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

(a) TITLE 5, UNITED STATES CODE.—(1) Title 5, United States Code, is amended by striking ''National Imagery and Mapping Agency'' each place it appears in a provision as follows and inserting ''National Geospatial-Intelligence Agency'':

(A) Section 2302(a)(2)(C)(ii).
(B) Section 3132(a)(1)(B).
(C) Section 4301(1) (in clause (ii)).
(D) Section 4701(a)(1)(B).
(E) Section 5102(a)(1) (in clause (x)).
(F) Section 5342(a)(1) (in clause (K)).
(G) Section 6339(a)(1)(E).
(H) Section 7323(b)(2)(B)(i)((XIII).

(2) Section 6339(a)(2)(E) of such title is amended by striking ''National Imagery and Mapping Agency, the Director of the National Imagery and Mapping Agency'' and inserting ''National Geospatial-Intelligence Agency, the Director of the National Geospatial-Intelligence Agency''.

(b) TITLE 44, UNITED STATES CODE.—(1)(A) Section 1336 of title 44, United States Code, is amended by striking ''National Imagery and Mapping Agency'' both places it appears and inserting ''National Geospatial-Intelligence Agency''.

(B) The heading of such section is amended to read as follows:

"§ 1336. National Geospatial-Intelligence Agency: special publications".

(2) The table of sections at the beginning of chapter 13 of such title is amended by striking the item relating to section 1336 and inserting the following new item:

''1336. National Geospatial-Intelligence Agency: special publications.''.

(c) HOMELAND SECURITY ACT OF 2002.—Section 201(f)(2)(E) of the Homeland Security Act of 2002 (6 U.S.C. 121(f)(2)(E)) is amended by striking ''National Imagery and Mapping Agency'' and inserting ''National Geospatial-Intelligence Agency''.

(d) INSPECTOR GENERAL ACT OF 1978.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking ''National Imagery and Mapping Agency'' each place it appears and inserting ''National Geospatial-Intelligence Agency''.

(e) ETHICS IN GOVERNMENT ACT OF 1978.—Section 105(a)(1) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking ''National Imagery and Mapping Agency'' and inserting ''National Geospatial-Intelligence Agency''.

(f) OTHER ACTS.—(1) Section 7(b)(2)(A)(i) of the Employee Polygraph Protection Act of 1988 (29 U.S.C. 2006(b)(2)(A)(i)) is amended by striking ''National Imagery and Mapping Agency'' and inserting ''National Geospatial-Intelligence Agency''.

(2) Section 207(a)(2)(B) of the Legislative Branch Appropriations Act, 1993 (44 U.S.C. 501 note) is amended by striking ''National Imagery and Mapping Agency'' and inserting ''National Geospatial-Intelligence Agency''.

SA 844. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. ___. REPORT ON INTELLIGENCE RELATED TO INSURGENT FORCES IN IRAQ.

(a) REQUIREMENT FOR REPORT.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter, the Director of National Intelligence shall submit to Congress a report on intelligence relating to the insurgent forces in Iraq that are fighting against coalition forces in Iraq or forces of the Government of Iraq.

(b) CONTENT OF REPORT.—Each report required by subsection (a) shall include the following:

(1) An estimate of the number of insurgent forces in Iraq that are fighting against coalition forces in Iraq or forces of the Government of Iraq.

(2) A description of the locations in Iraq where such insurgent forces are located.

(3) A description of the capability of such insurgent forces and of the manner in which such insurgent forces are funded.

(4) An estimate of the number of members of such insurgent forces in Iraq who are—

(A) members of al Qaeda or any other terrorist organization; or

(B) former members of the Ba'ath Party.

(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in a classified form.

SA 845. Mr. BAYH submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 509. PROCUREMENT OF PREDATOR AND GLOBAL HAWK UNMANNED AERIAL VEHICLES AND RELATED SYSTEMS.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the actions being taken by the Department of Defense to address shortfalls in the procurement of Predator Unmanned Aerial Vehicles and Global Hawk Unmanned Aerial Vehicles and associated orbits for military and intelligence mission requirements.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of any shortages in available Predator Unmanned Aerial Vehicles, Global Hawk Unmanned Aerial Vehicles, and associated orbits to meet requirements of United States military and intelligence forces in the field, including for activities in Iraq, Afghanistan, Colombia, East, South and Southeast Asia.

(2) A description of progress in developing next-generation stealth, medium-altitude unmanned aerial vehicles.

(3) A schedule for addressing such shortages.

(4) An assessment of whether or not the Department of Defense has requested all funds required to keep production lines for such unmanned aerial vehicles running at maximum capacity until such shortages are fully addressed, and, if not, a statement of the reasons why.

(5) A description of the actions required to fully address such shortages.

(6) An assessment of whether or not reliance on a sole-source producer for production of the Predator Unmanned Aerial Vehicle delays the achievement of production and procurement schedules for such vehicle, and if so, recommendations securing one or more additional producers of the vehicle

(7) A statement of the anticipated overseas requirements for such unmanned aerial vehicles during the five-year period beginning on the date of the report, including an assessment of the extent to which long-endurance unmanned aerial vehicles, whether armed or for intelligence, surveillance, and reconnaissance purposes, are long-term and growing requirement for the Armed Forces.

(8) A statement as to whether domestic requirements for medium-altitude unmanned aerial vehicles will further delay meeting all overseas military and intelligence requirements.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 846. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

''(7) develop 15-year projections and assessments of the needs of the intelligence community to ensure a robust federal scientific and engineering workforce and the means to recruit such a workforce through integrated scholarships across the intelligence community, including research grants and cooperative work-study programs;

SA 847. Ms. COLLINS (for herself, Mr. LIEBERMAN, Mr. CARPER, Mr. COLEMAN, and Mr. AKAKA) submitted an amendment intended to be proposed to amendment SA 843 proposed by Mr. ROCKEFELLER (for himself and Mr. BOND) to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. SENSE OF CONGRESS RELATING TO CONSTITUTIONAL AND STATUTORY PROTECTIONS ACCORDED SEALED DOMESTIC MAIL.

(a) FINDINGS.—Congress finds that—

(1) all Americans depend on the United States Postal Service to transact business and communicate with friends and family;

(2) postal customers have a constitutional right to expect that their sealed domestic mail will be protected against unreasonable searches;

(3) the circumstances and procedures under which the Government may search sealed mail are well defined, including provisions under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), and generally require prior judicial approval;

(4) the United States Postal Inspection Service has the authority to open and search a sealed envelope or package when there is immediate threat to life or limb or an immediate and substantial danger to property;

(5) the United States Postal Service affirmed January 4, 2007, that the enactment of the Postal Accountability and Enhancement Act (Public Law 109–435) does not grant Federal law enforcement officials any new authority to open domestic mail;

(6) questions have been raised about these basic privacy protections following issuance of the President's signing statement on the Postal Accountability and Enhancement Act (Public Law 109–435); and

(7) the Senate rejects any interpretation of the President's signing statement on the Postal Accountability and Enhancement Act (Public Law 109–435) that in any way diminishes the privacy protections accorded sealed domestic mail under the Constitution and Federal laws and regulations.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress reaffirms the constitutional and statutory protections accorded sealed domestic mail.

SA 848. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. RECRUITMENT OF PERSONS TO PARTICIPATE IN TERRORISM.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by inserting after section 2332b the following:

"§ 2332c. Recruitment of persons to participate in terrorism.

''(a) OFFENSES.—

''(1) IN GENERAL.—It shall be unlawful to employ, solicit, induce, command, or cause another person to commit an act of domestic terrorism or international terrorism or a Federal crime of terrorism, with the intent that the person commit such act or crime of terrorism

''(2) ATTEMPT AND CONSPIRACY.—It shall be unlawful to attempt or conspire to commit an offense under paragraph (1).

''(b) PENALTIES.—Any person who violates subsection (a)—

''(1) in the case of an attempt or conspiracy, shall be fined under this title, imprisoned not more than 10 years, or both;

''(2) if death of an individual results, shall be fined under this title, punished by death or imprisoned for any term of years or for life, or both;

''(3) if serious bodily injury to any individual results, shall be fined under this title, imprisoned not less than 10 years nor more than 25 years, or both; and

''(4) in any other case, shall be fined under this title, imprisoned not more than 10 years, or both.

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed or applied so as to abridge the exercise of rights guaranteed under the first amendment to the Constitution of the United States.

''(d) LACK OF CONSUMMATED TERRORIST ACT NOT A DEFENSE.—It is not a defense under this section that the act of domestic terrorism or international terrorism or Federal crime of terrorism that is the object of the employment, solicitation, inducement, commanding, or causing has not been done.

''(e) DEFINITIONS.—In this section—

''(1) the term 'Federal crime of terrorism' has the meaning given that term in section 2332b of this title; and

''(2) the term 'serious bodily injury' has the meaning given that term in section 1365 of this title.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections at the beginning of chapter 113B of title 18, United States Code, is amended—

(1) by inserting after section 2332b the following:

''2332c. Recruitment of persons to participate in terrorism.''; and

(2) by adding at the end the following:

''2339D. Receiving military-type training from a foreign terrorist organization.''.

SA 849. Mr. CORNYN Submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. RECRUITMENT OF PERSONS TO PARTICIPATE IN TERRORISM.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by inserting after section 2332b the following:

"§ 2332c. Recruitment of persons to participate in terrorism.

''(a) OFFENSES.—

''(1) IN GENERAL.—It shall be unlawful to employ, solicit, induce, command, or cause another person to commit an act of domestic terrorism or international terrorism or a Federal crime of terrorism, with the intent that the person commit such act or crime of terrorism

''(2) ATTEMPT AND CONSPIRACY.—It shall be unlawful to attempt or conspire to commit an offense under paragraph (1).

''(b) PENALTIES.—Any person who violates subsection (a)—

''(1) in the case of an attempt or conspiracy, shall be fined under this title, imprisoned not more than 10 years, or both;

''(2) if death of an individual results, shall be fined under this title, punished by death or imprisoned for any term of years or for life, or both;

''(3) if serious bodily injury to any individual results, shall be fined under this title, imprisoned not less than 10 years nor more than 25 years, or both; and

''(4) in any other case, shall be fined under this title, imprisoned not more than 10 years, or both.

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed or applied so as to abridge the exercise of rights guaranteed under the first amendment to the Constitution of the United States.

''(d) LACK OF CONSUMMATED TERRORIST ACT NOT A DEFENSE.—It is not a defense under this section that the act of domestic terrorism or international terrorism or Federal crime of terrorism that is the object of the employment, solicitation, inducement, commanding, or causing has not been done.

''(e) DEFINITIONS.—In this section—

''(1) the term 'Federal crime of terrorism' has the meaning given that term in section 2332b of this title; and

''(2) the term 'serious bodily injury' has the meaning given that term in section 1365 of this title.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections at the beginning of chapter 113B of title 18, United States Code, is amended—

(1) by inserting after section 2332b the following:

''2332c. Recruitment of persons to participate in terrorism.''; and

(2) by adding at the end the following:

''2339D. Receiving military-type training from a foreign terrorist organization.''.

SEC. ___. APPROPRIATE REMEDIES FOR IMMIGRATION LITIGATION.

(a) LIMITATION ON CLASS ACTIONS.—No court may certify a class under rule 23 of the Federal Rules of Civil Procedure in any civil action that—

(1) is filed after the date of the enactment of this Act; and

(2) pertains to the administration or enforcement of the immigration laws of the United States.

(b) PROSPECTIVE RELIEF AGAINST THE GOVERNMENT.—

(1) IN GENERAL.—If a Federal court determines that a plaintiff should be awarded prospective relief to remedy a violation of the Government in a civil action pertaining to the administration or enforcement of the immigration laws of the United States, the court shall—

(A) limit the relief to the minimum necessary to correct the violation of law;

(B) design the relief as the least intrusive means to correct the violation;

(C) design the relief in a manner to minimize, to the greatest extent practicable, the adverse impact of such relief on the national security, border security, ability to administer and enforce the immigration laws, and public safety of the United States; and

(D) provide for the expiration of the relief on a specific date, which may not be later than the earliest date practicable for the Government to remedy the violation.

(2) WRITTEN EXPLANATION.—A court granting prospective relief for a violation described in paragraph (1) shall issue a written order granting the relief and include in the order a discussion of the manner in which the relief is designed to meet the requirements of subparagraphs (A) through (D) of paragraph (1) and shall be sufficiently detailed to allow review by another court.

(3) EXPIRATION OF PRELIMINARY INJUNCTIVE RELIEF.—Preliminary injunctive relief ordered by a court in a case related to the immigration laws of the United States shall automatically expire on the date that is 90 days after the date on which such relief is entered, unless the court finds that such relief meets the requirements described in subparagraphs (A) through (D) of paragraph (1) for the entry of permanent prospective relief and orders the preliminary relief to become a final order granting prospective relief prior to the expiration of the 90-day period.

(c) PROCEDURE FOR MOTION AFFECTING ORDER GRANTING PROSPECTIVE RELIEF AGAINST THE GOVERNMENT.—

(1) IN GENERAL.—A court shall promptly rule on a motion made by the Government to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States.

(2) AUTOMATIC STAYS.—

(A) IN GENERAL.—A motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief made by the Government in any civil action pertaining to the administration or enforcement of the immigration laws of the United States shall automatically, and without further order of the court, stay the order granting prospective relief on the date that is 15 days after the date on which such motion is filed unless the court previously has granted or denied the Government's motion.

(B) DURATION OF AUTOMATIC STAY.—An automatic stay under subparagraph (A) shall continue until the date on which the court enters an order granting or denying the Government's motion.

(C) POSTPONEMENT.—The court may, for good cause, postpone an automatic stay under subparagraph (A) for not longer than 15 days.

(D) PENDING MOTIONS.—

(i) MOTIONS PENDING FOR 45 DAYS OR LESS.—A motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States that has been pending for not more than 45 days on the date of the enactment of this Act shall be treated as if the motion had been filed on the date of the enactment of this Act for purposes of this subsection.

(ii) MOTIONS PENDING FOR MORE THAN 45 DAYS.—

(I) IN GENERAL.—A motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States that has been pending for more than 45 days on the date of the enactment of this Act, and remains pending 10 days after the date of the enactment of this Act, shall result in an automatic stay, without further order of the court, of the prospective relief that is the subject of the motion.

(II) DURATION OF AUTOMATIC STAY.—An automatic stay under subclause (I) shall continue until the court enters an order granting or denying the Government's motion.

(III) POSTPONEMENT.—An automatic stay under this clause may not be postponed under subparagraph (C).

(E) AUTOMATIC STAYS DURING REMANDS FROM HIGHER COURTS.—If a United States court of appeals orders a decision on a motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States to be remanded to a district court, the order granting prospective relief which is the subject of the motion shall be automatically stayed until the district court enters an order granting or denying the motion.

(F) ORDERS BLOCKING AUTOMATIC STAYS.—An order staying, suspending, delaying, or otherwise barring the effective date of an automatic stay, other than an order to postpone the effective date of the automatic stay for not longer than 15 days under subparagraph (C), shall be treated as an order refusing to vacate, modify, dissolve, or otherwise terminate an injunction and immediately shall be appealable pursuant to section 1292(a)(1) of title 28, United States Code.

(3) REQUIREMENTS FOR ORDER DENYING MOTION.—Subsection (b) shall apply to any order denying a motion made by the Government to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States.

(d) ADDITIONAL RULES CONCERNING PROSPECTIVE RELIEF AFFECTING EXPEDITED REMOVAL.—

(1) JURISDICTION OVER ORDERS INTERFERING WITH THE INSPECTION OF ALIENS ARRIVING IN THE UNITED STATES.—Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, or any other habeas corpus provision and sections 1361 and 1651 of such title, no court shall have jurisdiction to grant or continue an order or part of an order granting prospective relief if the order or part of the order interferes with, affects, or impacts any determination pursuant to, or implementation of, section 235(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)), except as expressly provided in section 242(e) of such Act (8 U.S.C. 1252(e)).

(2) DETERMINATION OF JURISDICTION.—If the Government files a motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in a civil action pertaining to the administration or enforcement of the immigration laws of the United States, the court shall promptly determine whether the court continues to have jurisdiction and shall promptly vacate any order or part of an order granting prospective relief that is not within the jurisdiction of the court.

(3) APPLICABILITY.—Paragraphs (1) and (2) shall not apply to an order granting prospective relief that was entered before the date of the enactment of this Act if the prospective relief granted by such order was necessary to remedy the violation of a right guaranteed by the Constitution of the United States.

(e) SETTLEMENTS.—

(1) CONSENT DECREES.—In any civil action pertaining to the administration or enforcement of the immigration laws of the United States, the court shall not enter, approve, or continue a consent decree unless it complies with the requirements of subsection (b).

(2) PRIVATE SETTLEMENT AGREEMENTS.—Nothing in this section shall preclude parties from entering into a private settlement agreement that does not comply with the requirements of subsection (b).

(f) DEFINITIONS.—In this section:

(1) CONSENT DECREE.—The term ''consent decree'' means any relief entered by the court that is based in whole or in part on the consent or acquiescence of the parties, but does not include private settlement agreements.

(2) GOOD CAUSE.—The term ''good cause'' does not include discovery or congestion of the court's calendar.

(3) GOVERNMENT.—The term ''Government'' means the United States, any Federal department or agency, or any Federal agent or official acting within the scope of official duties.

(4) PERMANENT RELIEF.—The term ''permanent relief'' means relief issued in connection with a final decision of a court.

(5) PRIVATE SETTLEMENT AGREEMENT.—The term ''private settlement agreement'' means an agreement entered into by the parties that is not subject to judicial enforcement other than the reinstatement of the civil action of the claim resolved by such agreement.

(6) PROSPECTIVE RELIEF.—The term ''prospective relief'' means temporary, preliminary, or permanent relief other than compensatory monetary damages.

(g) EXPEDITED PROCEEDINGS.—It shall be the duty of every court to advance on the docket and to expedite the disposition of any civil action or motion subject to the provisions of this section.

(h) EFFECTIVE DATE.—This section shall apply with respect to all orders granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States, whether such relief was ordered before, on, or after the date of the enactment of this Act.

(i) SEVERABILITY.—If any provision of this section or the application of such provision to any person or circumstance is found to be unconstitutional, the remainder of this section and the application of the provisions of this section to any person or circumstance shall not be affected by such finding.

SEC. ____. JUDICIAL REVIEW OF VISA REVOCATION.

(a) IN GENERAL.—Section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)) is amended by striking ''There shall be no means of judicial review'' and all that follows and inserting the following: ''Notwithstanding any other provision of law, including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, a revocation under this subsection may not be reviewed by any court, and no court shall have jurisdiction to hear any claim arising from, or any challenge to, such a revocation.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of enactment of this Act and shall apply to visas issued before, on, or after such date.

SEC. ____. DETENTION AND REMOVAL OF ALIENS ORDERED REMOVED.

(a) DETENTION OF DEPORTABLE ALIENS TO PROTECT PUBLIC SAFETY.—

(1) IN GENERAL.—Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—

(A) by striking ''Attorney General'' each place it appears, except for the first reference in paragraph (4)(B)(i), and inserting ''Secretary of Homeland Security'';

(B) in paragraph (1)—

(i) by amending clause (ii) of subparagraph (B) to read as follows:

''(ii) If a court, the Board of Immigration Appeals, or an immigration judge orders a stay of the removal of the alien, the date the stay of removal is no longer in effect.'';

(ii) by adding at the end of subparagraph (B), the following flush text:

''If, at the beginning of the removal period, as determined under this subparagraph, the alien is not in the custody of the Secretary of Homeland Security (under the authority of this Act), the Secretary shall take the alien into custody for removal, and the removal period shall not begin until the alien is taken into such custody. If the Secretary transfers custody of the alien during the removal period pursuant to law to another Federal agency or a State or local government agency in connection with the official duties of such agency, the removal period shall be tolled, and shall begin anew on the date of the alien's return to the custody of the Secretary subject to clause (ii).''; and

(iii) by amending subparagraph (C) to read as follows:

''(C) SUSPENSION OF PERIOD.—The removal period shall be extended beyond a period of 90 days and the alien may remain in detention during such extended period if the alien—

''(i) fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the efforts of the Secretary to establish the identity of the alien and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the departure of the alien; or

''(ii) conspires or acts to prevent the alien's removal.'';

(C) in paragraph (2)—

(i) by striking ''During'' and inserting the following:

''(A) IN GENERAL.—During''; and

(ii) by adding at the end the following new subparagraph:

''(B) EFFECT OF STAY OF REMOVAL.—If a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to an administratively final order of removal, the Secretary of Homeland Security in the exercise of discretion may detain the alien during the pendency of such stay of removal.'';

(D) in paragraph (3), by amending subparagraph (D) to read as follows:

''(D) to obey reasonable restrictions on the alien's conduct or activities or to perform affirmative acts that the Secretary of Homeland Security prescribes for the alien, in order to prevent the alien from absconding, for the protection of the community, or for other purposes related to the enforcement of the immigration laws.'';

(E) in paragraph (6), by striking ''removal period and, if released,'' and inserting ''removal period, in the discretion of the Secretary of Homeland Security, without any limitations other than those specified in this section, until the alien is removed. If the alien is released, the alien''; and

(F) by redesignating paragraph (7) as paragraph (10) and inserting after paragraph (6) the following new paragraphs:

''(7) PAROLE.—If an alien detained pursuant to paragraph (6) is an applicant for admission, the Secretary of Homeland Security, in the Secretary's discretion, may parole the alien under section 212(d)(5) and may provide, notwithstanding section 212(d)(5), that the alien shall not be returned to custody unless either the alien violates the conditions of the parole or the removal of the alien becomes reasonably foreseeable. In no circumstance shall such alien be considered admitted.

''(8) ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS WHO HAVE MADE AN ENTRY.—The following procedures apply to an alien who has effected an entry into the United States and do not apply to any

other alien detained pursuant to paragraph (6):

''(A) ESTABLISHMENT OF A DETENTION REVIEW PROCESS FOR ALIENS WHO FULLY COOPERATE WITH REMOVAL.—For an alien who has made all reasonable efforts to comply with a removal order and to cooperate fully with the Secretary of Homeland Security's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, and has not conspired or acted to prevent removal, the Secretary of Homeland Security shall establish an administrative review process to determine whether an alien will be detained or released on conditions. The Secretary shall make a determination whether to release an alien after the removal period in accordance with paragraph (1)(B). The determination shall include consideration of any evidence submitted by the alien, and may include consideration of any other evidence, including any information or assistance provided by the Department of State or other Federal agency and any other information available to the Secretary pertaining to the ability to remove the alien.

''(B) ADDITIONAL 90-DAY PERIOD.—The Secretary of Homeland Security, in the exercise of discretion, without any limitations other than those specified in this section, may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period as provided in paragraph (1)(D)).

''(C) FURTHER DETENTION.—The Secretary of Homeland Security, in the exercise of discretion, without any limitations other than those specified in this section, may continue to detain an alien beyond the removal period and the 90-day period authorized by subparagraph (B)—

''(i) until the alien is removed, if the Secretary determines that there is a significant likelihood that the alien—

''(I) will be removed in the reasonably foreseeable future; or

''(II) would be removed in the reasonably foreseeable future, or would have been removed, but for the failure or refusal of the alien to make all reasonable efforts to comply with the removal order, or to cooperate fully with the efforts of the Secretary to establish the identity of the alien and to carry out the removal order, including making timely application in good faith for travel or other documents necessary to the departure of the alien, or conspiracies or acts to prevent the alien's removal;

''(ii) until the alien is removed, if the Secretary certifies in writing—

''(I) in consultation with the Secretary of Health and Human Services, that the alien has a highly contagious disease that poses a threat to public safety;

''(II) after receipt of a written recommendation from the Secretary of State, that release of the alien is likely to have serious adverse foreign policy consequences for the United States;

''(III) based on information available to the Secretary of Homeland Security (including classified, sensitive, or national security information, and without regard to the grounds upon which the alien was ordered removed), that there is reason to believe that the release of the alien would threaten the national security of the United States; or

''(IV) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or any person, and—

''(aa) the alien has been convicted of one or more aggravated felonies as defined in section 101(a)(43)(A), one or more crimes identified by the Secretary of Homeland Security by regulation, or one or more attempts or conspiracies to commit any such aggravated felonies or such identified crimes, provided that the aggregate term of imprisonment for such attempts or conspiracies is at least 5 years; or

''(bb) the alien has committed one or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder and behavior associated with that condition or disorder, the alien is likely to engage in acts of violence in the future; or

''(V) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or any person, and the alien has been convicted of at least one aggravated felony as defined in section 101(a)(43); or

''(iii) pending a certification under clause (ii), if the Secretary has initiated the administrative review process under subparagraph (C) not later than 30 days after the expiration of the alien's removal period (including any extension of the removal period as provided in paragraph (1)(D)).

''(D) RENEWAL AND DELEGATION OF CERTIFICATION.—

''(i) RENEWAL.—The Secretary of Homeland Security may renew a certification under subparagraph (C)(ii) every 180 days without limitation, after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew such a certification, the Secretary may not continue to detain the alien under subparagraph (C)(ii).

''(ii) DELEGATION.—Notwithstanding section 103, the Secretary of Homeland Security may not delegate the authority to make or renew a certification described in subclause (II), (III), or (V) of subparagraph (C)(ii) to an official below the level of the Assistant Secretary for Immigration and Customs Enforcement.

''(iii) HEARING.—The Secretary of Homeland Security may request that the Attorney General, or a designee of the Attorney General, provide for a hearing to make the determination described in item (bb) of subparagraph (C)(ii)(IV).

''(E) RELEASE ON CONDITIONS.—If it is determined that an alien should be released from detention under this paragraph, the Secretary of Homeland Security, in the exercise of discretion, may impose conditions on release as provided in paragraph (3).

''(F) REDETENTION.—

''(i) IN GENERAL.—The Secretary of Homeland Security, in the exercise of discretion, without any limitations other than those specified in this section, may again detain any alien subject to a final removal order who is released from custody if—

''(I) the alien fails to comply with the conditions of release;

''(II) the alien fails to continue to satisfy the conditions described in subparagraph (A); or

''(III) upon reconsideration, the Secretary determines that the alien may be detained under subparagraph (B) or (C).

''(ii) APPLICABILITY OF CUSTODY PROVISIONS.—The provisions of paragraph (6) and this paragraph shall apply to any alien returned to custody pursuant to this subparagraph, as if the removal period terminated on the day of that the alien was so returned to custody.

''(G) CERTAIN ALIENS WHO EFFECTED ENTRY.—The Secretary of Homeland Security in the exercise of discretion may waive the provisions of subparagraph (A) through (F) and detain an alien without any limitations, except those which the Secretary shall adopt by regulation, if—

''(i) the alien has effected an entry;

''(ii) the alien has not been lawfully admitted into the United States; and

''(iii) the alien has not been physically present in the United States continuously for the 2-year period immediately prior to the commencement of removal proceedings under this Act or deportation proceedings against the alien.

''(9) JUDICIAL REVIEW.—Without regard to the place of confinement, judicial review of any action or decision pursuant to paragraph (6), (7), or (8) shall be available exclusively in a habeas corpus proceeding instituted in the United States District Court for the District of Columbia, and only if the alien has exhausted all administrative remedies (statutory and regulatory) available to the alien as of right.''.

(2) DETENTION OF ALIENS DURING REMOVAL PROCEEDINGS.—

(A) IN GENERAL.—Section 235 of the Immigration and Nationality Act (8 U.S.C. 1225) is amended by adding at the end the following new subsections:

''(e) LENGTH OF DETENTION.—

''(1) IN GENERAL.—An alien may be detained under this section, without limitation, until the alien is subject to an administratively final order of removal.

''(2) EFFECT ON DETENTION UNDER SECTION 241.—The length of detention under this section shall not affect the validity of any detention under section 241.

''(3) JUDICIAL REVIEW.—Without regard to the place of confinement, judicial review of any action or decision made pursuant to paragraph (1) or (2) of this subsection shall be available exclusively in a habeas corpus proceeding instituted in the United States District Court for the District of Columbia and only if the alien has exhausted all administrative remedies (statutory and nonstatutory) available to the alien as of right.''.

(B) CONFORMING AMENDMENTS.—Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended—

(i) in subsection (e)—

(I) by striking ''The'' and inserting the following:

''(1) IN GENERAL.—The''; and

(II) by adding at the end the following new paragraph:

''(2) LIMITATION ON REVIEW.—Without regard to the place of confinement, judicial review of any action or decision made pursuant to subsection (f) shall be available exclusively in a habeas corpus proceeding instituted in the United States District Court for the District of Columbia, and only if the alien has exhausted all administrative remedies (statutory and nonstatutory) available to the alien as of right.''; and

(ii) by adding at the end the following new subsection:

''(f) LENGTH OF DETENTION.—

''(1) IN GENERAL.—With regard to the length of detention, an alien may be detained under this section, without limitation, until the alien is subject to an administratively final order of removal.

''(2) EFFECT ON DETENTION UNDER SECTION 241.—The length of detention under this section shall not affect the validity of any detention under section 241.''.

(3) EFFECTIVE DATES.—

(A) AMENDMENTS MADE BY PARAGRAPH (1).—The amendments made by paragraph (1) shall take effect on the date of the enactment of this Act, and section 241 of the Immigration and Nationality Act, as amended, shall apply to—

(i) all aliens subject to a final administrative removal, deportation, or exclusion order

that was issued before, on, or after the date of the enactment of this Act; and

(ii) acts and conditions occurring or existing before, on, or after the date of the enactment of this Act.

(B) AMENDMENTS MADE BY PARAGRAPH (2).—The amendments made by paragraph (2) shall take effect on the date of the enactment of this Act, and sections 235 and 236 of the Immigration and Nationality Act, as amended, shall apply to any alien in detention under provisions of such sections on or after the date of the enactment of this Act.

(b) CRIMINAL DETENTION OF ALIENS TO PROTECT PUBLIC SAFETY.—

(1) IN GENERAL.—Section 3142(e) of title 18, United States Code, is amended—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(B) by striking ''If, after a hearing'' and inserting the following:

''(1) IN GENERAL.—If, after a hearing'';

(C) by striking ''In a case'' and inserting the following:

''(2) PRESUMPTION ARISING FROM OFFENSES DESCRIBED IN SUBSECTION (F)(1).—In a case'';

(D) by striking ''Subject to rebuttal'' and inserting the following:

''(3) PRESUMPTION ARISING FROM OTHER OFFENSES INVOLVING ILLEGAL SUBSTANCES, FIREARMS, VIOLENCE, OR MINORS.—Subject to rebuttal'';

(E) in subparagraphs (B) and (C) of paragraph (1), as resdesignated, by striking ''paragraph (1)'' and inserting ''subparagraph (A)''; and

(F) by adding at the end the following new paragraph:

''(4) PRESUMPTION ARISING FROM OFFENSES RELATING TO IMMIGRATION LAW.—Subject to rebuttal by the person, it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of the person as required if the judicial officer finds that there is probable cause to believe that the person is an alien and that the person—

''(A) has no lawful immigration status in the United States;

''(B) is the subject of a final order of removal; or

''(C) has committed a felony offense under section 842(i)(5), 911, 922(g)(5), 1015, 1028, 1028A, 1425, or 1426 of this title, or any section of chapters 75 and 77 of this title, or section 243, 274, 275, 276, 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1253, 1324, 1325, 1326, 1327, and 1328).''.

(2) IMMIGRATION STATUS AS FACTOR IN DETERMINING CONDITIONS OF RELEASE.—Section 3142(g)(3) of title 18, United States Code, is amended—

(A) in subparagraph (A), by striking ''; and'' and inserting a semicolon; and

(B) by adding at the end the following new subparagraph:

''(C) the person's immigration status; and''.

(c) SEVERABILITY.—If any provision of this section or any amendment made by this section, or the application of any such provision or amendment to any person or circumstance, is held to be invalid for any reason, the remainder of the provisions of this section and the amendments made by this section, and the application of such provisions and amendments to any other person or circumstance shall not be affected by such holding.

SA 850. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Managment Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—DETENTION AND REMOVAL OF ALIENS ORDERED REMOVED

SEC. 601. DETENTION OF DEPORTABLE ALIENS TO PROTECT PUBLIC SAFETY.

(a) IN GENERAL.—Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—

(1) by striking ''Attorney General'' each place it appears, except for the first reference in paragraph (4)(B)(i), and inserting ''Secretary of Homeland Security'';

(2) in paragraph (1)—

(A) by amending clause (ii) of subparagraph (B) to read as follows:

''(ii) If a court, the Board of Immigration Appeals, or an immigration judge orders a stay of the removal of the alien, the date the stay of removal is no longer in effect.'';

(B) by adding at the end of subparagraph (B), the following flush text:

''If, at the beginning of the removal period, as determined under this subparagraph, the alien is not in the custody of the Secretary of Homeland Security (under the authority of this Act), the Secretary shall take the alien into custody for removal, and the removal period shall not begin until the alien is taken into such custody. If the Secretary transfers custody of the alien during the removal period pursuant to law to another Federal agency or a State or local government agency in connection with the official duties of such agency, the removal period shall be tolled, and shall begin anew on the date of the alien's return to the custody of the Secretary subject to clause (ii).''; and

(C) by amending subparagraph (C) to read as follows:

''(C) SUSPENSION OF PERIOD.—The removal period shall be extended beyond a period of 90 days and the alien may remain in detention during such extended period if the alien—

''(i) fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the efforts of the Secretary to establish the identity of the alien and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the departure of the alien; or

''(ii) conspires or acts to prevent the alien's removal.'';

(3) in paragraph (2)—

(A) by striking ''During'' and inserting the following:

''(A) IN GENERAL.—During''; and

(B) by adding at the end the following new subparagraph:

''(B) EFFECT OF STAY OF REMOVAL.—If a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to an administratively final order of removal, the Secretary of Homeland Security in the exercise of discretion may detain the alien during the pendency of such stay of removal.'';

(4) in paragraph (3), by amending subparagraph (D) to read as follows:

''(D) to obey reasonable restrictions on the alien's conduct or activities or to perform affirmative acts that the Secretary of Homeland Security prescribes for the alien, in order to prevent the alien from absconding, for the protection of the community, or for other purposes related to the enforcement of the immigration laws.'';

(5) in paragraph (6), by striking ''removal period and, if released,'' and inserting ''removal period, in the discretion of the Secretary of Homeland Security, without any limitations other than those specified in this section, until the alien is removed. If the alien is released, the alien''; and

(6) by redesignating paragraph (7) as paragraph (10) and inserting after paragraph (6) the following new paragraphs:

''(7) PAROLE.—If an alien detained pursuant to paragraph (6) is an applicant for admission, the Secretary of Homeland Security, in the Secretary's discretion, may parole the alien under section 212(d)(5) and may provide, notwithstanding section 212(d)(5), that the alien shall not be returned to custody unless either the alien violates the conditions of the parole or the removal of the alien becomes reasonably foreseeable. In no circumstance shall such alien be considered admitted.

''(8) ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS WHO HAVE MADE AN ENTRY.—The following procedures apply to an alien who has effected an entry into the United States and do not apply to any other alien detained pursuant to paragraph (6):

''(A) ESTABLISHMENT OF A DETENTION REVIEW PROCESS FOR ALIENS WHO FULLY COOPERATE WITH REMOVAL.—For an alien who has made all reasonable efforts to comply with a removal order and to cooperate fully with the Secretary of Homeland Security's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, and has not conspired or acted to prevent removal, the Secretary of Homeland Security shall establish an administrative review process to determine whether an alien will be detained or released on conditions. The Secretary shall make a determination whether to release an alien after the removal period in accordance with paragraph (1)(B). The determination shall include consideration of any evidence submitted by the alien, and may include consideration of any other evidence, including any information or assistance provided by the Department of State or other Federal agency and any other information available to the Secretary pertaining to the ability to remove the alien.

''(B) ADDITIONAL 90-DAY PERIOD.—The Secretary of Homeland Security, in the exercise of discretion, without any limitations other than those specified in this section, may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period as provided in paragraph (1)(D)).

''(C) FURTHER DETENTION.—The Secretary of Homeland Security, in the exercise of discretion, without any limitations other than those specified in this section, may continue to detain an alien beyond the removal period and the 90-day period authorized by subparagraph (B)—

''(i) until the alien is removed, if the Secretary determines that there is a significant likelihood that the alien—

''(I) will be removed in the reasonably foreseeable future; or

''(II) would be removed in the reasonably foreseeable future, or would have been removed, but for the failure or refusal of the alien to make all reasonable efforts to comply with the removal order, or to cooperate fully with the efforts of the Secretary to establish the identity of the alien and to carry out the removal order, including making timely application in good faith for travel or other documents necessary to the departure of the alien, or conspiracies or acts to prevent the alien's removal;

''(ii) until the alien is removed, if the Secretary certifies in writing—

''(I) in consultation with the Secretary of Health and Human Services, that the alien has a highly contagious disease that poses a threat to public safety;

''(II) after receipt of a written recommendation from the Secretary of State, that release of the alien is likely to have serious adverse foreign policy consequences for the United States;

''(III) based on information available to the Secretary of Homeland Security (including classified, sensitive, or national security information, and without regard to the grounds upon which the alien was ordered removed), that there is reason to believe that the release of the alien would threaten the national security of the United States; or

''(IV) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or any person, and—

''(aa) the alien has been convicted of one or more aggravated felonies as defined in section 101(a)(43)(A), one or more crimes identified by the Secretary of Homeland Security by regulation, or one or more attempts or conspiracies to commit any such aggravated felonies or such identified crimes, provided that the aggregate term of imprisonment for such attempts or conspiracies is at least 5 years; or

''(bb) the alien has committed one or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder and behavior associated with that condition or disorder, the alien is likely to engage in acts of violence in the future; or

''(V) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or any person, and the alien has been convicted of at least one aggravated felony as defined in section 101(a)(43); or

''(iii) pending a certification under clause (ii), if the Secretary has initiated the administrative review process under subparagraph (C) not later than 30 days after the expiration of the alien's removal period (including any extension of the removal period as provided in paragraph (1)(D)).

''(D) RENEWAL AND DELEGATION OF CERTIFICATION.—

''(i) RENEWAL.—The Secretary of Homeland Security may renew a certification under subparagraph (C)(ii) every 180 days without limitation, after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew such a certification, the Secretary may not continue to detain the alien under subparagraph (C)(ii).

''(ii) DELEGATION.—Notwithstanding section 103, the Secretary of Homeland Security may not delegate the authority to make or renew a certification described in subclause (II), (III), or (V) of subparagraph (C)(ii) to an official below the level of the Assistant Secretary for Immigration and Customs Enforcement.

''(iii) HEARING.—The Secretary of Homeland Security may request that the Attorney General, or a designee of the Attorney General, provide for a hearing to make the determination described in item (bb) of subparagraph (C)(ii)(IV).

''(E) RELEASE ON CONDITIONS.—If it is determined that an alien should be released from detention under this paragraph, the Secretary of Homeland Security, in the exercise of discretion, may impose conditions on release as provided in paragraph (3).

''(F) REDETENTION.—

''(i) IN GENERAL.—The Secretary of Homeland Security, in the exercise of discretion, without any limitations other than those specified in this section, may again detain any alien subject to a final removal order who is released from custody if—

''(I) the alien fails to comply with the conditions of release;

''(II) the alien fails to continue to satisfy the conditions described in subparagraph (A); or

''(III) upon reconsideration, the Secretary determines that the alien may be detained under subparagraph (B) or (C).

''(ii) APPLICABILITY OF CUSTODY PROVISIONS.—The provisions of paragraph (6) and this paragraph shall apply to any alien returned to custody pursuant to this subparagraph, as if the removal period terminated on the day of that the alien was so returned to custody.

''(G) CERTAIN ALIENS WHO EFFECTED ENTRY.—The Secretary of Homeland Security in the exercise of discretion may waive the provisions of subparagraph (A) through (F) and detain an alien without any limitations, except those which the Secretary shall adopt by regulation, if—

''(i) the alien has effected an entry;

''(ii) the alien has not been lawfully admitted into the United States; and

''(iii) the alien has not been physically present in the United States continuously for the 2-year period immediately prior to the commencement of removal proceedings under this Act or deportation proceedings against the alien.

''(9) JUDICIAL REVIEW.—Without regard to the place of confinement, judicial review of any action or decision pursuant to paragraph (6), (7), or (8) shall be available exclusively in a habeas corpus proceeding instituted in the United States District Court for the District of Columbia, and only if the alien has exhausted all administrative remedies (statutory and regulatory) available to the alien as of right.''.

(b) DETENTION OF ALIENS DURING REMOVAL PROCEEDINGS.—

(1) IN GENERAL.—Section 235 of the Immigration and Nationality Act (8 U.S.C. 1225) is amended by adding at the end the following new subsections:

''(e) LENGTH OF DETENTION.—

''(1) IN GENERAL.—An alien may be detained under this section, without limitation, until the alien is subject to an administratively final order of removal.

''(2) EFFECT ON DETENTION UNDER SECTION 241.—The length of detention under this section shall not affect the validity of any detention under section 241.

''(3) JUDICIAL REVIEW.—Without regard to the place of confinement, judicial review of any action or decision made pursuant to paragraph (1) or (2) of this subsection shall be available exclusively in a habeas corpus proceeding instituted in the United States District Court for the District of Columbia and only if the alien has exhausted all administrative remedies (statutory and nonstatutory) available to the alien as of right.''.

(2) CONFORMING AMENDMENTS.—Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended—

(A) in subsection (e)—

(i) by striking ''The'' and inserting the following:

''(1) IN GENERAL.—The''; and

(ii) by adding at the end the following new paragraph:

''(2) LIMITATION ON REVIEW.—Without regard to the place of confinement, judicial review of any action or decision made pursuant to subsection (f) shall be available exclusively in a habeas corpus proceeding instituted in the United States District Court for the District of Columbia, and only if the alien has exhausted all administrative remedies (statutory and nonstatutory) available to the alien as of right.''; and

(B) by adding at the end the following new subsection:

''(f) LENGTH OF DETENTION.—

''(1) IN GENERAL.—With regard to the length of detention, an alien may be detained under this section, without limitation, until the alien is subject to an administratively final order of removal.

''(2) EFFECT ON DETENTION UNDER SECTION 241.—The length of detention under this section shall not affect the validity of any detention under section 241.''.

(c) EFFECTIVE DATES.—

(1) AMENDMENTS MADE BY SUBSECTION (A).—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and section 241 of the Immigration and Nationality Act, as amended, shall apply to—

(A) all aliens subject to a final administrative removal, deportation, or exclusion order that was issued before, on, or after the date of the enactment of this Act; and

(B) acts and conditions occurring or existing before, on, or after the date of the enactment of this Act.

(2) AMENDMENTS MADE BY SUBSECTION (B).—The amendments made by subsection (b) shall take effect on the date of the enactment of this Act, and sections 235 and 236 of the Immigration and Nationality Act, as amended, shall apply to any alien in detention under provisions of such sections on or after the date of the enactment of this Act.

SEC. 602. CRIMINAL DETENTION OF ALIENS TO PROTECT PUBLIC SAFETY.

(a) IN GENERAL.—Section 3142(e) of title 18, United States Code, is amended—

(1) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(2) by striking ''If, after a hearing'' and inserting the following:

''(1) IN GENERAL.—If, after a hearing'';

(3) by striking ''In a case'' and inserting the following:

''(2) PRESUMPTION ARISING FROM OFFENSES DESCRIBED IN SUBSECTION (F)(1).—In a case'';

(4) by striking ''Subject to rebuttal'' and inserting the following:

''(3) PRESUMPTION ARISING FROM OTHER OFFENSES INVOLVING ILLEGAL SUBSTANCES, FIREARMS, VIOLENCE, OR MINORS.—Subject to rebuttal'';

(5) in subparagraphs (B) and (C) of paragraph (1), as resdesignated, by striking ''paragraph (1)'' and inserting ''subparagraph (A)''; and

(6) by adding at the end the following new paragraph:

''(4) PRESUMPTION ARISING FROM OFFENSES RELATING TO IMMIGRATION LAW.—Subject to rebuttal by the person, it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of the person as required if the judicial officer finds that there is probable cause to believe that the person is an alien and that the person—

''(A) has no lawful immigration status in the United States;

''(B) is the subject of a final order of removal; or

''(C) has committed a felony offense under section 842(i)(5), 911, 922(g)(5), 1015, 1028, 1028A, 1425, or 1426 of this title, or any section of chapters 75 and 77 of this title, or section 243, 274, 275, 276, 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1253, 1324, 1325, 1326, 1327, and 1328).''.

(b) IMMIGRATION STATUS AS FACTOR IN DETERMINING CONDITIONS OF RELEASE.—Section 3142(g)(3) of title 18, United States Code, is amended—

(1) in subparagraph (A), by striking ''; and'' and inserting a semicolon; and

(2) by adding at the end the following new subparagraph:

''(C) the person's immigration status; and''.

SEC. 603. SEVERABILITY.

If any provision of this title or any amendment made by this title, or the application of any such provision or amendment to any person or circumstance, is held to be invalid for any reason, the remainder of the provisions of this title and the amendments made by this title, and the application of such provisions and amendments to any other person or circumstance shall not be affected by such holding.

SA 851. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. JUDICIAL REVIEW OF VISA REVOCATION.

(a) IN GENERAL.—Section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)) is amended by striking ''There shall be no means of judicial review'' and all that follows and inserting the following: ''Notwithstanding any other provision of law, including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, a revocation under this subsection may not be reviewed by any court, and no court shall have jurisdiction to hear any claim arising from, or any challenge to, such a revocation.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of enactment of this Act and shall apply to visas issued before, on, or after such date

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SA 852. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. APPROPRIATE REMEDIES FOR IMMIGRATION LITIGATION.

(a) LIMITATION ON CLASS ACTIONS.—No court may certify a class under rule 23 of the Federal Rules of Civil Procedure in any civil action that—

(1) is filed after the date of the enactment of this Act; and

(2) pertains to the administration or enforcement of the immigration laws of the United States.

(b) PROSPECTIVE RELIEF AGAINST THE GOVERNMENT.—

(1) IN GENERAL.—If a Federal court determines that a plaintiff should be awarded prospective relief to remedy a violation of the Government in a civil action pertaining to the administration or enforcement of the immigration laws of the United States, the court shall—

(A) limit the relief to the minimum necessary to correct the violation of law;

(B) design the relief as the least intrusive means to correct the violation;

(C) design the relief in a manner to minimize, to the greatest extent practicable, the adverse impact of such relief on the national security, border security, ability to administer and enforce the immigration laws, and public safety of the United States; and

(D) provide for the expiration of the relief on a specific date, which may not be later than the earliest date practicable for the Government to remedy the violation.

(2) WRITTEN EXPLANATION.—A court granting prospective relief for a violation described in paragraph (1) shall issue a written order granting the relief and include in the order a discussion of the manner in which the relief is designed to meet the requirements of subparagraphs (A) through (D) of paragraph (1) and shall be sufficiently detailed to allow review by another court.

(3) EXPIRATION OF PRELIMINARY INJUNCTIVE RELIEF.—Preliminary injunctive relief ordered by a court in a case related to the immigration laws of the United States shall automatically expire on the date that is 90 days after the date on which such relief is entered, unless the court finds that such relief meets the requirements described in subparagraphs (A) through (D) of paragraph (1) for the entry of permanent prospective relief and orders the preliminary relief to become a final order granting prospective relief prior to the expiration of the 90-day period.

(c) PROCEDURE FOR MOTION AFFECTING ORDER GRANTING PROSPECTIVE RELIEF AGAINST THE GOVERNMENT.—

(1) IN GENERAL.—A court shall promptly rule on a motion made by the Government to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States.

(2) AUTOMATIC STAYS.—

(A) IN GENERAL.—A motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief made by the Government in any civil action pertaining to the administration or enforcement of the immigration laws of the United States shall automatically, and without further order of the court, stay the order granting prospective relief on the date that is 15 days after the date on which such motion is filed unless the court previously has granted or denied the Government's motion.

(B) DURATION OF AUTOMATIC STAY.—An automatic stay under subparagraph (A) shall continue until the date on which the court enters an order granting or denying the Government's motion.

(C) POSTPONEMENT.—The court may, for good cause, postpone an automatic stay under subparagraph (A) for not longer than 15 days.

(D) PENDING MOTIONS.—

(i) MOTIONS PENDING FOR 45 DAYS OR LESS.—A motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States that has been pending for not more than 45 days on the date of the enactment of this Act shall be treated as if the motion had been filed on the date of the enactment of this Act for purposes of this subsection.

(ii) MOTIONS PENDING FOR MORE THAN 45 DAYS.—

(I) IN GENERAL.—A motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States that has been pending for more than 45 days on the date of the enactment of this Act, and remains pending 10 days after the date of the enactment of this Act, shall result in an automatic stay, without further order of the court, of the prospective relief that is the subject of the motion.

(II) DURATION OF AUTOMATIC STAY.—An automatic stay under subclause (I) shall continue until the court enters an order granting or denying the Government's motion.

(III) POSTPONEMENT.—An automatic stay under this clause may not be postponed under subparagraph (C).

(E) AUTOMATIC STAYS DURING REMANDS FROM HIGHER COURTS.—If a United States court of appeals orders a decision on a motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States to be remanded to a district court, the order granting prospective relief which is the subject of the motion shall be automatically stayed until the district court enters an order granting or denying the motion.

(F) ORDERS BLOCKING AUTOMATIC STAYS.—An order staying, suspending, delaying, or otherwise barring the effective date of an automatic stay, other than an order to postpone the effective date of the automatic stay for not longer than 15 days under subparagraph (C), shall be treated as an order refusing to vacate, modify, dissolve, or otherwise terminate an injunction and immediately shall be appealable pursuant to section 1292(a)(1) of title 28, United States Code.

(3) REQUIREMENTS FOR ORDER DENYING MOTION.—Subsection (b) shall apply to any order denying a motion made by the Government to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States.

(d) ADDITIONAL RULES CONCERNING PROSPECTIVE RELIEF AFFECTING EXPEDITED REMOVAL.—

(1) JURISDICTION OVER ORDERS INTERFERING WITH THE INSPECTION OF ALIENS ARRIVING IN THE UNITED STATES.—Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, or any other habeas corpus provision and sections 1361 and 1651 of such title, no court shall have jurisdiction to grant or continue an order or part of an order granting prospective relief if the order or part of the order interferes with, affects, or impacts any determination pursuant to, or implementation of, section 235(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)), except as expressly provided in section 242(e) of such Act (8 U.S.C. 1252(e)).

(2) DETERMINATION OF JURISDICTION.—If the Government files a motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in a civil action pertaining to the administration or enforcement of the immigration laws of the United States, the court shall promptly determine whether the court continues to have jurisdiction and shall promptly vacate any order or part of an order granting prospective relief that is not within the jurisdiction of the court.

(3) APPLICABILITY.—Paragraphs (1) and (2) shall not apply to an order granting prospective relief that was entered before the date of the enactment of this Act if the prospective relief granted by such order was necessary to remedy the violation of a right guaranteed by the Constitution of the United States.

(e) SETTLEMENTS.—

(1) CONSENT DECREES.—In any civil action pertaining to the administration or enforcement of the immigration laws of the United

States, the court shall not enter, approve, or continue a consent decree unless it complies with the requirements of subsection (b).

(2) PRIVATE SETTLEMENT AGREEMENTS.—Nothing in this section shall preclude parties from entering into a private settlement agreement that does not comply with the requirements of subsection (b).

(f) DEFINITIONS.—In this section:

(1) CONSENT DECREE.—The term ''consent decree'' means any relief entered by the court that is based in whole or in part on the consent or acquiescence of the parties, but does not include private settlement agreements.

(2) GOOD CAUSE.—The term ''good cause'' does not include discovery or congestion of the court's calendar.

(3) GOVERNMENT.—The term ''Government'' means the United States, any Federal department or agency, or any Federal agent or official acting within the scope of official duties.

(4) PERMANENT RELIEF.—The term ''permanent relief'' means relief issued in connection with a final decision of a court.

(5) PRIVATE SETTLEMENT AGREEMENT.—The term ''private settlement agreement'' means an agreement entered into by the parties that is not subject to judicial enforcement other than the reinstatement of the civil action of the claim resolved by such agreement.

(6) PROSPECTIVE RELIEF.—The term ''prospective relief'' means temporary, preliminary, or permanent relief other than compensatory monetary damages.

(g) EXPEDITED PROCEEDINGS.—It shall be the duty of every court to advance on the docket and to expedite the disposition of any civil action or motion subject to the provisions of this section.

(h) EFFECTIVE DATE.—This section shall apply with respect to all orders granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States, whether such relief was ordered before, on, or after the date of the enactment of this Act.

(i) SEVERABILITY.—If any provision of this section or the application of such provision to any person or circumstance is found to be unconstitutional, the remainder of this section and the application of the provisions of this section to any person or circumstance shall not be affected by such finding.

SA 853. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. ___. SENSE OF THE SENATE REGARDING LEADERS OF CONGRESS ENGAGING IN DIPLOMACY WITH STATE SPONSORS OF TERRORISM.

(a) FINDINGS.—Congress makes the following findings:

(1) The Secretary of State has designated certain countries that have repeatedly provided support for international acts of terrorism as state sponsors of terrorism.

(2) State sponsors of terrorism provide critical support to non-state terrorist groups.

(3) Without state sponsors, terrorist groups would have much more difficulty obtaining the funds, weapons, materials, and secure areas they require to plan and conduct operations.

(4) United States policy seeks to pressure and isolate state sponsors of terrorism so they will renounce the use of terrorism, end support to terrorists, and bring terrorists to justice for past crimes.

(5) Syria remains a designated state sponsor of terrorism, having first been designated as such on December 29, 1979.

(6) Iran remains a designated state sponsor of terrorism, having first been designated as such on January 19, 1984.

(7) The Secretary of State determined in 2006 that Syria and Iran continue to ''routinely provide unique safe haven, substantial resources and guidance to terrorist organizations''.

(8) Senators themselves have historically recognized the constitutional principle that the foreign affairs power resides exclusively in the Executive Branch. For example, Senator J. William Fulbright, former Chairman of the Committee on Foreign Relations of the Senate explained in a speech at Cornell Law School in 1959, ''[t]he pre-eminent responsibility of the President for the formulation and conduct of American foreign policy is clear and unalterable. . . . He possesses sole authority to communicate and negotiate with foreign powers.'' (published as J. William Fulbright, ''American Foreign Policy in the 20th-Century Under an 18th-Century Constitution'', 47 Cornell Law Quarterly 1, 3 (1961)).

(9) The Supreme Court similarly recognized the ''very delicate, plenary and exclusive power of the President as the sole organ of the Federal Government in the field of international relations'' in the United States versus Curtiss-Wright Export Corporation (299 U.S. 304, 319 (1936)).

(b) SENSE OF THE SENATE.—It is the sense of the Senate that leaders of Congress should not engage in diplomacy with state sponsors of terrorism over the expressed objections of officials of the Executive Branch, as the Executive Branch has the exclusively responsibility for foreign affairs matters under the Constitution.

SA 854. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. PENALTIES FOR VIOLATIONS OF THE INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

Section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) is amended to read as follows:

''PENALTIES

''SEC. 206. (a) It shall be unlawful for—

''(1) a person to violate, or conspire to or attempt to violate, any license, order, regulation, or prohibition issued under this title;

''(2) a person subject to the jurisdiction of the United States to take any action to evade or avoid, or attempt to evade or avoid, a license, order, regulation, or prohibition issued under this title; or

''(3) a person subject to the jurisdiction of the United States to approve, facilitate, or provide financing for any action, regardless of who initiates or completes the action, if it would be unlawful for such person to initiate or complete the action.

''(b) A civil penalty not to exceed $250,000 may be imposed on any person who commits an unlawful act described in subsection (a).

''(c) A person who willfully commits, or willfully attempts to commit, an unlawful act described in subsection (a), shall, upon conviction for such unlawful act—

''(1) if a corporation, be fined not more than $500,000;

''(2) if a natural person, be fined not more than $500,000, or imprisoned not more than 10 years, or both; or

''(3) if an officer, director, or agent of a corporation who knowingly participates, or attempts to participate, in such unlawful act, be fined not more than $500,000, or imprisoned not more than 10 years, or both.''.

SA 855. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. __. PROHIBITION OF WAR CRIMES PROSECUTION.

(a) SHORT TITLE.—This section may be cited as the ''Prohibition of Foreign War Crimes Prosecutions of Americans Act of 2007''.

(b) IN GENERAL.—Chapter 118 of title 18, United States Code, is amended by adding at the end the following:

''§ 2442. International criminal court

''(a) OFFENSE.—Except as provided under subsection (b), it shall be unlawful for any person, acting under the authority of the International Criminal Court, another international organization, or a foreign government, to knowingly indict, apprehend, detain, prosecute, convict, or participate in the imposition or carrying out of any sentence or other penalty on, any American in connection with any proceeding by or before the International Criminal Court, another international organization, or a foreign government in which that American is accused of a war crime.

''(b) EXCEPTION.—Subsection (a) shall not apply in connection with a criminal proceeding instituted by the government of a foreign country within the courts of such country with respect to a war crime allegedly committed—

''(1) on territory subject to the sovereign jurisdiction of such government; or

''(2) against persons who were nationals of such country at the time that the war crime is alleged to have been committed.

''(c) CRIMINAL PENALTY.—

''(1) IN GENERAL.—Any person who violates subsection (a) shall be fined not more than $5,000,000, imprisoned under paragraph (2), or both.

''(2) PRISON SENTENCE.—The maximum term of imprisonment for an offense under this section is the greater of—

''(A) 5 years; or

''(B) the maximum term that could be imposed on the American in the criminal proceeding described in subsection (a) with respect to which the violation took place.

''(d) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial jurisdiction over an offense under this section.

''(e) CIVIL REMEDY.—Any person who is aggrieved by a violation described in subsection (a) may, in a civil action, obtain appropriate relief, including—

''(1) punitive damages; and

''(2) a reasonable attorney's fee as part of the costs.

''(f) DEFINITIONS.—In this section—

''(1) the term 'American' means any citizen or national of the United States, or any other person employed by or working under the direction of the United States Government;

''(2) the term 'indict' includes—

''(A) the formal submission of an order or request for the prosecution or arrest of a person; and

''(B) the issuance of a warrant or other order for the arrest of a person,

by an official of the International Criminal Court, another international organization, or a foreign government;

''(3) the term 'International Criminal Court' means the court established by the Rome Statute of the International Criminal Court adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of and International Criminal Court on July 17, 1998; and

''(4) the term 'war crime' means any offense that is within the jurisdiction of the International Criminal Court at the time the offense is committed.''.

(c) CLERICAL AMENDMENT.—The table of sections in chapter 118 of title 18, United States Code, is amended by adding at the end the following:

''2442. International criminal court.''.

SA 856. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 11, strike line 18 and all that follows through page 12, line 20.

SA 857. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 108 and insert the following:

SEC. 108. RESPONSE OF INTELLIGENCE COMMUNITY TO REQUESTS FROM CONGRESS FOR INTELLIGENCE DOCUMENTS AND INFORMATION.

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.) is amended by adding at the end the following new section:

''RESPONSE OF INTELLIGENCE COMMUNITY TO REQUESTS FROM CONGRESS FOR INTELLIGENCE DOCUMENTS AND INFORMATION

''SEC. 508. (a) REQUESTS OF COMMITTEES.—(1) The Director of National Intelligence, the Director of the National Counterterrorism Center, the Director of a national intelligence center, or the head of any other department, agency, or element of the Federal Government, or other organization within the Executive branch, that is an element of the intelligence community shall, not later than 30 days after receiving a request pursuant to this section for any intelligence assessment, report, estimate, legal justification, or other intelligence information from the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives, make available to such committee such assessment, report, estimate, legal justification, or other information, as the case may be.

''(2) A committee making a request under paragraph (1) may specify a greater number of days for submittal to such committee of information in response to such request than is otherwise provided under that paragraph.

''(b) REQUESTS OF CERTAIN MEMBERS.—(1) The Director of National Intelligence, the Director of the National Counterterrorism Center, the Director of a national intelligence center, or the head of any other department, agency, or element of the Federal Government, or other organization within the Executive branch, that is an element of the intelligence community shall respond, in the time specified in subsection (a), to a request described in that subsection from the Chairman or Vice Chairman of the Select Committee on Intelligence of the Senate or the Chairman or Ranking Member of the Permanent Select Committee on Intelligence of the House of Representatives.

''(2) Upon making a request covered by paragraph (1)—

''(A) the Chairman or Vice Chairman, as the case may be, of the Select Committee on Intelligence of the Senate shall notify the other of the Chairman or Vice Chairman of such request; and

''(B) the Chairman or Ranking Member, as the case may be, of the Permanent Select Committee on Intelligence of the House of Representatives shall notify the other of the Chairman or Ranking Member of such request.

''(c) RESPONSE TO REQUEST.—In the event that a response to a request covered by subsection (a) or (b) is not provided within the specified time period, the Director of National Intelligence, the Director of the National Counterterrorism Center, the Director of a national intelligence center, or the head of any other department, agency, or element of the Federal Government or other organization within the Executive branch that is an element of the intelligence community shall submit a written explanation as to why the document or information covered by such request could not be provided in the specified time period and shall provide a reasonable date certain for when such document or information will be provided.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of that Act is amended by inserting after the item relating to section 507 the following new item:

''Sec. 508. Response of intelligence community to requests from Congress for intelligence documents and information.''.

SA 858. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 304 and insert the following:

SEC. 304. IMPROVEMENT OF NOTIFICATION OF CONGRESS REGARDING INTELLIGENCE ACTIVITIES OF THE UNITED STATES GOVERNMENT.

(a) CLARIFICATION OF DEFINITION OF CONGRESSIONAL INTELLIGENCE COMMITTEES TO INCLUDE ALL MEMBERS OF COMMITTEES.—Section 3(7) of the National Security Act of 1947 (50 U.S.C. 401a(7)) is amended—

(1) in subparagraph (A), by inserting '', and includes each member of the Select Committee'' before the semicolon; and

(2) in subparagraph (B), by inserting '', and includes each member of the Permanent Select Committee'' before the period.

(b) NOTICE ON INFORMATION NOT DISCLOSED.—

(1) IN GENERAL.—Section 502 of such Act (50 U.S.C. 413a) is amended—

(A) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(B) by inserting after subsection (a) the following new subsection (b):

''(b) NOTICE ON INFORMATION NOT DISCLOSED.—(1) If the Director of National Intelligence or the head of a department, agency, or other entity of the United States Government does not provide information required by subsection (a) in full or to all the members of the congressional intelligence committees, and requests that such information not be so provided, the Director shall, in a timely fashion, notify such committees of the determination not to provide such information in full or to all members of such committees. Such notice shall be submitted in writing in a classified form, include a statement of the reasons for such determination and a description that provides the main features of the intelligence activities covered by such determination, and contain no restriction on access to this notice by all members of the committee.

''(2) Nothing in this subsection shall be construed as authorizing less than full and current disclosure to all the members of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives of any information necessary to keep all the members of such committees fully and currently informed on all intelligence activities covered by this section.''.

(2) CONFORMING AMENDMENT.—Subsection (d) of such section, as redesignated by paragraph (1)(A) of this subsection, is amended by striking ''subsection (b)'' and inserting ''subsections (b) and (c)''.

(c) REPORTS AND NOTICE ON COVERT ACTIONS.—

(1) FORM AND CONTENT OF CERTAIN REPORTS.—Subsection (b) of section 503 of such Act (50 U.S.C. 413b) is amended—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) by inserting ''(1)'' after ''(b)''; and

(C) by adding at the end the following new paragraph:

''(2) Any report relating to a covert action that is submitted to the congressional intelligence committees for the purposes of paragraph (1) shall be in writing, and shall contain the following:

''(A) A concise statement of any facts pertinent to such report.

''(B) An explanation of the significance of the covert action covered by such report.''.

(2) NOTICE ON INFORMATION NOT DISCLOSED.—Subsection (c) of such section is amended by adding at the end the following new paragraph:

''(5) If the Director of National Intelligence or the head of a department, agency, or other entity of the United States Government does not provide information required by subsection (b) in full or to all the members of the congressional intelligence committees, and requests that such information

not be so provided, the Director shall, in a timely fashion, notify such committees of the determination not to provide such information in full or to all members of such committees. Such notice shall be submitted in writing in a classified form, include a statement of the reasons for such determination and a description that provides the main features of the covert action covered by such determination, and contain no restriction on access to this notice by all members of the committee.''.

(3) MODIFICATION OF NATURE OF CHANGE OF COVERT ACTION TRIGGERING NOTICE REQUIREMENTS.—Subsection (d) of such section is amended by striking ''significant'' the first place it appears.

SA 859. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 310.

SA 860. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 42, strike line 5 and all that follows through page 43, line 14, and insert the following:

(1) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the members of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on any clandestine prison or detention facility currently or formerly operated by the United States Government for individuals captured in the global war on terrorism.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The date each prison or facility became operational, and if applicable, the date on which each prison or facility ceased its operations.

(B) The total number of prisoners or detainees held at each prison or facility during its operation.

(C) The current number of prisoners or detainees held at each operational prison or facility.

(D) The total and average annual costs of each prison or facility during its operation.

(E) A description of the interrogation procedures used or formerly used on detainees at each prison or facility, including whether a determination has been made that such procedures are or were in compliance with the United States obligations under the Geneva Conventions and the Convention Against Torture.

SA 861. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 109, strike line 24 and all that follows through page 110, line 6, and insert the following:

''(2)(A) As directed by the Director of National Intelligence, the National Geospatial-Intelligence Agency shall also develop a system to facilitate the analysis, dissemination, and incorporation of likenesses, videos, or presentations produced by ground-based platforms, including handheld or clandestine photography taken by or on behalf of human intelligence collection organizations or available as open source information into the National System for Geospatial-Intelligence.

SA 862. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 410 and insert the following:

SEC. 410. NATIONAL SPACE INTELLIGENCE OFFICE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended by adding after section 119B the following new section:

''NATIONAL SPACE INTELLIGENCE OFFICE

''SEC. 119C. (a) ESTABLISHMENT.—There is established within the Office of the Director of National Intelligence a National Space Intelligence Office.

''(b) DIRECTOR OF NATIONAL SPACE INTELLIGENCE OFFICE.—The National Intelligence Officer for Science and Technology, or a successor position designated by the Director of National Intelligence, shall act as the Director of the National Space Intelligence Office.

''(c) MISSIONS.—The National Space Intelligence Office shall have the following missions:

''(1) To coordinate and provide policy direction for the management of space-related intelligence assets.

''(2) To prioritize collection activities consistent with the National Intelligence Collection Priorities framework, or a successor framework or other document designated by the Director of National Intelligence.

''(3) To provide policy direction for programs designed to ensure a sufficient cadre of government and nongovernment personnel in fields relating to space intelligence, including programs to support education, recruitment, hiring, training, and retention of qualified personnel.

''(4) To evaluate independent analytic assessments of threats to classified United States space intelligence systems throughout all phases of the development, acquisition, and operation of such systems.

''(d) ACCESS TO INFORMATION.—The Director of National Intelligence shall ensure that the National Space Intelligence Office has access to all national intelligence information (as appropriate), and such other information (as appropriate and practical), necessary for the Office to carry out the missions of the Office under subsection (c).

''(e) SEPARATE BUDGET ACCOUNT.—The Director of National Intelligence shall include in the National Intelligence Program budget a separate line item for the National Space Intelligence Office.''.

(2) CLERICAL AMENDMENT.—The table of contents for that Act is amended by inserting after the item relating to section 119B the following new item:

''Sec. 119C. National Space Intelligence Office.''.

(b) REPORT ON ORGANIZATION OF OFFICE.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Space Intelligence Office shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on the organizational structure of the National Space Intelligence Office established by section 119C of the National Security Act of 1947 (as added by subsection (a)).

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The proposed organizational structure of the National Space Intelligence Office.

(B) An identification of key participants in the Office.

(C) A strategic plan for the Office during the five-year period beginning on the date of the report.

SA 863. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 421 and insert the following:

SEC. 421. DIRECTOR AND DEPUTY DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.

(a) ESTABLISHMENT OF POSITION OF DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—Subsection (a) of section 104A of the National Security Act of 1947 (50 U.S.C. 403–4a) is amended—

(1) by redesignating subsections (b), (c), (d), (e), (f), and (g) as subsections (d), (e), (f), (g), (h), and (i) respectively; and

(2) by inserting after subsection (a) the following new subsections (b) and (c):

''(b) DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—(1) There is a Deputy Director of the Central Intelligence Agency who shall be appointed by the President, by and with the advice and consent of the Senate.

''(2) The Deputy Director of the Central Intelligence Agency shall assist the Director of the Central Intelligence Agency in carrying out the duties and responsibilities of the Director.

''(3) The Deputy Director of the Central Intelligence Agency shall act for, and exercise the powers of, the Director of the Central Intelligence Agency during the absence or disability of the Director of the Central Intelligence Agency or during a vacancy in the position of Director of the Central Intelligence Agency.

''(c) MILITARY STATUS OF DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY AND DEPUTY

DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—(1) Not more than one of the individuals serving in the positions specified in subsection (a) and (b) may be a commissioned officer of the Armed Forces in active status.

''(2) A commissioned officer of the Armed Forces who is serving as the Director or Deputy Director of the Central Intelligence Agency or is engaged in administrative performance of the duties of Director or Deputy Director of the Central Intelligence Agency shall not, while continuing in such service, or in the administrative performance of such duties—

''(A) be subject to supervision or control by the Secretary of Defense or by any officer or employee of the Department of Defense; or

''(B) exercise, by reason of the officer's status as a commissioned officer, any supervision or control with respect to any of the military or civilian personnel of the Department of Defense except as otherwise authorized by law.

''(3) Except as provided in subparagraph (A) or (B) of paragraph (2), the service, or the administrative performance of duties, described in that paragraph by an officer described in that paragraph shall not affect the status, position, rank, or grade of such officer in the Armed Forces, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of such status, position, rank, or grade.

''(4) A commissioned officer described in paragraph (2), while serving, or continuing in the administrative performance of duties, as described in that paragraph and while remaining on active duty, shall continue to receive military pay and allowances. Funds from which such pay and allowances are paid shall be reimbursed from funds available to the Director of the Central Intelligence Agency.''.

(b) CONFORMING AMENDMENT.—Paragraph (2) of subsection (e) of such section, as redesignated by subsection (a)(1) of this section, is further amended by striking ''subsection (d)'' and inserting ''subsection (f)''.

(c) EXECUTIVE SCHEDULE LEVEL III.—Section 5314 of title 5, United States Code, is amended by adding at the end the following new item:

''Deputy Director of the Central Intelligence Agency.''.

(d) ROLE OF DNI IN APPOINTMENT.—Section 106(b)(2) of the National Security Act of 1947 (50 U.S.C. 403–6(b)(2)) is amended by adding at the end the fallowing new subparagraph:

''(J) The Deputy Director of the Central Intelligence Agency.''.

(e) EFFECTIVE DATE AND APPLICABILITY.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply upon the earlier of—

(1) the date of the nomination by the President of an individual to serve as Deputy Director of the Central Intelligence Agency, except that the individual administratively performing the duties of the Deputy Director of the Central Intelligence Agency as of the date of the enactment of this Act may continue to perform such duties after such date of nomination and until the individual appointed to the position of Deputy Director of the Central Intelligence Agency, by and with the advice and consent of the Senate, assumes the duties of such position; or

(2) the date of the cessation of the performance of the duties of Deputy Director of the Central Intelligence Agency by the individual administratively performing such duties as of the date of the enactment of this Act.

SA 864. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Section 308 of the bill is amended to read as follows:

SEC. 308. INCREASE IN PENALTIES FOR DISCLOSURE OF UNDERCOVER INTELLIGENCE OFFICERS AND AGENTS.

(a) DISCLOSURE OF AGENT AFTER ACCESS TO INFORMATION IDENTIFYING AGENT.—Subsection (a) of section 601 of the National Security Act of 1947 (50 U.S.C. 421) is amended by striking ''or imprisoned'' and all that follows and inserting the following: ''and imprisoned for not less than 3 years nor more than 20 years.''.

(b) DISCLOSURE OF AGENT AFTER ACCESS TO CLASSIFIED INFORMATION.—Subsection (b) of such section is amended by striking ''or imprisoned'' and all that follows and inserting the following: ''and imprisoned for not less than 2 years nor more than 15 years.''.

SA 865. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

On page 40, between lines 7 and 8, insert the following:

(3) The information described in paragraphs (1) and (2) may be included in such report only if the Director of National Intelligence determines that publication of such information would not endanger national security.

SA 866. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. UNLAWFUL DISCLOSURE OF CLASSIFIED REPORTS BY ENTRUSTED PERSONS.

(a) IN GENERAL.—It shall be unlawful for any person who is an employee or member of the Senate or House of Representatives, or who is entrusted with or has lawful possession of, access to, or control over any classified information contained in a report submitted to Congress under this Act, the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 120 Stat. 192), the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3638), or an amendment made by any such Act to—

(1) knowingly and willfully communicate, furnish, transmit, or otherwise makes available such information to an unauthorized person;

(2) publish such information; or

(3) use such information in any manner prejudicial to the safety or interest of the United States or for the benefit of any foreign government to the detriment of the United States.

(b) PENALTY.—Any person who violates subsection (a) shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both.

(c) INFORMATION TO CONGRESS.—Nothing in this section shall prohibit the furnishing, upon lawful demand, of information to any regularly constituted committee of the Senate or House of Representatives, or joint committee thereof.

(d) DEFINITIONS.—As used in this section—

(1) the term ''classified information'' means information which, at the time of a violation of this section, is determined to be Confidential, Secret, or Top Secret pursuant to Executive Order 12958, or any successor thereto; and

(2) the term ''unauthorized person'' means any person who does not have authority or permission to have access to the classified information under the provisions of a statute, Executive Order, regulation, or directive of the head of any department or agency who is empowered to classify information.

SA 867. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. IMPROVEMENTS TO THE CLASSIFIED INFORMATION PROCEDURES ACT.

(a) SHORT TITLE.—This section may be cited as the ''Classified Information Procedures Reform Act of 2007''.

(b) INTERLOCUTORY APPEALS UNDER THE CLASSIFIED INFORMATION PROCEDURES ACT.—Section 7(a) of the Classified Information Procedures Act (18 U.S.C. App.) is amended by adding at the end ''The Government's right to appeal under this section applies without regard to whether the order appealed from was entered under this Act.''.

(c) EX PARTE AUTHORIZATIONS UNDER THE CLASSIFIED INFORMATION PROCEDURES ACT.—Section 4 of the Classified Information Procedures Act (18 U.S.C. App.) is amended—

(1) in the second sentence—

(A) by striking ''may'' and inserting ''shall''; and

(B) by striking ''written statement to be inspected'' and inserting ''statement to be made ex parte and to be considered''; and

(2) in the third sentence—

(A) by striking ''If the court enters an order granting relief following such an ex parte showing, the'' and inserting ''The''; and

(B) by inserting ''and any summary of the classified information the defendant seeks to obtain'' after ''text of the statement of the United States''.

(d) APPLICATION OF CLASSIFIED INFORMATION PROCEDURES ACT TO NONDOCUMENTARY INFORMATION.—Section 4 of the Classified Information Procedures Act (18 U.S.C. App.) is amended—

(1) in the section heading, by inserting '', AND ACCESS TO,'' after ''OF'';

(2) by inserting ''(a) DISCOVERY OF CLASSIFIED INFORMATION FROM DOCUMENTS.—'' before the first sentence; and

(3) by adding at the end the following:

''(b) ACCESS TO OTHER CLASSIFIED INFORMATION.—

''(1) If the defendant seeks access through deposition under the Federal Rules of Criminal Procedure or otherwise to nondocumentary information from a potential witness or other person which he knows or reasonably believes is classified, he shall notify the attorney for the United States and the district court in writing. Such notice shall specify with particularity the classified information sought by the defendant and the legal basis for such access. At a time set by the court, the United States may oppose access to the classified information.

''(2) If, after consideration of any objection raised by the United States, including any objection asserted on the basis of privilege, the court determines that the defendant is legally entitled to have access to the information specified in the notice required by paragraph (1), the United States may request the substitution of a summary of the classified information or the substitution of a statement admitting relevant facts that the classified information would tend to prove.

''(3) The court shall permit the United States to make its objection to access or its request for such substitution in the form of a statement to be made ex parte and to be considered by the court alone. The entire text of the statement of the United States, as well as any summary of the classified information the defendant seeks to obtain, shall be sealed and preserved in the records of the court and made available to the appellate court in the event of an appeal.

''(4) The court shall grant the request of the United States to substitute a summary of the classified information or to substitute a statement admitting relevant facts that the classified information would tend to prove if it finds that the summary or statement will provide the defendant with substantially the same ability to make his defense as would disclosure of the specific classified information.

''(5) A defendant may not obtain access to classified information subject to this subsection except as provided in this subsection. Any proceeding, whether by deposition under the Federal Rules of Criminal Procedure or otherwise, in which a defendant seeks to obtain access to such classified information not previously authorized by a court for disclosure under this subsection must be discontinued or may proceed only as to lines of inquiry not involving such classified information.''.

SA 868. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. PREVENTION AND DETERRENCE OF TERRORIST SUICIDE BOMBINGS.

(a) OFFENSE OF REWARDING OR FACILITATING INTERNATIONAL TERRORIST ACTS.—

(1) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding at the end the following:

''§ 2339E. Providing material support to international terrorism

''(a) DEFINITIONS.—In this section:

''(1) The term 'facility of interstate or foreign commerce' has the same meaning as in section 1958(b)(2).

''(2) The term 'international terrorism' has the same meaning as in section 2331.

''(3) The term 'material support or resources' has the same meaning as in section 2339A(b).

''(4) The term 'perpetrator of an act' includes any person who—

''(A) commits the act;

''(B) aids, abets, counsels, commands, induces, or procures its commission; or

''(C) attempts, plots, or conspires to commit the act.

''(5) The term 'serious bodily injury' has the same meaning as in section 1365.

''(b) PROHIBITION.—Whoever, in a circumstance described in subsection (c), provides, or attempts or conspires to provide, material support or resources to the perpetrator of an act of international terrorism, or to a family member or other person associated with such perpetrator, with the intent to facilitate, reward, or encourage that act or other acts of international terrorism, shall be fined under this title, imprisoned not more than 25 years, or both, and, if death results, shall be imprisoned for any term of years or for life.

''(c) JURISDICTIONAL BASES.—A circumstance referred to in subsection (b) is that—

''(1) the offense occurs in or affects interstate or foreign commerce;

''(2) the offense involves the use of the mails or a facility of interstate or foreign commerce;

''(3) an offender intends to facilitate, reward, or encourage an act of international terrorism that affects interstate or foreign commerce or would have affected interstate or foreign commerce had it been consummated;

''(4) an offender intends to facilitate, reward, or encourage an act of international terrorism that violates the criminal laws of the United States;

''(5) an offender intends to facilitate, reward, or encourage an act of international terrorism that is designed to influence the policy or affect the conduct of the United States Government;

''(6) an offender intends to facilitate, reward, or encourage an act of international terrorism that occurs in part within the United States and is designed to influence the policy or affect the conduct of a foreign government;

''(7) an offender intends to facilitate, reward, or encourage an act of international terrorism that causes or is designed to cause death or serious bodily injury to a national of the United States while that national is outside the United States, or substantial damage to the property of a legal entity organized under the laws of the United States (including any of its States, districts, commonwealths, territories, or possessions) while that property is outside of the United States;

''(8) the offense occurs in whole or in part within the United States, and an offender intends to facilitate, reward or encourage an act of international terrorism that is designed to influence the policy or affect the conduct of a foreign government; or

''(9) the offense occurs in whole or in part outside of the United States, and an offender is a national of the United States, a stateless person whose habitual residence is in the United States, or a legal entity organized under the laws of the United States (including any of its States, districts, commonwealths, territories, or possessions).''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TABLE OF SECTIONS.—The table of sections for chapter 113B of title 18, United States Code, is amended by adding at the end the following:

''2339D. Receiving military-type training from a foreign terrorist organization.

''2339E. Providing material support to international terrorism.''.

(B) OTHER AMENDMENT.—Section 2332b(g)(5)(B)(i) of title 18, United States Code, is amended by inserting ''2339E (relating to providing material support to international terrorism),'' before ''or 2340A (relating to torture)''.

(b) INCREASED PENALTIES FOR PROVIDING MATERIAL SUPPORT TO TERRORISTS.—

(1) PROVIDING MATERIAL SUPPORT TO DESIGNATED FOREIGN TERRORIST ORGANIZATIONS.—Section 2339B(a) of title 18, United States Code, is amended by striking ''15 years'' and inserting ''25 years''.

(2) PROVIDING MATERIAL SUPPORT OR RESOURCES IN AID OF A TERRORIST CRIME.—Section 2339A(a) of title 18, United States Code, is amended by striking ''15 years'' and inserting ''40 years''.

(3) RECEIVING MILITARY-TYPE TRAINING FROM A FOREIGN TERRORIST ORGANIZATION.—Section 2339D(a) of title 18, United States Code, is amended by striking ''ten years'' and inserting ''15 years''.

(4) ADDITION OF ATTEMPTS AND CONSPIRACIES TO AN OFFENSE RELATING TO MILITARY TRAINING.—Section 2339D(a) of title 18, United States Code, is amended by inserting '', or attempts or conspires to receive,'' after ''receives''.

SA 869. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____. TERRORIST MURDERS, KIDNAPPINGS, AND ASSAULTS.

(a) PENALTIES FOR TERRORIST MANSLAUGHTER AND ATTEMPTS OR CONSPIRACIES TO COMMIT TERRORIST MURDER.—Section 2332 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking '', punished by death'' and all that follows and inserting ''and punished by death or imprisoned for life;''; and

(B) in paragraph (2), by striking ''or imprisoned'' and all that follows and inserting ''and imprisoned for not less than 10 years nor more than 30 years; and''; and

(2) in subsection (b)—

(A) in paragraph (1), by striking ''or imprisoned'' and all that follows and inserting ''and imprisoned for life; and''; and

(B) in paragraph (2), by striking ''or imprisoned'' and all that follows and inserting ''and imprisoned for life.''.

(b) ADDITION OF OFFENSE OF TERRORIST KIDNAPPING.—Section 2332 of title 18, United States Code, is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c) KIDNAPPING.—Whoever outside the United States unlawfully seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away, or attempts or conspires to seize, confine, inveigle, decoy, kidnap, abduct or carry

away, a national of the United States shall be fined under this title and imprisoned for life.''.

(c) ADDITION OF SEXUAL ASSAULT TO DEFINITION OF OFFENSE OF TERRORIST ASSAULT.—Section 2332(d) of title 18, United States Code, as redesignated by subsection (b) of this section, is amended—

(1) in paragraph (1), by inserting ''(as defined in section 1365, including any conduct that, if the conduct occurred in the special maritime and territorial jurisdiction of the United States, would violate section 2241 or 2242)'' after ''injury'';

(2) in paragraph (2), by inserting ''(as defined in section 1365, including any conduct that, if the conduct occurred in the special maritime and territorial jurisdiction of the United States, would violate section 2241 or 2242)'' after ''injury''; and

(3) in the matter following paragraph (2), by striking ''or imprisoned'' and all that follows and inserting ''and imprisoned for not less than 10 years nor more than 30 years.''.

SA 870. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. ___. NATIONAL INTELLIGENCE ESTIMATE ON PERSONS DEALING WITH STATE SPONSORS OF TERRORISM.

(a) REQUIREMENT FOR NATIONAL INTELLIGENCE ESTIMATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than 270 days after the date of enactment of this Act, the Director of National Intelligence shall submit to Congress a National Intelligence Estimate on business activities carried out with a state sponsors of terrorism.

(2) NOTICE REGARDING SUBMITTAL.—If the Director of National Intelligence determines that the National Intelligence Estimate required by paragraph (1) may not be submitted within 270 days after the date of the enactment of this Act, the Director shall submit to Congress a notification of such determination that includes—

(A) the reasons that such National Intelligence Estimate may not be submitted by such date; and

(B) an estimated date for the submittal of such National Intelligence Estimate.

(b) CONTENT.—The National Intelligence Estimate required by subsection (a) shall include—

(1) a list of persons, including foreign persons, that carry out business activity with the government of, or a private entity located within, a country that is a state sponsors of terrorism;

(2) a description of such business activities carried out by each such person, including estimates of the magnitude of such activities;

(3) an assessment of the importance of such activities to the economy of each state sponsor of terrorism;

(4) an assessment of the likely effect of each State law, including each decision by a public pension board or governing body of a State that requires divestment from persons who conduct business activity with a state sponsors of terrorism; and

(5) an assessment of options available to the United States to reduce such activities and the likely effect that carrying out such options may have on the policies and economies of each state sponsor of terrorism.

(c) STATE SPONSOR OF TERRORISM DEFINED.—In this section, the term ''state sponsor of terrorism'' means any country the government of which has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism pursuant to—

(1) section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)(A)) (or successor statute);

(2) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(3) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)).

(d) COORDINATION.—In preparing the National Intelligence Estimate required by subsection (a), the Director of National Intelligence shall coordinate with the Secretary of State, the Secretary of the Treasury, the Secretary of Commerce, the Chairman of the Securities and Exchange Commission, and other appropriate governmental or nongovernmental entities.

(e) FORM.—The National Intelligence Estimate required by subsection (a) shall be submitted in unclassified form, to the extent consistent with the protection of intelligence sources and methods, and include unclassified key judgments of the National Intelligence Estimate. Such National Intelligence Estimate may include a classified annex.

SA 871. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. IMMUNITY FOR REPORTING SUSPICIOUS ACTIVITIES AND MITIGATING TERRORIST THREATS RELATING TO TRANSPORTATION SECURITY.

(a) IMMUNITY FOR REPORTING SUSPICIOUS BEHAVIOR.—Any person who makes or causes to be made a voluntary disclosure of any suspicious transaction, activity, or occurrence indicating that an individual may be engaging or preparing to engage in a matter described in subsection (b) to any employee or agent of the Department of Homeland Security, the Department of Transportation, the Department of Justice, any Federal, State, or local law enforcement officer, any transportation security officer, or any employee or agent of a transportation system shall be immune from civil liability to any person under any law or regulation of the United States, or any constitution, law, or regulation of any State or political subdivision of any State, for such disclosure.

(b) COVERED DISCLOSURES.—The matter referred to in subsection (a) is a possible violation or attempted violation of law or regulation relating—

(1) to a threat to transportation systems or passenger safety or security; or

(2) to an act of terrorism, as defined in section 3077 of title 18, United States Code, that involves or is directed against transportation systems or passengers.

(c) LIMITATION ON APPLICATION.—Subsection (a) shall not apply to a statement or disclosure by a person that, at the time it is made, is known by the person to be false.

(d) ATTORNEY FEES AND COSTS.—If a person is named as a defendant in a civil lawsuit for making voluntary disclosures of any suspicious transaction or taking actions to mitigate a suspicious matter described in subsection (b), and the person is found to be immune from civil liability under this section, the person shall be entitled to recover from the plaintiff all reasonable costs and attorney's fees as allowed by the court.

(e) RETROACTIVE APPLICATION.—This section shall apply to activities and claims occurring on or after November 20, 2006.

SA 872. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, line 1, strike ''legal opinions'' and insert ''legal justifications''.

SA 873. Mr. CHAMBLISS (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 304.

SA 874. Mr. CHAMBLISS (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 314.

SA 875. Mr. CHAMBLISS (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 107.

SA 876. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central

Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION OF ISSUANCE OF TRANSPORTATION SECURITY CARDS TO CONVICTED FELONS.

(a) IN GENERAL.—Section 70105 of title 46, United States Code, is amended—

(1) in subsection (b)(1), by striking ''decides that the individual poses a security risk under subsection (c)'' and inserting ''determines under subsection (c) that the individual poses a security risk''; and

(2) in subsection (c), by amending paragraph (1) to read as follows:

''(1) DISQUALIFICATIONS.—

''(A) PERMANENT DISQUALIFYING CRIMINAL OFFENSES.—Except as provided under paragraph (2), an individual is permanently disqualified from being issued a biometric transportation security card under subsection (b) if the individual has been convicted, or found not guilty by reason of insanity, in a civilian or military jurisdiction of any of the following felonies:

''(i) Espionage or conspiracy to commit espionage.

''(ii) Sedition or conspiracy to commit sedition.

''(iii) Treason or conspiracy to commit treason.

''(iv) A Federal crime of terrorism (as defined in section 2332b(g) of title 18), a comparable State law, or conspiracy to commit such crime.

''(v) A crime involving a transportation security incident.

''(vi) Improper transportation of a hazardous material under section 5124 of title 49, or a comparable State law.

''(vii) Unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transporting, import, export, storage of, or dealing in an explosive or explosive device. In this clause, an explosive or explosive device includes—

''(I) an explosive (as defined in sections 232(5) and 844(j) of title 18);

''(II) explosive materials (as defined in subsections (c) through (f) of section 841 of title 18); and

''(III) a destructive device (as defined in 921(a)(4) of title 18 and section 5845(f) of the Internal Revenue Code of 1986).

''(viii) Murder.

''(ix) Making any threat, or maliciously conveying false information knowing the same to be false, concerning the deliverance, placement, or detonation of an explosive or other lethal device in or against a place of public use, a State or other government facility, a public transportation system, or an infrastructure facility.

''(x) A violation of the Racketeer Influenced and Corrupt Organizations Act (18 U.S.C. 1961 et seq.), or a comparable State law, if 1 of the predicate acts found by a jury or admitted by the defendant consists of 1 of the crimes listed in this subparagraph.

''(xi) Attempt to commit any of the crimes listed in clauses (i) through (iv).

''(xii) Conspiracy or attempt to commit any of the crimes described in clauses (v) through (x).

''(xiii) Any other felony that the Secretary of Homeland Security classifies, by regulation, as a permanently disqualifying criminal offense under this subparagraph.

''(B) INTERIM DISQUALIFYING CRIMINAL OFFENSES.—Except as provided under paragraph (2), an individual is disqualified from being issued a biometric transportation security card under subsection (b) if the individual has been convicted, or found not guilty by reason of insanity, during the 7-year period ending on the date on which the individual applies for such card, or was released from incarceration during the 5-year period ending on the date on which the individual applies for such card, of any of the following felonies:

''(i) Unlawful possession, use, sale, manufacture, purchase, distribution, receipt, transfer, shipping, transporting, delivery, import, export of, or dealing in a firearm or other weapon. In this clause, a firearm or other weapon includes—

''(I) firearms (as defined in section 921(a)(3) of title 18 and section 5845(a) of the Internal Revenue Code of 1986); and

''(II) items contained on the United States Munitions Import List under section 447.21 of title 27, Code of Federal Regulations.

''(ii) Extortion.

''(iii) Dishonesty, fraud, or misrepresentation, including identity fraud and money laundering if the money laundering is related to a crime described in this subparagraph or subparagraph (A). In this clause, welfare fraud and passing bad checks do not constitute dishonesty, fraud, or misrepresentation.

''(iv) Bribery.

''(v) Smuggling.

''(vi) Immigration violations.

''(vii) Distribution of, possession with intent to distribute, or importation of a controlled substance.

''(viii) Arson.

''(ix) Kidnapping or hostage taking.

''(x) Rape or aggravated sexual abuse.

''(xi) Assault with intent to kill.

''(xii) Robbery.

''(xiii) Conspiracy or attempt to commit any of the crimes listed in this subparagraph.

''(xiv) Fraudulent entry into a seaport under section 1036 of title 18, or a comparable State law.

''(xv) A violation of the Racketeer Influenced and Corrupt Organizations Act (18 U.S.C. 1961 et seq.) or a comparable State law, other than any of the violations listed in subparagraph (A)(x).

''(xvi) Any other felony that the Secretary of Homeland Security classifies, by regulation, as an interim disqualifying criminal offense under this subparagraph.

''(C) UNDER WANT WARRANT, OR INDICTMENT.—An applicant who is wanted, or under indictment, in any civilian or military jurisdiction for a felony listed in this paragraph, is disqualified from being issued a biometric transportation security card under subsection (b) until the want or warrant is released or the indictment is dismissed.

''(D) DETERMINATION OF ARREST STATUS.—

''(i) IN GENERAL.—If a fingerprint-based check discloses an arrest for a disqualifying crime listed in this section without indicating a disposition, the Transportation Security Administration shall notify the applicant of such disclosure and provide the applicant with instructions on how the applicant can clear the disposition, in accordance with clause (ii).

''(ii) BURDEN OF PROOF.—In order to clear a disposition under this subparagraph, an applicant shall submit written proof to the Transportation Security Administration, not later than 60 days after receiving notification under clause (i), that the arrest did not result in conviction for the disqualifying criminal offense.

''(iii) NOTIFICATION OF DISQUALIFICATION.—If the Transportation Security Administration does not receive proof in accordance with the Transportation Security Administration's procedures for waiver of criminal offenses and appeals, the Transportation Security Administration shall notify—

''(I) the applicant that he or she is disqualified from being issued a biometric transportation security card under subsection (b);

''(II) the State that the applicant is disqualified, in the case of a hazardous materials endorsement; and

''(III) the Coast Guard that the applicant is disqualified, if the applicant is a mariner.

''(E) OTHER POTENTIAL DISQUALIFICATIONS.—Except as provided under subparagraphs (A) through (C), an individual may not be denied a transportation security card under subsection (b) unless the Secretary determines that individual—

''(i) has been convicted within the preceding 7-year period of a felony or found not guilty by reason of insanity of a felony—

''(I) that the Secretary believes could cause the individual to be a terrorism security risk to the United States; or

''(II) for causing a severe transportation security incident;

''(ii) has been released from incarceration within the preceding 5-year period for committing a felony described in clause (i);

''(iii) may be denied admission to the United States or removed from the United States under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.); or

''(iv) otherwise poses a terrorism security risk to the United States.''.

(b) CONFORMING AMENDMENT.—Section 70101 of title 49, United States Code, is amended—

(1) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7); and

(2) by inserting after paragraph (1) the following:

''(2) The term 'economic disruption' does not include a work stoppage or other employee-related action not related to terrorism and resulting from an employer-employee dispute.''.

SA 877. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 2007''.

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

Sec. 1. Short title; table of contents.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified schedule of authorizations.
Sec. 103. Incorporation of classified annex.
Sec. 104. Personnel ceiling adjustments.
Sec. 105. Intelligence Community Management Account.
Sec. 106. Incorporation of reporting requirements.
Sec. 107. Response of intelligence community to requests from Congress for intelligence documents and information.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—INTELLIGENCE AND GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. Clarification of definition of intelligence community under the National Security Act of 1947.
Sec. 304. Improvement of notification of Congress regarding intelligence activities of the United States Government.
Sec. 305. Delegation of authority for travel on common carriers for intelligence collection personnel.
Sec. 306. Modification of availability of funds for different intelligence activities.
Sec. 307. Additional limitation on availability of funds for intelligence and intelligence-related activities.
Sec. 308. Increase in penalties for disclosure of undercover intelligence officers and agents.
Sec. 309. Retention and use of amounts paid as debts to elements of the intelligence community.
Sec. 310. Extension to intelligence community of authority to delete information about receipt and disposition of foreign gifts and decorations.
Sec. 311. Availability of funds for travel and transportation of personal effects, household goods, and automobiles.
Sec. 312. Director of National Intelligence report on compliance with the Detainee Treatment Act of 2005.
Sec. 313. Report on any clandestine detention facilities for individuals captured in the Global War on Terrorism.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

Sec. 401. Additional authorities of the Director of National Intelligence on intelligence information sharing.
Sec. 402. Modification of limitation on delegation by the Director of National Intelligence of the protection of intelligence sources and methods.
Sec. 403. Authority of the Director of National Intelligence to manage access to human intelligence information.
Sec. 404. Additional administrative authority of the Director of National Intelligence.
Sec. 405. Clarification of limitation on co-location of the Office of the Director of National Intelligence.
Sec. 406. Additional duties of the Director of Science and Technology of the Office of the Director of National Intelligence.
Sec. 407. Appointment and title of Chief Information Officer of the Intelligence Community.
Sec. 408. Inspector General of the Intelligence Community.
Sec. 409. Leadership and location of certain offices and officials.
Sec. 410. National Space Intelligence Center.
Sec. 411. Operational files in the Office of the Director of National Intelligence.
Sec. 412. Eligibility for incentive awards of personnel assigned to the Office of the Director of National Intelligence.
Sec. 413. Repeal of certain authorities relating to the Office of the National Counterintelligence Executive.
Sec. 414. Inapplicability of Federal Advisory Committee Act to advisory committees of the Office of the Director of National Intelligence.
Sec. 415. Membership of the Director of National Intelligence on the Transportation Security Oversight Board.
Sec. 416. Applicability of the Privacy Act to the Director of National Intelligence and the Office of the Director of National Intelligence.

Subtitle B—Central Intelligence Agency

Sec. 421. Director and Deputy Director of the Central Intelligence Agency.
Sec. 422. Enhanced protection of Central Intelligence Agency intelligence sources and methods from unauthorized disclosure.
Sec. 423. Additional exception to foreign language proficiency requirement for certain senior level positions in the Central Intelligence Agency.
Sec. 424. Additional functions and authorities for protective personnel of the Central Intelligence Agency.
Sec. 425. Director of National Intelligence report on retirement benefits for former employees of Air America.

Subtitle C—Defense Intelligence Components

Sec. 431. Enhancements of National Security Agency training program.
Sec. 432. Codification of authorities of National Security Agency protective personnel.
Sec. 433. Inspector general matters.
Sec. 434. Confirmation of appointment of heads of certain components of the intelligence community.
Sec. 435. Clarification of national security missions of National Geospatial-Intelligence Agency for analysis and dissemination of certain intelligence information.
Sec. 436. Security clearances in the National Geospatial-Intelligence Agency.

Subtitle D—Other Elements

Sec. 441. Foreign language incentive for certain non-special agent employees of the Federal Bureau of Investigation.
Sec. 442. Authority to secure services by contract for the Bureau of Intelligence and Research of the Department of State.
Sec. 443. Clarification of inclusion of Coast Guard and Drug Enforcement Administration as elements of the intelligence community.
Sec. 444. Clarifying amendments relating to section 105 of the Intelligence Authorization Act for fiscal year 2004.

TITLE V—OTHER MATTERS

Sec. 501. Technical amendments to the National Security Act of 1947.
Sec. 502. Technical clarification of certain references to Joint Military Intelligence Program and Tactical Intelligence and Related Activities.
Sec. 503. Technical amendments to the Intelligence Reform and Terrorism Prevention Act of 2004.
Sec. 504. Technical amendments to title 10, United States Code, arising from enactment of the Intelligence Reform and Terrorism Prevention Act of 2004.
Sec. 505. Technical amendment to the Central Intelligence Agency Act of 1949.
Sec. 506. Technical amendments relating to the multiyear National Intelligence Program.
Sec. 507. Technical amendments to the Executive Schedule.
Sec. 508. Technical amendments relating to redesignation of the National Imagery and Mapping Agency as the National Geospatial-Intelligence Agency.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2007 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.
(2) The Central Intelligence Agency.
(3) The Department of Defense.
(4) The Defense Intelligence Agency.
(5) The National Security Agency.
(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(7) The Department of State.
(8) The Department of the Treasury.
(9) The Department of Energy.
(10) The Department of Justice.
(11) The Federal Bureau of Investigation.
(12) The National Reconnaissance Office.
(13) The National Geospatial-Intelligence Agency.
(14) The Coast Guard.
(15) The Department of Homeland Security.
(16) The Drug Enforcement Administration.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 2007, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the conference report on the bill S. 372 of the One Hundred Tenth Congress and in the Classified Annex to such report as incorporated in this Act under section 103.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

SEC. 103. INCORPORATION OF CLASSIFIED ANNEX.

(a) STATUS OF CLASSIFIED ANNEX.—The Classified Annex prepared by the Select Committee on Intelligence of the Senate to accompany its report on the bill S. 372 of the One Hundred Tenth Congress and transmitted to the President is hereby incorporated into this Act.

(b) CONSTRUCTION WITH OTHER PROVISIONS OF DIVISION.—Unless otherwise specifically stated, the amounts specified in the Classified Annex are not in addition to amounts authorized to be appropriated by other provisions of this Act.

(c) LIMITATION ON USE OF FUNDS.—Funds appropriated pursuant to an authorization

contained in this Act that are made available for a program, project, or activity referred to in the Classified Annex may only be expended for such program, project, or activity in accordance with such terms, conditions, limitations, restrictions, and requirements as are set out for that program, project, or activity in the Classified Annex.

(d) DISTRIBUTION OF CLASSIFIED ANNEX.—The President shall provide for appropriate distribution of the Classified Annex, or of appropriate portions of the annex, within the executive branch of the Government.

SEC. 104. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2007 under section 102 when the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 2 percent of the number of civilian personnel authorized under such section for such element.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall promptly notify the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives whenever the Director exercises the authority granted by this section.

SEC. 105. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2007 the sum of $648,952,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2008.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 1,575 full-time personnel as of September 30, 2007. Personnel serving in such elements may be permanent employees of the Intelligence Community Management Account or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are also authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2007 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for research and development shall remain available until September 30, 2008.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2007, there are also authorized such additional personnel for such elements as of that date as are specified in the classified Schedule of Authorizations.

(d) REIMBURSEMENT.—Except as provided in section 113 of the National Security Act of 1947 (50 U.S.C. 404h), during fiscal year 2007 any officer or employee of the United States or a member of the Armed Forces who is detailed to the staff of the Intelligence Community Management Account from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of National Intelligence.

SEC. 106. INCORPORATION OF REPORTING REQUIREMENTS.

(a) IN GENERAL.—Each requirement to submit a report to the congressional intelligence committees that is included in the joint explanatory statement to accompany the conference report on the bill _____ of the One Hundred Tenth Congress, or in the classified annex to this Act, is hereby incorporated into this Act, and is hereby made a requirement in law.

(b) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term ''congressional intelligence committees'' means—

(1) the Select Committee on Intelligence of the Senate; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 107. RESPONSE OF INTELLIGENCE COMMUNITY TO REQUESTS FROM CONGRESS FOR INTELLIGENCE DOCUMENTS AND INFORMATION.

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.) is amended by adding at the end the following new section:

''RESPONSE OF INTELLIGENCE COMMUNITY TO REQUESTS FROM CONGRESS FOR INTELLIGENCE DOCUMENTS AND INFORMATION

''SEC. 508. (a) REQUESTS OF COMMITTEES.—The Director of National Intelligence, the Director of the National Counterterrorism Center, the Director of a national intelligence center, or the head of any other department, agency, or element of the Federal Government, or other organization within the Executive branch, that is an element of the intelligence community shall, not later than 30 days after receiving a request for any intelligence assessment, report, estimate, information related to intelligence activity, or other intelligence information from the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives, provide a response to such committee regarding the request for such assessment, report, estimate, or other information, as the case may be.

''(b) REQUESTS OF CERTAIN MEMBERS.—(1) The Director of National Intelligence, the Director of the National Counterterrorism Center, the Director of a national intelligence center, or the head of any other department, agency, or element of the Federal Government, or other organization within the Executive branch, that is an element of the intelligence community shall respond, in the time specified in subsection (a), to a request described in that subsection from the Chairman or Vice Chairman of the Select Committee on Intelligence of the Senate or the Chairman or Ranking Member of the Permanent Select Committee on Intelligence of the House of Representatives.

''(2) Upon making a request covered by paragraph (1)—

''(A) the Chairman or Vice Chairman, as the case may be, of the Select Committee on Intelligence of the Senate shall notify the other of the Chairman or Vice Chairman of such request; and

''(B) the Chairman or Ranking Member, as the case may be, of the Permanent Select Committee on Intelligence of the House of Representatives shall notify the other of the Chairman or Ranking Member of such request.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of that Act is amended by inserting after the item relating to section 507 the following new item:

''Sec. 508. Response of intelligence community to requests from Congress for intelligence documents and information.''.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2007 the sum of $256,400,000.

TITLE III—INTELLIGENCE AND GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. CLARIFICATION OF DEFINITION OF INTELLIGENCE COMMUNITY UNDER THE NATIONAL SECURITY ACT OF 1947.

Subparagraph (L) of section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)) is amended by striking ''other'' the second place it appears.

SEC. 304. IMPROVEMENT OF NOTIFICATION OF CONGRESS REGARDING INTELLIGENCE ACTIVITIES OF THE UNITED STATES GOVERNMENT.

(a) CLARIFICATION OF DEFINITION OF CONGRESSIONAL INTELLIGENCE COMMITTEES TO INCLUDE ALL MEMBERS OF COMMITTEES.—Section 3(7) of the National Security Act of 1947 (50 U.S.C. 401a(7)) is amended—

(1) in subparagraph (A), by inserting '', and includes each member of the Select Committee'' before the semicolon; and

(2) in subparagraph (B), by inserting '', and includes each member of the Permanent Select Committee'' before the period.

(b) NOTICE ON INFORMATION NOT DISCLOSED.—

(1) IN GENERAL.—Section 502 of such Act (50 U.S.C. 413a) is amended—

(A) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(B) by inserting after subsection (a) the following new subsection (b):

''(b) NOTICE ON INFORMATION NOT DISCLOSED.—(1) If the Director of National Intelligence or the head of a department, agency, or other entity of the United States Government does not provide information required by subsection (a) in full or to all the members of the congressional intelligence committees and requests that such information not be provided in full or to all members of the congressional intelligence committees, the Director shall, in a timely fashion, provide written notification to the Chairman and Vice Chairman of the Select Committee on Intelligence of the Senate or the Chairman and Ranking Member of the Permanent Select Committee on Intelligence of the House of Representatives, as the case may be, of the determination not to provide such information in full or to all members of such committees. Such notice shall be submitted in a classified form and include a statement

of the reasons for such determination. The Director shall provide a general description of the nature of the matter notified to all members of such committees, so long as such general description will not jeopardize sensitive intelligence sources and methods or other exceptionally sensitive matters.

''(2) Nothing in this subsection shall be construed as authorizing less than full and current disclosure to all the members of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives of any information necessary to keep all the members of such committees fully and currently informed on all intelligence activities covered by this section.''.

(2) CONFORMING AMENDMENT.—Subsection (d) of such section, as redesignated by paragraph (1)(A) of this subsection, is amended by striking ''subsection (b)'' and inserting ''subsections (b) and (c)''.

(c) REPORTS AND NOTICE ON COVERT ACTIONS.—

(1) FORM AND CONTENT OF CERTAIN REPORTS.—Subsection (b) of section 503 of such Act (50 U.S.C. 413b) is amended—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) by inserting ''(1)'' after ''(b)''; and

(C) by adding at the end the following new paragraph:

''(2) Any report relating to a covert action that is submitted to the congressional intelligence committees for the purposes of paragraph (1) shall be in writing, and shall contain the following:

''(A) A concise statement of any facts pertinent to such report.

''(B) An explanation of the significance of the covert action covered by such report.''.

(2) NOTICE ON INFORMATION NOT DISCLOSED.—Subsection (c) of such section is amended by adding at the end the following new paragraph:

''(5) If the Director of National Intelligence or the head of a department, agency, or other entity of the United States Government does not provide information required by subsection (b)(2) in full or to all the members of the congressional intelligence committees, and requests that such information not be provided in full or to all members of the congressional intelligence committees, for the reason specified in paragraph (2), the Director shall, in a timely fashion, provide written notification to the Chairman and Vice Chairman of the Select Committee on Intelligence of the Senate or the Chairman and Ranking Member of the Permanent Select Committee on Intelligence of the House of Representatives, as the case may be, of the determination not to provide such information in full or to all members of such committees. Such notice shall be submitted in a classified form and include a statement of the reasons for such determination. The Director shall provide a general description of the nature of the matter notified to all members of such committees, so long as such general description will not jeopardize sensitive intelligence sources and methods or other exceptionally sensitive matters.''.

(3) MODIFICATION OF NATURE OF CHANGE OF COVERT ACTION TRIGGERING NOTICE REQUIREMENTS.—Subsection (d) of such section is amended by striking ''significant'' the first place it appears.

SEC. 305. DELEGATION OF AUTHORITY FOR TRAVEL ON COMMON CARRIERS FOR INTELLIGENCE COLLECTION PERSONNEL.

(a) DELEGATION OF AUTHORITY.—Section 116(b) of the National Security Act of 1947 (50 U.S.C. 404k(b)) is amended—

(1) by inserting ''(1)'' before ''The Director'';

(2) in paragraph (1), by striking ''may only delegate'' and all that follows and inserting ''may delegate the authority in subsection (a) to the head of any other element of the intelligence community.''; and

(3) by adding at the end the following new paragraph:

''(2) The head of an element of the intelligence community to whom the authority in subsection (a) is delegated pursuant to paragraph (1) may further delegate such authority to such senior officials of such element as are specified in guidelines prescribed by the Director of National Intelligence for purposes of this paragraph.''.

(b) SUBMITTAL OF GUIDELINES TO CONGRESS.—Not later than six months after the date of the enactment of this Act, the Director of National Intelligence shall prescribe and submit to the congressional intelligence committees the guidelines referred to in paragraph (2) of section 116(b) of the National Security Act of 1947, as added by subsection (a).

(c) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term ''congressional intelligence committees'' means—

(1) the Select Committee on Intelligence of the Senate; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 306. MODIFICATION OF AVAILABILITY OF FUNDS FOR DIFFERENT INTELLIGENCE ACTIVITIES.

Subparagraph (B) of section 504(a)(3) of the National Security Act of 1947 (50 U.S.C. 414(a)(3)) is amended to read as follows:

''(B) the use of such funds for such activity supports an emergent need, improves program effectiveness, or increases efficiency; and''.

SEC. 307. ADDITIONAL LIMITATION ON AVAILABILITY OF FUNDS FOR INTELLIGENCE AND INTELLIGENCE-RELATED ACTIVITIES.

Section 504 of the National Security Act of 1947 (50 U.S.C. 414) is amended—

(1) in subsection (a), by inserting ''the congressional intelligence committees have been fully and currently informed of such activity and if'' after ''only if'';

(2) by redesignating subsections (b), (c), (d), and (e) as subsections (c), (d), (e), and (f), respectively; and

(3) by inserting after subsection (a) the following new subsection (b):

''(b) In any case in which notice to the congressional intelligence committees on an intelligence or intelligence-related activity is covered by section 502(b), or in which notice to the congressional intelligence committees on a covert action is covered by section 503(c)(5), the congressional intelligence committees shall be treated as being fully and currently informed on such activity or covert action, as the case may be, for purposes of subsection (a) if the requirements of such section 502(b) or 503(c)(5), as applicable, have been met.''.

SEC. 308. INCREASE IN PENALTIES FOR DISCLOSURE OF UNDERCOVER INTELLIGENCE OFFICERS AND AGENTS.

(a) DISCLOSURE OF AGENT AFTER ACCESS TO INFORMATION IDENTIFYING AGENT.—Subsection (a) of section 601 of the National Security Act of 1947 (50 U.S.C. 421) is amended by striking ''ten years'' and inserting ''15 years''.

(b) DISCLOSURE OF AGENT AFTER ACCESS TO CLASSIFIED INFORMATION.—Subsection (b) of such section is amended by striking ''five years'' and inserting ''ten years''.

SEC. 309. RETENTION AND USE OF AMOUNTS PAID AS DEBTS TO ELEMENTS OF THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 442 et seq.) is amended by adding at the end the following new section:

''RETENTION AND USE OF AMOUNTS PAID AS DEBTS TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

''SEC. 1103. (a) AUTHORITY TO RETAIN AMOUNTS PAID.—Notwithstanding section 3302 of title 31, United States Code, or any other provision of law, the head of an element of the intelligence community may retain amounts paid or reimbursed to the United States, including amounts paid by an employee of the Federal Government from personal funds, for repayment of a debt owed to the element of the intelligence community.

''(b) CREDITING OF AMOUNTS RETAINED.—(1) Amounts retained under subsection (a) shall be credited to the current appropriation or account from which such funds were derived or whose expenditure formed the basis for the underlying activity from which the debt concerned arose.

''(2) Amounts credited to an appropriation or account under paragraph (1) shall be merged with amounts in such appropriation or account, and shall be available in accordance with subsection (c).

''(c) AVAILABILITY OF AMOUNTS.—Amounts credited to an appropriation or account under subsection (b) with respect to a debt owed to an element of the intelligence community shall be available to the head of such element, for such time as is applicable to amounts in such appropriation or account, or such longer time as may be provided by law, for purposes as follows:

''(1) In the case of a debt arising from lost or damaged property of such element, the repair of such property or the replacement of such property with alternative property that will perform the same or similar functions as such property.

''(2) The funding of any other activities authorized to be funded by such appropriation or account.

''(d) DEBT OWED TO AN ELEMENT OF THE INTELLIGENCE COMMUNITY DEFINED.—In this section, the term 'debt owed to an element of the intelligence community' means any of the following:

''(1) A debt owed to an element of the intelligence community by an employee or former employee of such element for the negligent or willful loss of or damage to property of such element that was procured by such element using appropriated funds.

''(2) A debt owed to an element of the intelligence community by an employee or former employee of such element as repayment for default on the terms and conditions associated with a scholarship, fellowship, or other educational assistance provided to such individual by such element, whether in exchange for future services or otherwise, using appropriated funds.

''(3) Any other debt or repayment owed to an element of the intelligence community by a private person or entity by reason of the negligent or willful action of such person or entity, as determined by a court of competent jurisdiction or in a lawful administrative proceeding.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of that Act is amended by adding at the end the following new item:

''Sec. 1103. Retention and use of amounts paid as debts to elements of the intelligence community.''.

SEC. 310. EXTENSION TO INTELLIGENCE COMMUNITY OF AUTHORITY TO DELETE INFORMATION ABOUT RECEIPT AND DISPOSITION OF FOREIGN GIFTS AND DECORATIONS.

Paragraph (4) of section 7342(f) of title 5, United States Code, is amended to read as follows:

''(4)(A) In transmitting such listings for an element of the intelligence community, the

head of such element may delete the information described in subparagraphs (A) and (C) of paragraphs (2) and (3) if the head of such element certifies in writing to the Secretary of State that the publication of such information could adversely affect United States intelligence sources or methods.

''(B) Any information not provided to the Secretary of State pursuant to the authority in subparagraph (A) shall be transmitted to the Director of National Intelligence.

''(C) In this paragraph, the term 'element of the intelligence community' means an element of the intelligence community listed in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).''.

SEC. 311. AVAILABILITY OF FUNDS FOR TRAVEL AND TRANSPORTATION OF PERSONAL EFFECTS, HOUSEHOLD GOODS, AND AUTOMOBILES.

(a) FUNDS OF OFFICE OF DIRECTOR OF NATIONAL INTELLIGENCE.—Funds appropriated to the Office of the Director of National Intelligence and available for travel and transportation expenses shall be available for such expenses when any part of the travel or transportation concerned begins in a fiscal year pursuant to travel orders issued in such fiscal year, notwithstanding that such travel or transportation is or may not be completed during such fiscal year.

(b) FUNDS OF CENTRAL INTELLIGENCE AGENCY.—Funds appropriated to the Central Intelligence Agency and available for travel and transportation expenses shall be available for such expenses when any part of the travel or transportation concerned begins in a fiscal year pursuant to travel orders issued in such fiscal year, notwithstanding that such travel or transportation is or may not be completed during such fiscal year.

(c) TRAVEL AND TRANSPORTATION EXPENSES DEFINED.—In this section, the term ''travel and transportation expenses'' means the following:

(1) Expenses in connection with travel of personnel, including travel of dependents.

(2) Expenses in connection with transportation of personal effects, household goods, or automobiles of personnel.

SEC. 312. DIRECTOR OF NATIONAL INTELLIGENCE REPORT ON COMPLIANCE WITH THE DETAINEE TREATMENT ACT OF 2005.

(a) REPORT REQUIRED.—Not later than May 1, 2007, the Director of National Intelligence shall submit to the congressional intelligence committees a comprehensive report on all measures taken by the Office of the Director of National Intelligence and by each element, if any, of the intelligence community with relevant responsibilities to comply with the provisions of the Detainee Treatment Act of 2005 (title X of division A of Public Law 109–148).

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the detention or interrogation methods, if any, that have been determined to comply with section 1003 of the Detainee Treatment Act of 2005 (119 Stat. 2739; 42 U.S.C. 2000dd), and, with respect to each such method, a statement of the general basis for such determination.

(2) A description of the detention or interrogation methods, if any, whose use has been discontinued pursuant to the Detainee Treatment Act of 2005, and, with respect to each such method, a statement of the general basis for such determination.

(3) A description of any actions that have been taken to implement section 1004 of the Detainee Treatment Act of 2005 (119 Stat. 2740; 42 U.S.C. 2000dd–1), and, with respect to each such action, a statement of the basis for such action.

(4) Any other matters that the Director considers necessary to fully and currently inform the congressional intelligence committees about the implementation of the Detainee Treatment Act of 2005.

(c) FORM.—The report required by subsection (a) shall be submitted in classified form.

(d) DEFINITIONS.—In this section:

(1) The term ''congressional intelligence committees'' means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee of the House of Representatives.

(2) The term ''intelligence community'' means the elements of the intelligence community specified in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

SEC. 313. REPORT ON ANY CLANDESTINE DETENTION FACILITIES FOR INDIVIDUALS CAPTURED IN THE GLOBAL WAR ON TERRORISM.

(a) IN GENERAL.—The President shall ensure that the United States Government continues to comply with the authorization, reporting, and notification requirements of title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).

(b) DIRECTOR OF NATIONAL INTELLIGENCE REPORT.—

(1) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the members of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on any clandestine prison or detention facility currently or formerly operated by the United States Government for individuals captured in the global war on terrorism.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The date each prison or facility became operational and, if applicable, the date on which each prison or facility ceased its operations.

(B) The total number of prisoners or detainees held at each prison or facility during its operation.

(C) The current number of prisoners or detainees held at each operational prison or facility.

(D) The total and average annual costs of each prison or facility during its operation.

(E) A description of the interrogation procedures used or formerly used on detainees at each prison or facility, including whether a determination has been made that such procedures are or were in compliance with United States obligations under the Geneva Conventions and the Convention Against Torture.

(3) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in classified form.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. ADDITIONAL AUTHORITIES OF THE DIRECTOR OF NATIONAL INTELLIGENCE ON INTELLIGENCE INFORMATION SHARING.

Section 102A(g)(1) of the National Security Act of 1947 (50 U.S.C. 403–1(g)(1)) is amended—

(1) in subparagraph (E), by striking ''and'' at the end;

(2) in subparagraph (F), by striking the period and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

''(G) in carrying out this subsection, have the authority—

''(i) to direct the development, deployment, and utilization of systems of common concern for elements of the intelligence community, or that support the activities of such elements, related to the collection, processing, analysis, exploitation, and dissemination of intelligence information; and

''(ii) without regard to any provision of law relating to the transfer, reprogramming, obligation, or expenditure of funds, other than the provisions of this Act and the National Security Intelligence Reform Act of 2004 (title I of Public Law 108–458), to expend funds for purposes associated with the development, deployment, and utilization of such systems, which funds may be received and utilized by any department, agency, or other element of the United States Government for such purposes; and

''(H) for purposes of addressing critical gaps in intelligence information sharing or access capabilities, have the authority to transfer funds appropriated for a program within the National Intelligence Program to a program funded by appropriations not within the National Intelligence Program, consistent with paragraphs (3) through (7) of subsection (d).''.

SEC. 402. MODIFICATION OF LIMITATION ON DELEGATION BY THE DIRECTOR OF NATIONAL INTELLIGENCE OF THE PROTECTION OF INTELLIGENCE SOURCES AND METHODS.

Section 102A(i)(3) of the National Security Act of 1947 (50 U.S.C. 403–1(i)(3)) is amended by inserting before the period the following: '', any Deputy Director of National Intelligence, or the Chief Information Officer of the Intelligence Community''.

SEC. 403. AUTHORITY OF THE DIRECTOR OF NATIONAL INTELLIGENCE TO MANAGE ACCESS TO HUMAN INTELLIGENCE INFORMATION.

Section 102A(b) of the National Security Act of 1947 (50 U.S.C. 403–1(b)) is amended—

(1) by inserting ''(1)'' before ''Unless''; and

(2) by adding at the end the following new paragraph:

''(2) The Director of National Intelligence shall—

''(A) have access to all national intelligence, including intelligence reports, operational data, and other associated information, concerning the human intelligence operations of any element of the intelligence community authorized to undertake such collection;

''(B) consistent with the protection of intelligence sources and methods and applicable requirements in Executive Order 12333 (or any successor order) regarding the retention and dissemination of information concerning United States persons, ensure maximum access to the intelligence information contained in the information referred to in subparagraph (A) throughout the intelligence community; and

''(C) consistent with subparagraph (B), provide within the Office of the Director of National Intelligence a mechanism for intelligence community analysts and other officers with appropriate clearances and an official need-to-know to gain access to information referred to in subparagraph (A) or (B) when relevant to their official responsibilities.''.

SEC. 404. ADDITIONAL ADMINISTRATIVE AUTHORITY OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 102A of the National Security Act of 1947 (50 U.S.C. 403–1) is amended by adding at the end the following new subsection:

''(s) ADDITIONAL ADMINISTRATIVE AUTHORITIES.—(1) Notwithstanding section 1532 of title 31, United States Code, or any other provision of law prohibiting the interagency financing of activities described in clause (i) or (ii) of subparagraph (A), in the performance of the responsibilities, authorities, and

duties of the Director of National Intelligence or the Office of the Director of National Intelligence—

''(A) the Director may authorize the use of interagency financing for—

''(i) national intelligence centers established by the Director under section 119B; and

''(ii) boards, commissions, councils, committees, and similar groups established by the Director; and

''(B) upon the authorization of the Director, any department, agency, or element of the United States Government, including any element of the intelligence community, may fund or participate in the funding of such activities.

''(2) No provision of law enacted after the date of the enactment of this subsection shall be deemed to limit or supersede the authority in paragraph (1) unless such provision makes specific reference to the authority in that paragraph.''.

SEC. 405. CLARIFICATION OF LIMITATION ON CO-LOCATION OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 103(e) of the National Security Act of 1947 (50 U.S.C. 403–3(e)) is amended—

(1) by striking ''**WITH**'' and inserting ''**OF HEADQUARTERS WITH HEADQUARTERS OF**'';

(2) by inserting ''the headquarters of'' before ''the Office''; and

(3) by striking ''any other element'' and inserting ''the headquarters of any other element''.

SEC. 406. ADDITIONAL DUTIES OF THE DIRECTOR OF SCIENCE AND TECHNOLOGY OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) COORDINATION AND PRIORITIZATION OF RESEARCH CONDUCTED BY ELEMENTS OF INTELLIGENCE COMMUNITY.—Subsection (d) of section 103E of the National Security Act of 1947 (50 U.S.C. 403–3e) is amended—

(1) in paragraph (3)(A), by inserting ''and prioritize'' after ''coordinate''; and

(2) by adding at the end the following new paragraph:

''(4) In carrying out paragraph (3)(A), the Committee shall identify basic, advanced, and applied research programs to be carried out by elements of the intelligence community.''.

(b) DEVELOPMENT OF TECHNOLOGY GOALS.—That section is further amended—

(1) in subsection (c)—

(A) in paragraph (4), by striking ''and'' at the end;

(B) by redesignating paragraph (5) as paragraph (8); and

(C) by inserting after paragraph (4) the following new paragraphs:

''(5) assist the Director in establishing goals for the elements of the intelligence community to meet the technology needs of the intelligence community;

''(6) under the direction of the Director, establish engineering standards and specifications applicable to each acquisition of a major system (as that term is defined in section 506A(e)(3)) by the intelligence community;

''(7) ensure that each acquisition program of the intelligence community for a major system (as so defined) complies with the standards and specifications established under paragraph (6); and''; and

(2) by adding at the end the following new subsection:

''(e) GOALS FOR TECHNOLOGY NEEDS OF INTELLIGENCE COMMUNITY.—In carrying out subsection (c)(5), the Director of Science and Technology shall—

''(1) systematically identify and assess the most significant intelligence challenges that require technical solutions;

''(2) examine options to enhance the responsiveness of research and design programs of the elements of the intelligence community to meet the requirements of the intelligence community for timely support; and

''(3) assist the Director of National Intelligence in establishing research and development priorities and projects for the intelligence community that—

''(A) are consistent with current or future national intelligence requirements;

''(B) address deficiencies or gaps in the collection, processing, analysis, or dissemination of national intelligence;

''(C) take into account funding constraints in program development and acquisition; and

''(D) address system requirements from collection to final dissemination (also known as 'end-to-end architecture').''.

(c) REPORT.—(1) Not later than June 30, 2007, the Director of National Intelligence shall submit to Congress a report containing a strategy for the development and use of technology in the intelligence community through 2021.

(2) The report shall include—

(A) an assessment of the highest priority intelligence gaps across the intelligence community that may be resolved by the use of technology;

(B) goals for advanced research and development and a strategy to achieve such goals;

(C) an explanation of how each advanced research and development project funded under the National Intelligence Program addresses an identified intelligence gap;

(D) a list of all current and projected research and development projects by research type (basic, advanced, or applied) with estimated funding levels, estimated initiation dates, and estimated completion dates; and

(E) a plan to incorporate technology from research and development projects into National Intelligence Program acquisition programs.

(3) The report may be submitted in classified form.

SEC. 407. APPOINTMENT AND TITLE OF CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

(a) APPOINTMENT.—

(1) IN GENERAL.—Subsection (a) of section 103G of the National Security Act of 1947 (50 U.S.C. 403–3g) is amended by striking ''the President, by and with the advice and consent of the Senate'' and inserting ''the Director of National Intelligence''.

(2) APPLICABILITY.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act, and shall apply with respect to any appointment of an individual as Chief Information Officer of the Intelligence Community that is made on or after that date.

(b) TITLE.—Such section is further amended—

(1) in subsection (a), by inserting ''of the Intelligence Community'' after ''Chief Information Officer'';

(2) in subsection (b), by inserting ''of the Intelligence Community'' after ''Chief Information Officer'';

(3) in subsection (c), by inserting ''of the Intelligence Community'' after ''Chief Information Officer''; and

(4) in subsection (d), by inserting ''of the Intelligence Community'' after ''Chief Information Officer'' the first place it appears.

SEC. 408. INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.

(a) ESTABLISHMENT.—(1) Title I of the National Security Act of 1947 (50 U.S.C. 402 et seq.) is amended by inserting after section 103G the following new section:

''INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY

''SEC. 103H. (a) OFFICE OF INSPECTOR GENERAL OF INTELLIGENCE COMMUNITY.—There is within the Office of the Director of National Intelligence an Office of the Inspector General of the Intelligence Community.

''(b) PURPOSE.—The purpose of the Office of the Inspector General of the Intelligence Community is to—

''(1) create an objective and effective office, appropriately accountable to Congress, to initiate and conduct independently investigations, inspections, and audits relating to—

''(A) the programs and operations of the intelligence community;

''(B) the elements of the intelligence community within the National Intelligence Program; and

''(C) the relationships between the elements of the intelligence community within the National Intelligence Program and the other elements of the intelligence community;

''(2) recommend policies designed—

''(A) to promote economy, efficiency, and effectiveness in the administration and implementation of such programs and operations, and in such relationships; and

''(B) to prevent and detect fraud and abuse in such programs, operations, and relationships;

''(3) provide a means for keeping the Director of National Intelligence fully and currently informed about—

''(A) problems and deficiencies relating to the administration and implementation of such programs and operations, and to such relationships; and

''(B) the necessity for, and the progress of, corrective actions; and

''(4) in the manner prescribed by this section, ensure that the congressional intelligence committees are kept similarly informed of—

''(A) significant problems and deficiencies relating to the administration and implementation of such programs and operations, and to such relationships; and

''(B) the necessity for, and the progress of, corrective actions.

''(c) INSPECTOR GENERAL OF INTELLIGENCE COMMUNITY.—(1) There is an Inspector General of the Intelligence Community, who shall be the head of the Office of the Inspector General of the Intelligence Community, who shall be appointed by the President, by and with the advice and consent of the Senate.

''(2) The nomination of an individual for appointment as Inspector General shall be made—

''(A) without regard to political affiliation;

''(B) solely on the basis of integrity, compliance with the security standards of the intelligence community, and prior experience in the field of intelligence or national security; and

''(C) on the basis of demonstrated ability in accounting, financial analysis, law, management analysis, public administration, or auditing.

''(3) The Inspector General shall report directly to and be under the general supervision of the Director of National Intelligence.

''(4) The Inspector General may be removed from office only by the President. The President shall immediately communicate in writing to the congressional intelligence committees the reasons for the removal of any individual from the position of Inspector General.

''(d) DUTIES AND RESPONSIBILITIES.—Subject to subsections (g) and (h), it shall be the duty and responsibility of the Inspector General of the Intelligence Community—

''(1) to provide policy direction for, and to plan, conduct, supervise, and coordinate independently, the investigations, inspections, and audits relating to the programs

and operations of the intelligence community, the elements of the intelligence community within the National Intelligence Program, and the relationships between the elements of the intelligence community within the National Intelligence Program and the other elements of the intelligence community to ensure they are conducted efficiently and in accordance with applicable law and regulations;

''(2) to keep the Director of National Intelligence fully and currently informed concerning violations of law and regulations, violations of civil liberties and privacy, and fraud and other serious problems, abuses, and deficiencies that may occur in such programs and operations, and in such relationships, and to report the progress made in implementing corrective action;

''(3) to take due regard for the protection of intelligence sources and methods in the preparation of all reports issued by the Inspector General, and, to the extent consistent with the purpose and objective of such reports, take such measures as may be appropriate to minimize the disclosure of intelligence sources and methods described in such reports; and

''(4) in the execution of the duties and responsibilities under this section, to comply with generally accepted government auditing standards.

''(e) LIMITATIONS ON ACTIVITIES.—(1) The Director of National Intelligence may prohibit the Inspector General of the Intelligence Community from initiating, carrying out, or completing any investigation, inspection, or audit if the Director determines that such prohibition is necessary to protect vital national security interests of the United States.

''(2) If the Director exercises the authority under paragraph (1), the Director shall submit an appropriately classified statement of the reasons for the exercise of such authority within 7 days to the congressional intelligence committees.

''(3) The Director shall advise the Inspector General at the time a report under paragraph (2) is submitted, and, to the extent consistent with the protection of intelligence sources and methods, provide the Inspector General with a copy of such report.

''(4) The Inspector General may submit to the congressional intelligence committees any comments on a report of which the Inspector General has notice under paragraph (3) that the Inspector General considers appropriate.

''(f) AUTHORITIES.—(1) The Inspector General of the Intelligence Community shall have direct and prompt access to the Director of National Intelligence when necessary for any purpose pertaining to the performance of the duties of the Inspector General.

''(2)(A) The Inspector General shall have access to any employee, or any employee of a contractor, of any element of the intelligence community whose testimony is needed for the performance of the duties of the Inspector General.

''(B) The Inspector General shall have direct access to all records, reports, audits, reviews, documents, papers, recommendations, or other material which relate to the programs and operations with respect to which the Inspector General has responsibilities under this section.

''(C) The level of classification or compartmentation of information shall not, in and of itself, provide a sufficient rationale for denying the Inspector General access to any materials under subparagraph (B).

''(D) Failure on the part of any employee, or any employee of a contractor, of any element of the intelligence community to cooperate with the Inspector General shall be grounds for appropriate administrative actions by the Director or, on the recommendation of the Director, other appropriate officials of the intelligence community, including loss of employment or the termination of an existing contractual relationship.

''(3) The Inspector General is authorized to receive and investigate complaints or information from any person concerning the existence of an activity constituting a violation of laws, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety. Once such complaint or information has been received from an employee of the Federal Government—

''(A) the Inspector General shall not disclose the identity of the employee without the consent of the employee, unless the Inspector General determines that such disclosure is unavoidable during the course of the investigation or the disclosure is made to an official of the Department of Justice responsible for determining whether a prosecution should be undertaken; and

''(B) no action constituting a reprisal, or threat of reprisal, for making such complaint may be taken by any employee in a position to take such actions, unless the complaint was made or the information was disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

''(4) The Inspector General shall have authority to administer to or take from any person an oath, affirmation, or affidavit, whenever necessary in the performance of the duties of the Inspector General, which oath, affirmation, or affidavit when administered or taken by or before an employee of the Office of the Inspector General of the Intelligence Community designated by the Inspector General shall have the same force and effect as if administered or taken by or before an officer having a seal.

''(5)(A) Except as provided in subparagraph (B), the Inspector General is authorized to require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence necessary in the performance of the duties and responsibilities of the Inspector General.

''(B) In the case of departments, agencies, and other elements of the United States Government, the Inspector General shall obtain information, documents, reports, answers, records, accounts, papers, and other data and evidence for the purpose specified in subparagraph (A) using procedures other than by subpoenas.

''(C) The Inspector General may not issue a subpoena for or on behalf of any other element of the intelligence community, including the Office of the Director of National Intelligence.

''(D) In the case of contumacy or refusal to obey a subpoena issued under this paragraph, the subpoena shall be enforceable by order of any appropriate district court of the United States.

''(g) COORDINATION AMONG INSPECTORS GENERAL OF INTELLIGENCE COMMUNITY.—(1) In the event of a matter within the jurisdiction of the Inspector General of the Intelligence Community that may be subject to an investigation, inspection, or audit by both the Inspector General of the Intelligence Community and an Inspector General, whether statutory or administrative, with oversight responsibility for an element or elements of the intelligence community, the Inspector General of the Intelligence Community and such other Inspector or Inspectors General shall expeditiously resolve which Inspector General shall conduct such investigation, inspection, or audit.

''(2) The Inspector General conducting an investigation, inspection, or audit covered by paragraph (1) shall submit the results of such investigation, inspection, or audit to any other Inspector General, including the Inspector General of the Intelligence Community, with jurisdiction to conduct such investigation, inspection, or audit who did not conduct such investigation, inspection, or audit.

''(3)(A) If an investigation, inspection, or audit covered by paragraph (1) is conducted by an Inspector General other than the Inspector General of the Intelligence Community, the Inspector General of the Intelligence Community may, upon completion of such investigation, inspection, or audit by such other Inspector General, conduct under this section a separate investigation, inspection, or audit of the matter concerned if the Inspector General of the Intelligence Community determines that such initial investigation, inspection, or audit was deficient in some manner or that further investigation, inspection, or audit is required.

''(B) This paragraph shall not apply to the Inspector General of the Department of Defense or to any other Inspector General within the Department of Defense.

''(h) STAFF AND OTHER SUPPORT.—(1) The Inspector General of the Intelligence Community shall be provided with appropriate and adequate office space at central and field office locations, together with such equipment, office supplies, maintenance services, and communications facilities and services as may be necessary for the operation of such offices.

''(2)(A) Subject to applicable law and the policies of the Director of National Intelligence, the Inspector General shall select, appoint, and employ such officers and employees as may be necessary to carry out the functions of the Inspector General. The Inspector General shall ensure that any officer or employee so selected, appointed, or employed has security clearances appropriate for the assigned duties of such officer or employee.

''(B) In making selections under subparagraph (A), the Inspector General shall ensure that such officers and employees have the requisite training and experience to enable the Inspector General to carry out the duties of the Inspector General effectively.

''(C) In meeting the requirements of this paragraph, the Inspector General shall create within the Office of the Inspector General of the Intelligence Community a career cadre of sufficient size to provide appropriate continuity and objectivity needed for the effective performance of the duties of the Inspector General.

''(3)(A) Subject to the concurrence of the Director, the Inspector General may request such information or assistance as may be necessary for carrying out the duties and responsibilities of the Inspector General from any department, agency, or other element of the United States Government.

''(B) Upon request of the Inspector General for information or assistance under subparagraph (A), the head of the department, agency, or element concerned shall, insofar as is practicable and not in contravention of any existing statutory restriction or regulation of the department, agency, or element, furnish to the Inspector General, or to an authorized designee, such information or assistance.

''(C) The Inspector General of the Intelligence Community may, upon reasonable notice to the head of any element of the intelligence community, conduct, as authorized by this section, an investigation, inspection, or audit of such element and may enter into any place occupied by such element for purposes of the performance of the duties of the Inspector General.

''(i) REPORTS.—(1)(A) The Inspector General of the Intelligence Community shall, not later than January 31 and July 31 of each year, prepare and submit to the Director of National Intelligence a classified, and, as appropriate, unclassified semiannual report summarizing the activities of the Office of the Inspector General of the Intelligence Community during the immediately preceding 6-month periods ending December 31 (of the preceding year) and June 30, respectively.

''(B) Each report under this paragraph shall include, at a minimum, the following:

''(i) A list of the title or subject of each investigation, inspection, or audit conducted during the period covered by such report, including a summary of the progress of each particular investigation, inspection, or audit since the preceding report of the Inspector General under this paragraph.

''(ii) A description of significant problems, abuses, and deficiencies relating to the administration and implementation of programs and operations of the intelligence community, and in the relationships between elements of the intelligence community, identified by the Inspector General during the period covered by such report.

''(iii) A description of the recommendations for corrective or disciplinary action made by the Inspector General during the period covered by such report with respect to significant problems, abuses, or deficiencies identified in clause (ii).

''(iv) A statement whether or not corrective or disciplinary action has been completed on each significant recommendation described in previous semiannual reports, and, in a case where corrective action has been completed, a description of such corrective action.

''(v) A certification whether or not the Inspector General has had full and direct access to all information relevant to the performance of the functions of the Inspector General.

''(vi) A description of the exercise of the subpoena authority under subsection (f)(5) by the Inspector General during the period covered by such report.

''(vii) Such recommendations as the Inspector General considers appropriate for legislation to promote economy, efficiency, and effectiveness in the administration and implementation of programs and operations undertaken by the intelligence community, and in the relationships between elements of the intelligence community, and to detect and eliminate fraud and abuse in such programs and operations and in such relationships.

''(C) Not later than the 30 days after the date of receipt of a report under subparagraph (A), the Director shall transmit the report to the congressional intelligence committees together with any comments the Director considers appropriate.

''(2)(A) The Inspector General shall report immediately to the Director whenever the Inspector General becomes aware of particularly serious or flagrant problems, abuses, or deficiencies relating to the administration and implementation of programs or operations of the intelligence community or in the relationships between elements of the intelligence community.

''(B) The Director shall transmit to the congressional intelligence committees each report under subparagraph (A) within seven calendar days of receipt of such report, together with such comments as the Director considers appropriate.

''(3) In the event that—

''(A) the Inspector General is unable to resolve any differences with the Director affecting the execution of the duties or responsibilities of the Inspector General;

''(B) an investigation, inspection, or audit carried out by the Inspector General focuses on any current or former intelligence community official who—

''(i) holds or held a position in an element of the intelligence community that is subject to appointment by the President, whether or not by and with the advice and consent of the Senate, including such a position held on an acting basis;

''(ii) holds or held a position in an element of the intelligence community, including a position held on an acting basis, that is appointed by the Director of National Intelligence; or

''(iii) holds or held a position as head of an element of the intelligence community or a position covered by subsection (b) or (c) of section 106;

''(C) a matter requires a report by the Inspector General to the Department of Justice on possible criminal conduct by a current or former official described in subparagraph (B);

''(D) the Inspector General receives notice from the Department of Justice declining or approving prosecution of possible criminal conduct of any current or former official described in subparagraph (B); or

''(E) the Inspector General, after exhausting all possible alternatives, is unable to obtain significant documentary information in the course of an investigation, inspection, or audit,

the Inspector General shall immediately notify and submit a report on such matter to the congressional intelligence committees.

''(4) Pursuant to title V, the Director shall submit to the congressional intelligence committees any report or findings and recommendations of an investigation, inspection, or audit conducted by the office which has been requested by the Chairman or Vice Chairman or Ranking Minority Member of either committee.

''(5)(A) An employee of an element of the intelligence community, an employee assigned or detailed to an element of the intelligence community, or an employee of a contractor to the intelligence community who intends to report to Congress a complaint or information with respect to an urgent concern may report such complaint or information to the Inspector General.

''(B) Not later than the end of the 14-calendar day period beginning on the date of receipt from an employee of a complaint or information under subparagraph (A), the Inspector General shall determine whether the complaint or information appears credible. Upon making such a determination, the Inspector General shall transmit to the Director a notice of that determination, together with the complaint or information.

''(C) Upon receipt of a transmittal from the Inspector General under subparagraph (B), the Director shall, within seven calendar days of such receipt, forward such transmittal to the congressional intelligence committees, together with any comments the Director considers appropriate.

''(D)(i) If the Inspector General does not find credible under subparagraph (B) a complaint or information submitted under subparagraph (A), or does not transmit the complaint or information to the Director in accurate form under subparagraph (B), the employee (subject to clause (ii)) may submit the complaint or information to Congress by contacting either or both of the congressional intelligence committees directly.

''(ii) An employee may contact the intelligence committees directly as described in clause (i) only if the employee—

''(I) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee's complaint or information and notice of the employee's intent to contact the congressional intelligence committees directly; and

''(II) obtains and follows from the Director, through the Inspector General, direction on how to contact the intelligence committees in accordance with appropriate security practices.

''(iii) A member or employee of one of the congressional intelligence committees who receives a complaint or information under clause (i) does so in that member or employee's official capacity as a member or employee of such committee.

''(E) The Inspector General shall notify an employee who reports a complaint or information to the Inspector General under this paragraph of each action taken under this paragraph with respect to the complaint or information. Such notice shall be provided not later than 3 days after any such action is taken.

''(F) An action taken by the Director or the Inspector General under this paragraph shall not be subject to judicial review.

''(G) In this paragraph, the term 'urgent concern' means any of the following:

''(i) A serious or flagrant problem, abuse, violation of law or Executive order, or deficiency relating to the funding, administration, or operation of an intelligence activity involving classified information, but does not include differences of opinions concerning public policy matters.

''(ii) A false statement to Congress, or a willful withholding from Congress, on an issue of material fact relating to the funding, administration, or operation of an intelligence activity.

''(iii) An action, including a personnel action described in section 2302(a)(2)(A) of title 5, United States Code, constituting reprisal or threat of reprisal prohibited under subsection (f)(3)(B) of this section in response to an employee's reporting an urgent concern in accordance with this paragraph.

''(H) In support of this paragraph, Congress makes the findings set forth in paragraphs (1) through (6) of section 701(b) of the Intelligence Community Whistleblower Protection Act of 1998 (title VII of Public Law 105–272; 5 U.S.C. App. 8H note).

''(6) In accordance with section 535 of title 28, United States Code, the Inspector General shall report to the Attorney General any information, allegation, or complaint received by the Inspector General relating to violations of Federal criminal law that involves a program or operation of an element of the intelligence community, or in the relationships between the elements of the intelligence community, consistent with such guidelines as may be issued by the Attorney General pursuant to subsection (b)(2) of such section. A copy of each such report shall be furnished to the Director.

''(j) SEPARATE BUDGET ACCOUNT.—The Director of National Intelligence shall, in accordance with procedures to be issued by the Director in consultation with the congressional intelligence committees, include in the National Intelligence Program budget a separate account for the Office of Inspector General of the Intelligence Community.

''(k) CONSTRUCTION OF DUTIES REGARDING ELEMENTS OF INTELLIGENCE COMMUNITY.—Except as resolved pursuant to subsection (g), the performance by the Inspector General of the Intelligence Community of any duty, responsibility, or function regarding an element of the intelligence community shall not be construed to modify or effect the duties and responsibilities of any other Inspector General, whether statutory or administrative, having duties and responsibilities relating to such element.''.

(2) The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 103G the following new item:

''Sec. 103H. Inspector General of the Intelligence Community.''.

(b) REPEAL OF SUPERSEDED AUTHORITY TO ESTABLISH POSITION.—Section 8K of the Inspector General Act of 1978 (5 U.S.C. App.) is repealed.

(c) EXECUTIVE SCHEDULE LEVEL IV.—Section 5314 of title 5, United States Code, is amended by adding at the end the following new item:

''Inspector General of the Intelligence Community.''.

SEC. 409. LEADERSHIP AND LOCATION OF CERTAIN OFFICES AND OFFICIALS.

(a) NATIONAL COUNTER PROLIFERATION CENTER.—Section 119A(a) of the National Security Act of 1947 (50 U.S.C. 404o–1(a)) is amended—

(1) by striking ''(a) ESTABLISHMENT.—Not later than 18 months after the date of the enactment of the National Security Intelligence Reform Act of 2004, the'' and inserting the following:

''(a) IN GENERAL.—

''(1) ESTABLISHMENT.—The''; and

(2) by adding at the end the following new paragraphs:

''(2) DIRECTOR.—The head of the National Counter Proliferation Center shall be the Director of the National Counter Proliferation Center, who shall be appointed by the Director of National Intelligence.

''(3) LOCATION.—The National Counter Proliferation Center shall be located within the Office of the Director of National Intelligence.''.

(b) OFFICERS.—Section 103(c) of that Act (50 U.S.C. 403–3(c)) is amended—

(1) by redesignating paragraph (9) as paragraph (13); and

(2) by inserting after paragraph (8) the following new paragraphs:

''(9) The Chief Information Officer of the Intelligence Community.

''(10) The Inspector General of the Intelligence Community.

''(11) The Director of the National Counterterrorism Center.

''(12) The Director of the National Counter Proliferation Center.''.

SEC. 410. NATIONAL SPACE INTELLIGENCE CENTER.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended by adding after section 119B the following new section:

''NATIONAL SPACE INTELLIGENCE CENTER

''SEC. 119C. (a) ESTABLISHMENT.—There is established within the Office of the Director of National Intelligence a National Space Intelligence Center.

''(b) DIRECTOR OF NATIONAL SPACE INTELLIGENCE CENTER.—The National Intelligence Officer for Science and Technology, or a successor position designated by the Director of National Intelligence, shall act as the Director of the National Space Intelligence Center.

''(c) MISSIONS.—The National Space Intelligence Center shall have the following missions:

''(1) To coordinate and provide policy direction for the management of space-related intelligence assets.

''(2) To prioritize collection activities consistent with the National Intelligence Collection Priorities framework, or a successor framework or other document designated by the Director of National Intelligence.

''(3) To provide policy direction for programs designed to ensure a sufficient cadre of government and nongovernment personnel in fields relating to space intelligence, including programs to support education, recruitment, hiring, training, and retention of qualified personnel.

''(4) To evaluate independent analytic assessments of threats to classified United States space intelligence systems throughout all phases of the development, acquisition, and operation of such systems.

''(d) ACCESS TO INFORMATION.—The Director of National Intelligence shall ensure that the National Space Intelligence Center has access to all national intelligence information (as appropriate), and such other information (as appropriate and practical), necessary for the Center to carry out the missions of the Center under subsection (c).

''(e) SEPARATE BUDGET ACCOUNT.—The Director of National Intelligence shall include in the National Intelligence Program budget a separate line item for the National Space Intelligence Center.''.

(2) CLERICAL AMENDMENT.—The table of contents for that Act is amended by inserting after the item relating to section 119B the following new item:

''Sec. 119C. National Space Intelligence Center.''.

(b) REPORT ON ORGANIZATION OF CENTER.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Space Intelligence Center shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on the organizational structure of the National Space Intelligence Center established by section 119C of the National Security Act of 1947 (as added by subsection (a)).

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The proposed organizational structure of the National Space Intelligence Center.

(B) An identification of key participants in the Center.

(C) A strategic plan for the Center during the five-year period beginning on the date of the report.

SEC. 411. OPERATIONAL FILES IN THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) IN GENERAL.—Title VII of the National Security Act of 1947 (50 U.S.C. 431 et seq.) is amended by inserting before section 701 the following new section:

''OPERATIONAL FILES IN THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

''SEC. 700. (a) EXEMPTION OF CERTAIN FILES FROM SEARCH, REVIEW, PUBLICATION, OR DISCLOSURE.—(1) Information and records described in paragraph (2) shall be exempt from the provisions of section 552 of title 5, United States Code, that require search, review, publication, or disclosure in connection therewith when—

''(A) such information or records are not disseminated outside the Office of the Director of National Intelligence; or

''(B) such information or records are incorporated into new information or records created by personnel of the Office in a manner that identifies such new information or records as incorporating such information or records and such new information or records are not disseminated outside the Office.

''(2) Information and records described in this paragraph are the following:

''(A) Information disseminated or otherwise provided to an element of the Office of the Director of National Intelligence from the operational files of an element of the intelligence community that have been exempted from search, review, publication, or disclosure in accordance with this title or any other provision of law.

''(B) Any information or records created by the Office that incorporate information described in subparagraph (A).

''(3) An operational file of an element of the intelligence community from which information described in paragraph (2)(A) is disseminated or provided to the Office of the Director of National Intelligence as described in that paragraph shall remain exempt from search, review, publication, or disclosure under section 552 of title 5, United States Code, to the extent the operational files from which such information was derived remain exempt from search, review, publication, or disclosure under section 552 of such title.

''(b) SEARCH AND REVIEW OF CERTAIN FILES.—Information disseminated or otherwise provided to the Office of the Director of National Intelligence by another element of the intelligence community that is not exempt from search, review, publication, or disclosure under subsection (a), and that is authorized to be disseminated outside the Office, shall be subject to search and review under section 552 of title 5, United States Code, but may remain exempt from publication and disclosure under such section by the element disseminating or providing such information to the Office to the extent authorized by such section.

''(c) SEARCH AND REVIEW FOR CERTAIN PURPOSES.—Notwithstanding subsection (a), exempted operational files shall continue to be subject to search and review for information concerning any of the following:

''(1) United States citizens or aliens lawfully admitted for permanent residence who have requested information on themselves pursuant to the provisions of section 552 or 552a of title 5, United States Code.

''(2) Any special activity the existence of which is not exempt from disclosure under the provisions of section 552 of title 5, United States Code.

''(3) The specific subject matter of an investigation by any of the following for any impropriety, or violation of law, Executive order, or Presidential directive, in the conduct of an intelligence activity:

''(A) The Select Committee on Intelligence of the Senate.

''(B) The Permanent Select Committee on Intelligence of the House of Representatives.

''(C) The Intelligence Oversight Board.

''(D) The Department of Justice.

''(E) The Office of the Director of National Intelligence.

''(F) The Office of the Inspector General of the Intelligence Community.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of that Act is amended by inserting before the item relating to section 701 the following new item:

''Sec. 700. Operational files in the Office of the Director of National Intelligence.''.

SEC. 412. ELIGIBILITY FOR INCENTIVE AWARDS OF PERSONNEL ASSIGNED TO THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) IN GENERAL.—Subsection (a) of section 402 of the Intelligence Authorization Act for Fiscal Year 1984 (50 U.S.C. 403e–1) is amended to read as follows:

''(a) AUTHORITY FOR PAYMENT OF AWARDS.—(1) The Director of National Intelligence may exercise the authority granted in section 4503 of title 5, United States Code, with respect to Federal employees and members of the Armed Forces detailed or assigned to the Office of the Director of National Intelligence in the same manner as such authority may be exercised with respect to personnel of the Office.

''(2) The Director of the Central Intelligence Agency may exercise the authority granted in section 4503 of title 5, United States Code, with respect to Federal employees and members of the Armed Forces detailed or assigned to the Central Intelligence Agency in the same manner as such authority may be exercised with respect to personnel of the Agency.''.

(b) REPEAL OF OBSOLETE AUTHORITY.—That section is further amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(c) EXPEDITIOUS PAYMENT.—That section is further amended by adding at the end the following new subsection (d):

''(d) EXPEDITIOUS PAYMENT.—Payment of an award under this authority in this section shall be made as expeditiously as is practicable after the making of the award.''.

(d) CONFORMING AMENDMENTS.—That section is further amended—

(1) in subsection (b), by striking ''to the Central Intelligence Agency or to the Intelligence Community Staff'' and inserting ''to the Office of the Director of National Intelligence or to the Central Intelligence Agency''; and

(2) in subsection (c), as redesignated by subsection (b)(2) of this section, by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence or Director of the Central Intelligence Agency''.

(e) TECHNICAL AND STYLISTIC AMENDMENTS.—That section is further amended—

(1) in subsection (b)—

(A) by inserting ''PERSONNEL ELIGIBLE FOR AWARDS.—'' after ''(b)'';

(B) by striking ''subsection (a) of this section'' and inserting ''subsection (a)''; and

(C) by striking ''a date five years before the date of enactment of this section'' and inserting ''December 9, 1978''; and

(2) in subsection (c), as so redesignated, by inserting ''PAYMENT AND ACCEPTANCE OF AWARDS.—'' after ''(c)''.

SEC. 413. REPEAL OF CERTAIN AUTHORITIES RELATING TO THE OFFICE OF THE NATIONAL COUNTERINTELLIGENCE EXECUTIVE.

(a) REPEAL OF CERTAIN AUTHORITIES.—Section 904 of the Counterintelligence Enhancement Act of 2002 (title IX of Public Law 107–306; 50 U.S.C. 402c) is amended—

(1) by striking subsections (d), (g), (h), (i), and (j); and

(2) by redesignating subsections (e), (f), (k), (l), and (m) as subsections (d), (e), (f), (g), and (h), respectively.

(b) CONFORMING AMENDMENTS.—That section is further amended—

(1) in subsection (d), as redesignated by subsection (a)(2) of this section, by striking ''subsection (f)'' each place it appears in paragraphs (1) and (2) and inserting ''subsection (e)''; and

(2) in subsection (e), as so redesignated—

(A) in paragraph (1), by striking ''subsection (e)(1)'' and inserting ''subsection (d)(1)''; and

(B) in paragraph (2), by striking ''subsection (e)(2)'' and inserting ''subsection (d)(2)''.

SEC. 414. INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT TO ADVISORY COMMITTEES OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 4(b) of the Federal Advisory Committee Act (5 U.S.C. App.) is amended—

(1) in paragraph (1), by striking ''or'';

(2) in paragraph (2), by striking the period and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(3) the Office of the Director of National Intelligence.''.

SEC. 415. MEMBERSHIP OF THE DIRECTOR OF NATIONAL INTELLIGENCE ON THE TRANSPORTATION SECURITY OVERSIGHT BOARD.

Subparagraph (F) of section 115(b)(1) of title 49, United States Code, is amended to read as follows:

''(F) The Director of National Intelligence, or the Director's designee.''.

SEC. 416. APPLICABILITY OF THE PRIVACY ACT TO THE DIRECTOR OF NATIONAL INTELLIGENCE AND THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) AUTHORITY TO EXEMPT.—The Director of National Intelligence may prescribe regulations to exempt any system of records within the Office of the Director of National Intelligence from the applicability of the provisions of subsections (c)(3), (c)(4), and (d) of section 552a of title 5, United States Code.

(b) PROMULGATION REQUIREMENTS.—In prescribing any regulations under subsection (a), the Director shall comply with the requirements (including general notice requirements) of subsections (b), (c), and (e) of section 553 of title 5, United States Code.

Subtitle B—Central Intelligence Agency

SEC. 421. DIRECTOR AND DEPUTY DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.

(a) ESTABLISHMENT OF POSITION OF DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—Section 104A of the National Security Act of 1947 (50 U.S.C. 403–4a) is amended—

(1) by redesignating subsections (b), (c), (d), (e), (f), and (g) as subsections (c), (d), (e), (f), (g), and (h), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

''(b) DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—(1) There is a Deputy Director of the Central Intelligence Agency who shall be appointed by the President, by and with the advice and consent of the Senate.

''(2) The Deputy Director of the Central Intelligence Agency shall assist the Director of the Central Intelligence Agency in carrying out the duties and responsibilities of the Director.

''(3) The Deputy Director of the Central Intelligence Agency shall act for, and exercise the powers of, the Director of the Central Intelligence Agency during the absence or disability of the Director of the Central Intelligence Agency or during a vacancy in the position of Director of the Central Intelligence Agency.''.

(b) CONFORMING AMENDMENT.—Paragraph (2) of subsection (d) of such section, as redesignated by subsection (a)(1) of this section, is further amended by striking ''subsection (d)'' and inserting ''subsection (e)''.

(c) EXECUTIVE SCHEDULE LEVEL III.—Section 5314 of title 5, United States Code, is amended by adding at the end the following new item:

''Deputy Director of the Central Intelligence Agency.''.

(d) ROLE OF DNI IN APPOINTMENT.—Section 106(a)(2) of the National Security Act of 1947 (50 U.S.C. 403–6) is amended by adding at the end the following new subparagraph:

''(C) The Deputy Director of the Central Intelligence Agency.''.

(e) MILITARY STATUS OF INDIVIDUAL SERVING AS DIRECTOR OF CENTRAL INTELLIGENCE AGENCY OR ADMINISTRATIVELY PERFORMING DUTIES OF DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—(1) A commissioned officer of the Armed Forces who is serving as the Director of the Central Intelligence Agency or is engaged in administrative performance of the duties of Deputy Director of the Central Intelligence Agency as of the date of the enactment of this Act shall not, while continuing in such service, or in the administrative performance of such duties, after that date—

(A) be subject to supervision or control by the Secretary of Defense or by any officer or employee of the Department of Defense; or

(B) exercise, by reason of the officer's status as a commissioned officer, any supervision or control with respect to any of the military or civilian personnel of the Department of Defense except as otherwise authorized by law.

(2) Except as provided in subparagraph (A) or (B) of paragraph (1), the service, or the administrative performance of duties, described in that paragraph by an officer described in that paragraph shall not affect the status, position, rank, or grade of such officer in the Armed Forces, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of such status, position, rank, or grade.

(3) A commissioned officer described in paragraph (1), while serving, or continuing in the administrative performance of duties, as described in that paragraph and while remaining on active duty, shall continue to receive military pay and allowances. Funds from which such pay and allowances are paid shall be reimbursed from funds available to the Director of the Central Intelligence Agency.

(f) EFFECTIVE DATE AND APPLICABILITY.—The amendments made by subsections (a) through (d) shall take effect on the date of the enactment of this Act and shall apply upon the date of the cessation of the performance of the duties of Deputy Director of the Central Intelligence Agency by the individual administratively performing such duties as of the date of the enactment of this Act.

SEC. 422. ENHANCED PROTECTION OF CENTRAL INTELLIGENCE AGENCY INTELLIGENCE SOURCES AND METHODS FROM UNAUTHORIZED DISCLOSURE.

(a) RESPONSIBILITY OF DIRECTOR OF CENTRAL INTELLIGENCE AGENCY UNDER NATIONAL SECURITY ACT OF 1947.—Subsection (e) of section 104A of the National Security Act of 1947 (50 U.S.C. 403–4a), as redesignated by section 421(b)(1) of this Act, is further amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph (4):

''(4) protect intelligence sources and methods of the Central Intelligence Agency from unauthorized disclosure, consistent with any direction issued by the President or the Director of National Intelligence; and''.

(b) PROTECTION UNDER CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—Section 6 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403g) is amended by striking ''section 102A(i)'' and all that follows through ''unauthorized disclosure'' and inserting ''sections 102A(i) and 104A(e)(4) of the National Security Act of 1947 (50 U.S.C. 403–1(i), 403–4a(e)(4))''.

(c) CONSTRUCTION WITH EXEMPTION FROM REQUIREMENT FOR DISCLOSURE OF INFORMATION TO PUBLIC.—Section 104A(e)(4) of the National Security Act of 1947, as amended by subsection (a), and section 6 of the Central Intelligence Agency Act of 1949, as amended by subsection (b), shall be treated as statutes that specifically exempt from disclosure the matters specified in such sections for purposes of section 552(b)(3) of title 5, United States Code.

(d) TECHNICAL AMENDMENTS TO CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT.—Section 201(c) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2011(c)) is amended—

(1) in the subsection caption, by striking ''OF DCI'';

(2) by striking ''section 102A(i)'' and inserting ''sections 102A(i) and 104A(e)(4)'';

(3) by striking ''of National Intelligence''; and

(4) by inserting ''of the Central Intelligence Agency'' after ''methods''.

SEC. 423. ADDITIONAL EXCEPTION TO FOREIGN LANGUAGE PROFICIENCY REQUIREMENT FOR CERTAIN SENIOR LEVEL POSITIONS IN THE CENTRAL INTELLIGENCE AGENCY.

(a) ADDITIONAL EXCEPTION.—Subsection (h) of section 104A of the National Security Act of 1947 (50 U.S.C. 403–4a), as redesignated by section 421(b)(1) of this Act, is further amended—

(1) in paragraph (1)—

(A) by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

(B) by striking ''Directorate of Operations'' and inserting ''National Clandestine Service'';

(2) in paragraph (2), by striking ''position or category of positions'' each place it appears and inserting ''individual, individuals, position, or category of positions''; and

(3) by adding at the end the following new paragraph:

''(3) Paragraph (1) shall not apply to any individual in the Directorate of Intelligence or the National Clandestine Service of the Central Intelligence Agency who is serving in a Senior Intelligence Service position as of December 23, 2005, regardless of whether such individual is a member of the Senior Intelligence Service.''.

(b) REPORT ON WAIVERS.—Section 611(c) of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108–487; 118 Stat. 3955) is amended—

(1) by striking the first sentence and inserting the following new sentence: ''The Director of the Central Intelligence Agency shall submit to Congress a report that identifies individuals who, or positions within the Senior Intelligence Service in the Directorate of Intelligence or the National Clandestine Service of the Central Intelligence Agency that, are determined by the Director to require a waiver under subsection (h) of section 104A of the National Security Act of 1947, as added by subsection (a) and redesignated by section 421(b)(1) of the Intelligence Authorization Act for Fiscal Year 2007.''; and

(2) in the second sentence—

(A) by striking ''section 104A(g)(2), as so added'' and inserting ''subsection (h)(2) of section 104A, as so added and redesignated''; and

(B) by striking ''position or category of positions'' and inserting ''individual, individuals, position, or category of positions''.

SEC. 424. ADDITIONAL FUNCTIONS AND AUTHORITIES FOR PROTECTIVE PERSONNEL OF THE CENTRAL INTELLIGENCE AGENCY.

Section 5(a)(4) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f(a)(4)) is amended—

(1) by inserting ''(A)'' after ''(4)'';

(2) in subparagraph (A), as so designated—

(A) by striking ''and the protection'' and inserting ''the protection''; and

(B) by striking the semicolon and inserting '', and the protection of the Director of National Intelligence and such personnel of the Office of the Director of National Intelligence as the Director of National Intelligence may designate; and''; and

(3) by adding at the end the following new subparagraph:

''(B) Authorize personnel engaged in the performance of protective functions authorized pursuant to subparagraph (A), when engaged in the performance of such functions, to make arrests without warrant for any offense against the United States committed in the presence of such personnel, or for any felony cognizable under the laws of the United States, if such personnel have reasonable grounds to believe that the person to be arrested has committed or is committing such felony, except that any authority pursuant to this subparagraph may be exercised only in accordance with guidelines approved by the Director and the Attorney General and such personnel may not exercise any authority for the service of civil process or for the investigation of criminal offenses;''.

SEC. 425. DIRECTOR OF NATIONAL INTELLIGENCE REPORT ON RETIREMENT BENEFITS FOR FORMER EMPLOYEES OF AIR AMERICA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a report on the advisability of providing Federal retirement benefits to United States citizens for the service of such individuals before 1977 as employees of Air America or an associated company while such company was owned or controlled by the United States Government and operated or managed by the Central Intelligence Agency.

(b) REPORT ELEMENTS.—(1) The report required by subsection (a) shall include the following:

(A) The history of Air America and associated companies before 1977, including a description of—

(i) the relationship between such companies and the Central Intelligence Agency and other elements of the United States Government;

(ii) the workforce of such companies;

(iii) the missions performed by such companies and their employees for the United States; and

(iv) the casualties suffered by employees of such companies in the course of their employment with such companies.

(B) A description of the retirement benefits contracted for or promised to the employees of such companies before 1977, the contributions made by such employees for such benefits, the retirement benefits actually paid such employees, the entitlement of such employees to the payment of future retirement benefits, and the likelihood that former employees of such companies will receive any future retirement benefits.

(C) An assessment of the difference between—

(i) the retirement benefits that former employees of such companies have received or will receive by virtue of their employment with such companies; and

(ii) the retirement benefits that such employees would have received and in the future receive if such employees had been, or would now be, treated as employees of the United States whose services while in the employ of such companies had been or would now be credited as Federal service for the purpose of Federal retirement benefits.

(D) The recommendations of the Director regarding the advisability of legislative action to treat employment at such companies as Federal service for the purpose of Federal retirement benefits in light of the relationship between such companies and the United States Government and the services and sacrifices of such employees to and for the United States, and if legislative action is considered advisable, a proposal for such action and an assessment of its costs.

(2) The Director of National Intelligence shall include in the report any views of the Director of the Central Intelligence Agency on the matters covered by the report that the Director of the Central Intelligence Agency considers appropriate.

(c) ASSISTANCE OF COMPTROLLER GENERAL.—The Comptroller General of the United States shall, upon the request of the Director of National Intelligence and in a manner consistent with the protection of classified information, assist the Director in the preparation of the report required by subsection (a).

(d) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) DEFINITIONS.—In this section:

(1) The term ''Air America'' means Air America, Incorporated.

(2) The term ''associated company'' means any company associated with or subsidiary to Air America, including Air Asia Company Limited and the Pacific Division of Southern Air Transport, Incorporated.

Subtitle C—Defense Intelligence Components

SEC. 431. ENHANCEMENTS OF NATIONAL SECURITY AGENCY TRAINING PROGRAM.

(a) TERMINATION OF EMPLOYEES.—Subsection (d)(1)(C) of section 16 of the National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended by striking ''terminated either by'' and all that follows and inserting ''terminated—

''(i) by the Agency due to misconduct by the employee;

''(ii) by the employee voluntarily; or

''(iii) by the Agency for the failure of the employee to maintain such level of academic standing in the educational course of training as the Director of the National Security Agency shall have specified in the agreement of the employee under this subsection; and''.

(b) AUTHORITY TO WITHHOLD DISCLOSURE OF AFFILIATION WITH NSA.—Subsection (e) of such section is amended by striking ''(1) When an employee'' and all that follows through ''(2) Agency efforts'' and inserting ''Agency efforts''.

SEC. 432. CODIFICATION OF AUTHORITIES OF NATIONAL SECURITY AGENCY PROTECTIVE PERSONNEL.

The National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended by adding at the end the following new section:

''SEC. 21. (a) The Director is authorized to designate personnel of the Agency to perform protective functions for the Director and for any personnel of the Agency designated by the Director.

''(b)(1) In the performance of protective functions under this section, personnel of the Agency designated to perform protective functions pursuant to subsection (a) are authorized, when engaged in the performance of such functions, to make arrests without a warrant for—

''(A) any offense against the United States committed in the presence of such personnel; or

''(B) any felony cognizable under the laws of the United States if such personnel have reasonable grounds to believe that the person to be arrested has committed or is committing such felony.

''(2) The authority in paragraph (1) may be exercised only in accordance with guidelines approved by the Director and the Attorney General.

''(3) Personnel of the Agency designated to perform protective functions pursuant to subsection (a) shall not exercise any authority for the service of civil process or the investigation of criminal offenses.

''(c) Nothing in this section shall be construed to impair or otherwise affect any authority under any other provision of law relating to the performance of protective functions.''.

SEC. 433. INSPECTOR GENERAL MATTERS.

(a) COVERAGE UNDER INSPECTOR GENERAL ACT OF 1978.—Subsection (a)(2) of section 8G of the Inspector General Act of 1978 (5 U.S.C. App. 8G) is amended—

(1) by inserting ''the Defense Intelligence Agency,'' after ''the Corporation for Public Broadcasting,'';

(2) by inserting ''the National Geospatial-Intelligence Agency,'' after ''the National Endowment for the Arts,''; and

(3) by inserting ''the National Reconnaissance Office, the National Security Agency,'' after ''the National Labor Relations Board,''.

(b) CERTAIN DESIGNATIONS UNDER INSPECTOR GENERAL ACT OF 1978.—Subsection (a) of section 8H of the Inspector General Act of 1978 (5 U.S.C. App. 8H) is amended by adding at the end the following new paragraph:

''(3) The Inspectors General of the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Reconnaissance Office, and the National Security Agency shall be designees of the Inspector General of the Department of Defense for purposes of this section.''.

(c) POWER OF HEADS OF ELEMENTS OVER INVESTIGATIONS.—Subsection (d) of section 8G of that Act—

(1) by inserting ''(1)'' after ''(d)'';

(2) in the second sentence of paragraph (1), as designated by paragraph (1) of this subsection, by striking ''The head'' and inserting ''Except as provided in paragraph (2), the head''; and

(3) by adding at the end the following new paragraph:

''(2)(A) The Director of National Intelligence or the Secretary of Defense may prohibit the Inspector General of an element of the intelligence community specified in subparagraph (D) from initiating, carrying out, or completing any audit or investigation if the Director or the Secretary, as the case may be, determines that the prohibition is necessary to protect vital national security interests of the United States.

''(B) If the Director or the Secretary exercises the authority under subparagraph (A), the Director or the Secretary, as the case may be, shall submit to the committees of Congress specified in subparagraph (E) an appropriately classified statement of the reasons for the exercise of the authority not later than seven days after the exercise of the authority.

''(C) At the same time the Director or the Secretary submits under subparagraph (B) a statement on the exercise of the authority in subparagraph (A) to the committees of Congress specified in subparagraph (E), the Director or the Secretary, as the case may be, shall notify the Inspector General of such element of the submittal of such statement and, to the extent consistent with the protection of intelligence sources and methods, provide the Inspector General with a copy of such statement. The Inspector General may submit to such committees of Congress any comments on a notice or statement received by the Inspector General under this subparagraph that the Inspector General considers appropriate.

''(D) The elements of the intelligence community specified in this subparagraph are as follows:

''(i) The Defense Intelligence Agency.

''(ii) The National Geospatial-Intelligence Agency.

''(iii) The National Reconnaissance Office.

''(iv) The National Security Agency.

''(E) The committees of Congress specified in this subparagraph are—

''(i) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

''(ii) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.''.

SEC. 434. CONFIRMATION OF APPOINTMENT OF HEADS OF CERTAIN COMPONENTS OF THE INTELLIGENCE COMMUNITY.

(a) DIRECTOR OF NATIONAL SECURITY AGENCY.—The National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended by inserting after the first section the following new section:

''SEC. 2. (a) There is a Director of the National Security Agency.

''(b) The Director of the National Security Agency shall be appointed by the President, by and with the advice and consent of the Senate.

''(c) The Director of the National Security Agency shall be the head of the National Security Agency and shall discharge such functions and duties as are provided by this Act or otherwise by law.''.

(b) DIRECTOR OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.—Section 441(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) The Director of the National Geospatial Intelligence Agency shall be appointed by the President, by and with the advice and consent of the Senate.''.

(c) DIRECTOR OF NATIONAL RECONNAISSANCE OFFICE.—The Director of the National Reconnaissance Office shall be appointed by the President, by and with the advice and consent of the Senate.

(d) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—

(1) DESIGNATION OF POSITIONS.—The President may designate any of the positions referred to in paragraph (2) as positions of importance and responsibility under section 601 of title 10, United States Code.

(2) COVERED POSITIONS.—The positions referred to in this paragraph are as follows:

(A) The Director of the National Security Agency.

(B) The Director of the National Geospatial-Intelligence Agency.

(C) The Director of the National Reconnaissance Office.

(e) EFFECTIVE DATE AND APPLICABILITY.—(1) The amendments made by subsections (a) and (b), and subsection (c), shall take effect on the date of the enactment of this Act and shall apply upon the earlier of—

(A) the date of the nomination by the President of an individual to serve in the position concerned, except that the individual serving in such position as of the date of the enactment of this Act may continue to perform such duties after such date of nomination and until the individual appointed to such position, by and with the advice and consent of the Senate, assumes the duties of such position; or

(B) the date of the cessation of the performance of the duties of such position by the individual performing such duties as of the date of the enactment of this Act.

(2) Subsection (d) shall take effect on the date of the enactment of this Act.

SEC. 435. CLARIFICATION OF NATIONAL SECURITY MISSIONS OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY FOR ANALYSIS AND DISSEMINATION OF CERTAIN INTELLIGENCE INFORMATION.

Section 442(a) of title 10, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2)(A) As directed by the Director of National Intelligence, the National Geospatial-Intelligence Agency shall also analyze, disseminate, and incorporate into the National System for Geospatial-Intelligence, likenesses, videos, or presentations produced by ground-based platforms, including handheld or clandestine photography taken by or on behalf of human intelligence collection organizations or available as open-source information.

''(B) The authority provided by this paragraph does not include the authority to manage or direct the tasking of, set requirements and priorities for, set technical requirements related to, or modify any classification or dissemination limitations related to the collection of, handheld or clandestine photography taken by or on behalf of human intelligence collection organizations.''; and

(3) in paragraph (3), as so redesignated, by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)''.

SEC. 436. SECURITY CLEARANCES IN THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

The Secretary of Defense shall, during the period beginning on the date of the enactment of this Act and ending on December 31, 2007, delegate to the Director of the National Geospatial-Intelligence Agency personnel security authority with respect to the National Geospatial-Intelligence Agency (including authority relating to the use of contractor personnel in investigations and adjudications for security clearances) that is identical to the personnel security authority of the Director of the National Security Agency with respect to the National Security Agency.

Subtitle D—Other Elements

SEC. 441. FOREIGN LANGUAGE INCENTIVE FOR CERTAIN NON-SPECIAL AGENT EMPLOYEES OF THE FEDERAL BUREAU OF INVESTIGATION.

(a) AUTHORITY TO PAY INCENTIVE.—The Director of the Federal Bureau of Investigation may pay a cash award authorized by section 4523 of title 5, United States Code, in accordance with the provisions of such section, to any employee of the Federal Bureau of Investigation described in subsection (b) as if such employee were a law enforcement officer as specified in such section.

(b) COVERED EMPLOYEES.—An employee of the Federal Bureau of Investigation described in this subsection is any employee of the Federal Bureau of Investigation—

(1) who uses foreign language skills in support of the analyses, investigations, or operations of the Bureau to protect against international terrorism or clandestine intelligence activities (or maintains foreign language skills for purposes of such support); and

(2) whom the Director of the Federal Bureau of Investigation, subject to the joint guidance of the Attorney General and the Director of National Intelligence, may designate for purposes of this section.

SEC. 442. AUTHORITY TO SECURE SERVICES BY CONTRACT FOR THE BUREAU OF INTELLIGENCE AND RESEARCH OF THE DEPARTMENT OF STATE.

Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by inserting after section 23 the following new section:

''SERVICES BY CONTRACT FOR BUREAU OF INTELLIGENCE AND RESEARCH

''SEC. 23A. (a) AUTHORITY TO ENTER INTO CONTRACTS.—The Secretary may enter into contracts with individuals or organizations for the provision of services in support of the mission of the Bureau of Intelligence and Research of the Department of State if the Secretary determines that—

''(1) the services to be procured are urgent or unique; and

''(2) it would not be practicable for the Department to obtain such services by other means.

''(b) TREATMENT AS EMPLOYEES OF THE UNITED STATES GOVERNMENT.—(1) Individuals employed under a contract pursuant to the authority in subsection (a) shall not, by virtue of the performance of services under such contract, be considered employees of the United States Government for purposes of any law administered by the Office of Personnel Management.

''(2) The Secretary may provide for the applicability to individuals described in paragraph (1) of any law administered by the Secretary concerning the employment of such individuals.

''(c) CONTRACT TO BE APPROPRIATE MEANS OF SECURING SERVICES.—The chief contracting officer of the Department of State

shall ensure that each contract entered into by the Secretary under this section is the appropriate means of securing the services to be provided under such contract.''.

SEC. 443. CLARIFICATION OF INCLUSION OF COAST GUARD AND DRUG ENFORCEMENT ADMINISTRATION AS ELEMENTS OF THE INTELLIGENCE COMMUNITY.

Section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)) is amended—

(1) in subparagraph (H)—

(A) by inserting ''the Coast Guard,'' after ''the Marine Corps,''; and

(B) by inserting ''the Drug Enforcement Administration,'' after ''the Federal Bureau of Investigation,''; and

(2) in subparagraph (K), by striking '', including the Office of Intelligence of the Coast Guard''.

SEC. 444. CLARIFYING AMENDMENTS RELATING TO SECTION 105 OF THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2004.

Section 105(b) of the Intelligence Authorization Act for Fiscal Year 2004 (Public Law 108–177; 117 Stat. 2603; 31 U.S.C. 311 note) is amended—

(1) by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence''; and

(2) by inserting ''or in section 313 of such title,'' after ''subsection (a)),''.

TITLE V—OTHER MATTERS

SEC. 501. TECHNICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947.

The National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended as follows:

(1) In section 102A (50 U.S.C. 403–1)—

(A) in subsection (c)(7)(A), by striking ''section'' and inserting ''subsection'';

(B) in subsection (d)—

(i) in paragraph (3), by striking ''subparagraph (A)'' in the matter preceding subparagraph (A) and inserting ''paragraph (1)(A)'';

(ii) in paragraph (5)(A), by striking ''or personnel'' in the matter preceding clause (i); and

(iii) in paragraph (5)(B), by striking ''or agency involved'' in the second sentence and inserting ''involved or the Director of the Central Intelligence Agency (in the case of the Central Intelligence Agency)'';

(C) in subsection (l)(2)(B), by striking ''section'' and inserting ''paragraph''; and

(D) in subsection (n), by inserting ''AND OTHER'' after ''ACQUISITION''.

(2) In section 119(c)(2)(B) (50 U.S.C. 404o(c)(2)(B)), by striking ''subsection (h)'' and inserting ''subsection (i)''.

(3) In section 705(e)(2)(D)(i) (50 U.S.C. 432c(e)(2)(D)(i)), by striking ''responsible'' and inserting ''responsive''.

SEC. 502. TECHNICAL CLARIFICATION OF CERTAIN REFERENCES TO JOINT MILITARY INTELLIGENCE PROGRAM AND TACTICAL INTELLIGENCE AND RELATED ACTIVITIES.

Section 102A of the National Security Act of 1947 (50 U.S.C. 403–1) is amended—

(1) in subsection (c)(3)(A), by striking ''annual budgets for the Joint Military Intelligence Program and for Tactical Intelligence and Related Activities'' and inserting ''annual budget for the Military Intelligence Program or any successor program or programs''; and

(2) in subsection (d)(1)(B), by striking ''Joint Military Intelligence Program'' and inserting ''Military Intelligence Program or any successor program or programs''.

SEC. 503. TECHNICAL AMENDMENTS TO THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

(a) AMENDMENTS TO NATIONAL SECURITY INTELLIGENCE REFORM ACT OF 2004.—The National Security Intelligence Reform Act of 2004 (title I of Public Law 108–458) is further amended as follows:

(1) In section 1016(e)(10)(B) (6 U.S.C. 458(e)(10)(B)), by striking ''Attorney General'' the second place it appears and inserting ''Department of Justice''.

(2) In section 1061 (5 U.S.C. 601 note)—

(A) in subsection (d)(4)(A), by striking ''National Intelligence Director'' and inserting ''Director of National Intelligence''; and

(B) in subsection (h), by striking ''National Intelligence Director'' and inserting ''Director of National Intelligence''.

(3) In section 1071(e), by striking ''(1)''.

(4) In section 1072(b), by inserting ''AGENCY'' after ''INTELLIGENCE''.

(b) OTHER AMENDMENTS TO INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—The Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458) is amended as follows:

(1) In section 2001 (28 U.S.C. 532 note)—

(A) in subsection (c)(1), by inserting ''of'' before ''an institutional culture'';

(B) in subsection (e)(2), by striking ''the National Intelligence Director in a manner consistent with section 112(e)'' and inserting ''the Director of National Intelligence in a manner consistent with applicable law''; and

(C) in subsection (f), by striking ''shall,'' in the matter preceding paragraph (1) and inserting ''shall''.

(2) In section 2006 (28 U.S.C. 509 note)—

(A) in paragraph (2), by striking ''the Federal'' and inserting ''Federal''; and

(B) in paragraph (3), by striking ''the specific'' and inserting ''specific''.

SEC. 504. TECHNICAL AMENDMENTS TO TITLE 10, UNITED STATES CODE, ARISING FROM ENACTMENT OF THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

(a) REFERENCES TO HEAD OF INTELLIGENCE COMMUNITY.—Title 10, United States Code, is amended by striking ''Director of Central Intelligence'' each place it appears in a provision as follows and inserting ''Director of National Intelligence'':

(1) Section 193(d)(2).
(2) Section 193(e).
(3) Section 201(a).
(4) Section 201(b)(1).
(5) Section 201(c)(1).
(6) Section 425(a).
(7) Section 431(b)(1).
(8) Section 441(c).
(9) Section 441(d).
(10) Section 443(d).
(11) Section 2273(b)(1).
(12) Section 2723(a).

(b) CLERICAL AMENDMENTS.—Such title is further amended by striking ''DIRECTOR OF CENTRAL INTELLIGENCE'' each place it appears in a provision as follows and inserting ''DIRECTOR OF NATIONAL INTELLIGENCE'':

(1) Section 441(c).
(2) Section 443(d).

(c) REFERENCE TO HEAD OF CENTRAL INTELLIGENCE AGENCY.—Section 444 of such title is amended by striking ''Director of Central Intelligence'' each place it appears and inserting ''Director of the Central Intelligence Agency''.

SEC. 505. TECHNICAL AMENDMENT TO THE CENTRAL INTELLIGENCE AGENCY ACT OF 1949.

Section 5(a)(1) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f(a)(1)) is amended by striking ''authorized under paragraphs (2) and (3) of section 102(a), subsections (c)(7) and (d) of section 103, subsections (a) and (g) of section 104, and section 303 of the National Security Act of 1947 (50 U.S.C. 403(a)(2), (3), 403–3(c)(7), (d), 403–4(a), (g), and 405)'' and inserting ''authorized under subsections (d), (e), (f), and (g) of section 104A of the National Security Act of 1947 (50 U.S.C. 403–4a).''.

SEC. 506. TECHNICAL AMENDMENTS RELATING TO THE MULTIYEAR NATIONAL INTELLIGENCE PROGRAM.

(a) IN GENERAL.—Subsection (a) of section 1403 of the National Defense Authorization Act for Fiscal Year 1991 (50 U.S.C. 404b) is amended—

(1) in the subsection caption, by striking ''FOREIGN''; and

(2) by striking ''foreign'' each place it appears.

(b) RESPONSIBILITY OF DNI.—That section is further amended—

(1) in subsections (a) and (c), by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence''; and

(2) in subsection (b), by inserting ''of National Intelligence'' after ''Director''.

(c) CONFORMING AMENDMENT.—The heading of that section is amended to read as follows:

''SEC. 1403. MULTIYEAR NATIONAL INTELLIGENCE PROGRAM.''.

SEC. 507. TECHNICAL AMENDMENTS TO THE EXECUTIVE SCHEDULE.

(a) EXECUTIVE SCHEDULE LEVEL II.—Section 5313 of title 5, United States Code, is amended by striking the item relating to the Director of Central Intelligence and inserting the following new item:

''Director of the Central Intelligence Agency.''.

(b) EXECUTIVE SCHEDULE LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking the item relating to the Deputy Directors of Central Intelligence.

(c) EXECUTIVE SCHEDULE LEVEL IV.—Section 5315 of title 5, United States Code, is amended by striking the item relating to the General Counsel of the Office of the National Intelligence Director and inserting the following new item:

''General Counsel of the Office of the Director of National Intelligence.''.

SEC. 508. TECHNICAL AMENDMENTS RELATING TO REDESIGNATION OF THE NATIONAL IMAGERY AND MAPPING AGENCY AS THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

(a) TITLE 5, UNITED STATES CODE.—(1) Title 5, United States Code, is amended by striking ''National Imagery and Mapping Agency'' each place it appears in a provision as follows and inserting ''National Geospatial-Intelligence Agency'':

(A) Section 2302(a)(2)(C)(ii).
(B) Section 3132(a)(1)(B).
(C) Section 4301(1) (in clause (ii)).
(D) Section 4701(a)(1)(B).
(E) Section 5102(a)(1) (in clause (x)).
(F) Section 5342(a)(1) (in clause (K)).
(G) Section 6339(a)(1)(E).
(H) Section 7323(b)(2)(B)(i)((XIII).

(2) Section 6339(a)(2)(E) of such title is amended by striking ''National Imagery and Mapping Agency, the Director of the National Imagery and Mapping Agency'' and inserting ''National Geospatial-Intelligence Agency, the Director of the National Geospatial-Intelligence Agency''.

(b) TITLE 44, UNITED STATES CODE.—(1)(A) Section 1336 of title 44, United States Code, is amended by striking ''National Imagery and Mapping Agency'' both places it appears and inserting ''National Geospatial-Intelligence Agency''.

(B) The heading of such section is amended to read as follows:

''§ 1336. National Geospatial-Intelligence Agency: special publications''.

(2) The table of sections at the beginning of chapter 13 of such title is amended by striking the item relating to section 1336 and inserting the following new item:

''1336. National Geospatial-Intelligence Agency: special publications.''.

(c) HOMELAND SECURITY ACT OF 2002.—Section 201(f)(2)(E) of the Homeland Security

Act of 2002 (6 U.S.C. 121(f)(2)(E)) is amended by striking ''National Imagery and Mapping Agency'' and inserting ''National Geospatial-Intelligence Agency''.

(d) INSPECTOR GENERAL ACT OF 1978.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking ''National Imagery and Mapping Agency'' each place it appears and inserting ''National Geospatial-Intelligence Agency''.

(e) ETHICS IN GOVERNMENT ACT OF 1978.—Section 105(a)(1) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking ''National Imagery and Mapping Agency'' and inserting ''National Geospatial-Intelligence Agency''.

(f) OTHER ACTS.—(1) Section 7(b)(2)(A)(i) of the Employee Polygraph Protection Act of 1988 (29 U.S.C. 2006(b)(2)(A)(i)) is amended by striking ''National Imagery and Mapping Agency'' and inserting ''National Geospatial-Intelligence Agency''.

(2) Section 207(a)(2)(B) of the Legislative Branch Appropriations Act, 1993 (44 U.S.C. 501 note) is amended by striking ''National Imagery and Mapping Agency'' and inserting ''National Geospatial-Intelligence Agency''.

SA 878. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert:

SEC. ____. JURISDICTION OVER INTELLIGENCE APPROPRIATIONS.

Notwithstanding subparagraph (b) of paragraph 1 of rule XXV of the Standing Rules of the Senate, the Select Committee on Intelligence shall have jurisdiction over all proposed legislation, messages, petitions, memorials, and other matters relating to appropriation, rescission of appropriations, and new spending authority related to funding for intelligence matters.

SA 879. Mr. INHOFE (for himself and Mr. CRAIG) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

SEC. ____. SENSE OF CONGRESS REGARDING PRESIDENTIAL AUTHORITY TO CONTROL FOREIGN POLICY.

(a) FINDINGS.—Congress finds the following:

(1) Article II, section 1 of the Constitution of the United States grants ''executive Power'' to the President of the United States.

(2) James Madison wrote in Federalist No. 47 that Charles de Montesquieu was ''[t]he oracle who is always consulted and cited'' on issues dealing with separation of powers, and, in ''The Spirit of the Laws'', Montesquieu defined the executive power ''in respect to things dependent on the law of nations'' and as the power by which the ''magistrate . . . makes peace or war, sends or receives embassies, establishes the public security, and provides against invasions''.

(3) In a speech to Congress in 1789, James Madison noted that the ''association of the Senate with the President in exercising [the appointment] function, is an exception to this general rule [that executive power is vested solely in the President]; and exceptions to general rules . . . are ever to be taken strictly''.

(4) In 1790, Thomas Jefferson wrote, ''The transaction of business with foreign nations is executive altogether. It belongs, then, to the head of that department, except as to such portions of it as are specially submitted to the Senate. Exceptions are to be construed strictly.''.

(5) Alexander Hamilton reaffirmed this view in 1793, asserting ''that as the participation of the Senate in the making of treaties, and the power of the legislature to declare war, are exceptions out of the general 'executive power' vested in the President, they are to be construed strictly, and ought to be extended no further than is essential to their execution''.

(6) John Marshall, during his congressional term in 1799, reaffirmed that the President was ''the sole organ of the nation in its external relations'' because ''[h]e possesses the whole Executive Power''.

(7) In 1936, the Supreme Court, in *United States* v. *Curtiss-Wright Export Corporation*, 299 U.S. 304, stated, ''Not only, as we have shown, is the federal power over external affairs in origin and essential character different from that over internal affairs, but participation in the exercise of the power is significantly limited. In this vast external realm, with its important, complicated, delicate and manifold problems, the President alone has the power to speak or listen as a representative of the nation. He makes treaties with the advise and consent of the Senate; but he alone negotiates. Into the field of negotiation the Senate cannot intrude, and Congress itself is powerless to invade it.''.

(8) Section 953 of title 18, United States Code, originally enacted in 1799 as the Logan Act (1 Stat. 613), states, ''Any citizen of the United States, wherever he may be, who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof, with intent to influence the measures or conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the United States, shall be fined under this title or imprisoned not more than three years, or both. This section shall not abridge the right of a citizen to apply himself, or his agent, to any foreign government, or the agents thereof, for redress of any injury which he may have sustained from such government or any of its agents or subjects.''.

(9) In 1952, Senator Arthur Vandenberg asserted that ''politics stop at the water's edge''.

(10) Intrusions on the executive power of the President by Members of Congress have had negative effects on foreign policy, and, in the past, some Members of Congress have tried to subvert the goals and aims of the executive branch by pursuing foreign policy goals that are contrary to those of the President.

(11) In 1987 and 1988, Speaker of the House Jim Wright attempted to engage in diplomacy between the Sandinista Government of Nicaragua and the Contra regime against the expressed aims of President Ronald Reagan. Speaker Wright's actions undermined the authority and leveraging power of the President at a crucial time in the Nation's history and also ignored the finding of the Permanent Select Committee on Intelligence of the House of Representatives that the Government of Nicaragua was planning to use military force against coterminous states.

(12) In 1980, Representative Charlie Wilson began urging the Central Intelligence Agency to arm Afghani mujahideen fighters. The decision to double funding to Afghanistan was unsolicited and was made without the knowledge of the President. The book ''Charlie Wilson's War'', written by George Crile, asserts that Representative Wilson thus violated the Logan Act.

(13) In 1983, the decision of Congress to attach a stipulation to legislation authorizing the extension of the presence of the Marines in Beirut, which stated that the extension could be withdrawn if fatalities continued, possibly led to the suicide bombing of the Marine barracks on October 23, 1983, causing the deaths of 241 members of the Armed Forces of the United States.

(14) It is essential that the President alone have the ability to formulate foreign policy and engage in diplomacy.

(15) The offices of the Speaker of the House of Representatives and the Majority Leader of the Senate are positions of special responsibility, seen as ''authoritative'' by foreign governments, and thus, the Speaker of the House and the Majority Leader of the Senate should be held accountable for actions that may be seen by foreign governments as contrary to the foreign policy goals of the President.

(16) Recent actions by Speaker of the House Nancy Pelosi, whether intentionally or unintentionally, have undermined the President's foreign policy toward Syria by giving a false impression of the positions of the United States and Israel on negotiations with the Government of Syria.

(17) It is essential that Members of Congress be viewed as supportive of the President's execution of foreign policy.

(18) It is harmful and dangerous for the executive power of the President to be subjugated by Congress.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is not in the interests of the United States for Members of Congress to intervene in disputes between the United States Government and governments of foreign countries without the authorization of the President; and

(2) Members of Congress should heed the foreign policies of the President while traveling outside the United States and meeting with foreign governments.

SA 880. Mr. INHOFE (for himself and Mr. CRAIG) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

SEC. ____. SENSE OF CONGRESS REGARDING PRESIDENTIAL AUTHORITY TO CONTROL FOREIGN POLICY.

(a) FINDINGS.—Congress finds the following:

(1) Article II, section 1 of the Constitution of the United States grants ''executive Power'' to the President of the United States.

(2) James Madison wrote in Federalist No. 47 that Charles de Montesquieu was ''[t]he oracle who is always consulted and cited'' on

issues dealing with separation of powers, and, in ''The Spirit of the Laws'', Montesquieu defined the executive power ''in respect to things dependent on the law of nations'' and as the power by which the ''magistrate . . . makes peace or war, sends or receives embassies, establishes the public security, and provides against invasions''.

(3) In a speech to Congress in 1789, James Madison noted that the ''association of the Senate with the President in exercising [the appointment] function, is an exception to this general rule [that executive power is vested solely in the President]; and exceptions to general rules . . . are ever to be taken strictly''.

(4) In 1790, Thomas Jefferson wrote, ''The transaction of business with foreign nations is executive altogether. It belongs, then, to the head of that department, except as to such portions of it as are specially submitted to the Senate. Exceptions are to be construed strictly.''.

(5) Alexander Hamilton reaffirmed this view in 1793, asserting ''that as the participation of the Senate in the making of treaties, and the power of the legislature to declare war, are exceptions out of the general 'executive power' vested in the President, they are to be construed strictly, and ought to be extended no further than is essential to their execution''.

(6) John Marshall, during his congressional term in 1799, reaffirmed that the President was ''the sole organ of the nation in its external relations'' because ''[h]e possesses the whole Executive Power''.

(7) In 1936, the Supreme Court, in *United States* v. *Curtiss-Wright Export Corporation*, 299 U.S. 304, stated, ''Not only, as we have shown, is the federal power over external affairs in origin and essential character different from that over internal affairs, but participation in the exercise of the power is significantly limited. In this vast external realm, with its important, complicated, delicate and manifold problems, the President alone has the power to speak or listen as a representative of the nation. He makes treaties with the advise and consent of the Senate; but he alone negotiates. Into the field of negotiation the Senate cannot intrude, and Congress itself is powerless to invade it.''.

(8) Section 953 of title 18, United States Code, originally enacted in 1799 as the Logan Act (1 Stat. 613), states, ''Any citizen of the United States, wherever he may be, who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof, with intent to influence the measures or conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the United States, shall be fined under this title or imprisoned not more than three years, or both. This section shall not abridge the right of a citizen to apply himself, or his agent, to any foreign government, or the agents thereof, for redress of any injury which he may have sustained from such government or any of its agents or subjects.''.

(9) In 1952, Senator Arthur Vandenberg asserted that ''politics stop at the water's edge''.

(10) Intrusions on the executive power of the President by Members of Congress have had negative effects on foreign policy, and, in the past, some Members of Congress have tried to subvert the goals and aims of the executive branch by pursuing foreign policy goals that are contrary to those of the President.

(11) In 1987 and 1988, Speaker of the House Jim Wright attempted to engage in diplomacy between the Sandinista Government of Nicaragua and the Contra regime against the expressed aims of President Ronald Reagan. Speaker Wright's actions undermined the authority and leveraging power of the President at a crucial time in the Nation's history and also ignored the finding of the Permanent Select Committee on Intelligence of the House of Representatives that the Government of Nicaragua was planning to use military force against coterminous states.

(12) In 1980, Representative Charlie Wilson began urging the Central Intelligence Agency to arm Afghani mujahideen fighters. The decision to double funding to Afghanistan was unsolicited and was made without the knowledge of the President. The book ''Charlie Wilson's War'', written by George Crile, asserts that Representative Wilson thus violated the Logan Act.

(13) In 1983, the decision of Congress to attach a stipulation to legislation authorizing the extension of the presence of the Marines in Beirut, which stated that the extension could be withdrawn if fatalities continued, possibly led to the suicide bombing of the Marine barracks on October 23, 1983, causing the deaths of 241 members of the Armed Forces of the United States.

(14) It is essential that the President alone have the ability to formulate foreign policy and engage in diplomacy.

(15) The offices of the Speaker of the House of Representatives and the Majority Leader of the Senate are positions of special responsibility, seen as ''authoritative'' by foreign governments, and thus, the Speaker of the House and the Majority Leader of the Senate should be held accountable for actions that may be seen by foreign governments as contrary to the foreign policy goals of the President.

(16) Recent actions by Speaker of the House Nancy Pelosi, whether intentionally or unintentionally, have undermined the President's foreign policy toward Syria by giving a false impression of the positions of the United States and Israel on negotiations with the Government of Syria.

(17) It is essential that Members of Congress be viewed as supportive of the President's execution of foreign policy.

(18) It is harmful and dangerous for the executive power of the President to be subjugated by Congress.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is not in the interests of the United States for Members of Congress to intervene in disputes between the United States Government and governments of foreign countries without the authorization of the President; and

(2) Members of Congress should heed the foreign policies of the President while traveling outside the United States and meeting with foreign governments.

SA 881. Mr. WYDEN (for himself, Mr. BOND, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IV, insert the following:

SEC. 426. AVAILABILITY OF THE EXECUTIVE SUMMARY OF THE REPORT ENTITLED "CIA ACCOUNTABILITY WITH RESPECT TO THE 9/11 ATTACKS".

(a) PUBLIC AVAILABILITY.—Not later than 30 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall make available to the public an unclassified version of the Executive Summary of the report of the Inspector General of the Central Intelligence Agency entitled ''Office of Inspector General Report on Central Intelligence Agency Accountability Regarding Findings and Conclusion of the Report of the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attack of September 11, 2001'' issued in June 2005 that redacts any classified material contained in the Executive Summary.

(b) REPORT TO CONGRESS.—The Director of the Central Intelligence Agency shall submit to Congress a classified annex to the redacted Executive Summary made available under subsection (a) that explains the reason that any redacted material in the Executive Summary was withheld from the public.

SA 882. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

On page 43, line 14, strike the period and insert '', if the Director of National Intelligence determines that publication of such description or determination would not endanger national security.''

SA 883. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. __. PROHIBITION OF WAR CRIMES PROSECUTION.

(a) SHORT TITLE.—This section may be cited as the ''Prohibition of Foreign War Crimes Prosecutions of Americans Act of 2007''.

(b) IN GENERAL.—Chapter 118 of title 18, United States Code, is amended by adding at the end the following:

"§ 2442. International criminal court

''(a) OFFENSE.—Except as provided under subsection (b), it shall be unlawful for any person, acting under the authority of the International Criminal Court, another international organization, or a foreign government, to knowingly indict, apprehend, detain, prosecute, convict, or participate in the imposition or carrying out of any sentence or other penalty on, any American in connection with any proceeding by or before the International Criminal Court, another international organization, or a foreign government in which that American is accused of a war crime.

''(b) EXCEPTION.—Subsection (a) shall not apply in connection with a criminal proceeding instituted by the government of a foreign country within the courts of such country with respect to a war crime allegedly committed—

''(1) on territory subject to the sovereign jurisdiction of such government; or

''(2) against persons who were nationals of such country at the time that the war crime is alleged to have been committed.

''(c) CRIMINAL PENALTY.—

''(1) IN GENERAL.—Any person who violates subsection (a) shall be fined not more than $5,000,000, imprisoned under paragraph (2), or both.

''(2) PRISON SENTENCE.—The maximum term of imprisonment for an offense under this section is the greater of—

''(A) 5 years; or

''(B) the maximum term that could be imposed on the American in the criminal proceeding described in subsection (a) with respect to which the violation took place.

''(d) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial jurisdiction over an offense under this section.

''(e) CIVIL REMEDY.—Any person who is aggrieved by a violation described in subsection (a) may, in a civil action, obtain appropriate relief, including—

''(1) punitive damages; and

''(2) a reasonable attorney's fee as part of the costs.

''(f) DEFINITIONS.—In this section—

''(1) the term 'American' means any citizen or national of the United States, or any other person employed by or working under the direction of the United States Government;

''(2) the term 'indict' includes—

''(A) the formal submission of an order or request for the prosecution or arrest of a person; and

''(B) the issuance of a warrant or other order for the arrest of a person,

by an official of the International Criminal Court, another international organization, or a foreign government;

''(3) the term 'International Criminal Court' means the court established by the Rome Statute of the International Criminal Court adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of and International Criminal Court on July 17, 1998; and

''(4) the term 'war crime' means any offense that is within the jurisdiction of the International Criminal Court at the time the offense is committed.''.

(c) CLERICAL AMENDMENT.—The table of sections in chapter 118 of title 18, United States Code, is amended by adding at the end the following:

''2442. International criminal court.''.

SA 884. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. PENALTIES FOR VIOLATIONS OF THE INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

Section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) is amended to read as follows:

''PENALTIES

''SEC. 206. (a) It shall be unlawful for—

''(1) a person to violate, or conspire to or attempt to violate, any license, order, regulation, or prohibition issued under this title;

''(2) a person subject to the jurisdiction of the United States to take any action to evade or avoid, or attempt to evade or avoid, a license, order, regulation, or prohibition issued under this title; or

''(3) a person subject to the jurisdiction of the United States to approve, facilitate, or provide financing for any action, regardless of who initiates or completes the action, if it would be unlawful for such person to initiate or complete the action.

''(b) A civil penalty not to exceed $250,000 may be imposed on any person who commits an unlawful act described in subsection (a).

''(c) A person who willfully commits, or willfully attempts to commit, an unlawful act described in subsection (a), shall, upon conviction for such unlawful act—

''(1) if a corporation, be fined not more than $500,000;

''(2) if a natural person, be fined not more than $500,000, or imprisoned not more than 10 years, or both; or

''(3) if an officer, director, or agent of a corporation who knowingly participates, or attempts to participate, in such unlawful act, be fined not more than $500,000, or imprisoned not more than 10 years, or both.''.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. FEINSTEIN. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, April 18, 2007, at 10 a.m., to conduct a hearing on Repealing Limitation on Party Expenditures on Behalf of Candidates in General Elections.

For further information regarding this hearing, please contact Howard Gantman at the Rules and Administration Committee on 224–6352.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Energy, Committee on Energy and Natural Resources.

The hearing will be held on April 23, 2007 at 3 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 1115, a bill to promote the efficient use of oil, natural gas, and electricity, reduce oil consumption, and heighten energy efficiency standards for consumer products and industrial equipment, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Deborah Estes at (202) 224–4971 or Britni Rillera at (202) 224–1219.

JOINT COMMITTEE ON THE LIBRARY

Mrs. FEINSTEIN. Mr. President, I wish to announce that the Joint Committee of Congress on the Library will meet on Wednesday, April 18, 2007, at 2:15 p.m., in S–115 to conduct its organization meeting for the 110th Congress.

For further information regarding this hearing, please contact Howard Gantman at the Rules and Administration Committee on 224–6352.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. KERRY. Mr. President, the Chairman would like to inform the Members of the Committee that the Committee will hold a hearing entitled ''Sarbanes-Oxley and Small Business: Addressing Proposed Regulatory Changes and their Impact on Capital Markets,'' on Wednesday, April 18, 2007 at 10 a.m. in room 428A of the Russell Senate Office Building.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Monday, April 16, 2007, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on S. 731, National Carbon Dioxide Storage Capacity Assessment Act of 2007 and S. 962, Department of Energy Carbon Capture and Storage Research, Development, and Demonstration Act of 2007.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS

The PRESIDING OFFICER. The chair, on behalf of the Republican leader, pursuant to Section 154 of Public Law 108–199, appoints the following Senator as Vice Chairman of the Senate Delegation to the U.S.-Russia Interparliamentary Group conference during the 110th Congress: the Honorable TRENT LOTT of Mississippi.

The Chair, on behalf of the Majority Leader, pursuant to Section 154 of Public Law 108–199, appoints the following Senator as Chairman of the Senate Delegation to the U.S.-Russia Interparliamentary Group conference during the 110th Congress: the Honorable E. BENJAMIN NELSON of Nebraska.

ORDERS FOR TUESDAY, APRIL 17, 2007

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Tuesday, April 17; that on Tuesday, following the prayer and the pledge, the Journal

of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with the first 30 minutes under the control of the Republican leader or his designee, and the final 30 minutes under the control of the majority leader or his designee; that at close of morning business, the Senate resume consideration of S. 372, the Intelligence authorization bill; that on Tuesday, the Senate stand in recess from 12:30 p.m. to 2:15 p.m. in order to accommodate the respective party conference work sessions.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER TO ADJOURN

Mr. ROCKEFELLER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order following the remarks of Senator WARNER and Senator WEBB.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, at this time, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPRESSING THE CONDOLENCES OF THE SENATE ON THE TRAGIC EVENTS AT VIRGINIA TECH UNIVERSITY

Mr. WARNER. Mr. President, I am joined here with my colleague, Senator WEBB, and the two of us have put forward a resolution of the Senate, S. Res. 149. We are joined in the cosponsorship by the distinguished majority leader, Senator REID, the minority leader, Senator MCCONNELL, and all other Members of the Senate.

Our resolution, jointly prepared by Senator WEBB and myself, reads as follows:

Expressing the condolences of the Senate on the tragic events at Virginia Tech University.

Resolved, that the Senate

(1) offers its heartfelt condolences to the victims and their families, and to students, faculty, administration and staff and their families who have been deeply affected by the tragic events that occurred today at Virginia Tech in Blacksburg, Virginia;

(2) expresses its hope that today's losses will lead to a shared national commitment to take steps that will help our communities prevent such tragedies from occurring in the future; and

(3) recognizes that Virginia Tech has served as an exemplary institution of teaching, learning, and research for well over a century; and that the University's historic and proud traditions will carry on.

I yield the floor to my distinguished colleague.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WEBB. Mr. President, I again express my gratitude to the senior Senator from Virginia for taking the initiative on this resolution and working with us to make sure this is language which is acceptable to all the Members of this body.

I also express my appreciation to many people in this body—Members—and also staff members and others who have come forward today and expressed their condolences about what happened in this incident. Again, all of us are truly saddened by what has happened today in this tragic event. This is a very small gesture of condolence and support from our body, but I think it is a very appropriate one, and I am pleased to be one of the cosponsors of it. Hopefully, once the grieving is done, we can, indeed, move forward to finding ways that will prevent these sorts of incidents from happening in the future.

I yield the floor.

Mr. WARNER. Mr. President, I thank my distinguished colleague. We have worked as partners on this resolution throughout the day. It has been a most unusual day for the two of us, for our Governor, for our State, and all its people.

Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 149, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 149) expressing the condolences of the Senate on the tragic events at Virginia Tech University.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WARNER. Mr. President, I ask unanimous consent that the resolution be agreed to and that the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 149) was agreed to, as follows:

S. RES. 149

Expressing the condolences of the Senate on the tragic events at Virginia Tech University.

Resolved, that the Senate—

(1) offers its heartfelt condolences to the victims and their families, and to students, faculty, administration and staff and their families who have been deeply affected by the tragic events that occurred today at Virginia Tech in Blacksburg, Virginia;

(2) expresses its hope that today's losses will lead to a shared national commitment to take steps that will help our communities prevent such tragedies from occurring in the future; and

(3) recognizes that Virginia Tech has served as an exemplary institution of teaching, learning, and research for well over a century; and that the University's historic and proud traditions will carry on.

Mr. WARNER. I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:47 p.m., adjourned until Tuesday, April 17, 2007, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate April 16, 2007:

FEDERAL EMERGENCY MANAGEMENT AGENCY

DENNIS R. SCHRADER, OF MARYLAND, TO BE DEPUTY ADMINISTRATOR FOR NATIONAL PREPAREDNESS, FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY. (NEW POSITION)

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

KIRK O. AUSTIN, 0000
JOHNNY M. SELLERS, 0000
LEE W. SMITHSON, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

CRAIG E. BENNETT, 0000
DAVID G. BRIDGES, 0000
GARY A. FREESE, 0000
DARLENE M. SHEALY, 0000

EXTENSIONS OF REMARKS

HONORING SANDRA WALLACE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. LANTOS. Madam Speaker, I rise today to recognize a woman who has enjoyed a remarkable career helping parents and their children begin the life-long process of learning. Sandra Wallace, who is retiring after 27 years as a teacher and director at the Pacifica Co-op Nursery School, has been a pillar in the lives of families at this popular parent-participation pre-school.

Known to multiple generations as ''Teacher Sandy,'' she began her career more than 35 years ago as a high school art teacher. When she and her husband, Doug, began their own family, she took a leave of absence. Taking her own children to a co-op nursery school, she was struck with a desire to work in such a program herself. That moment began nearly three decades of service to children and parents who benefited from her wisdom, compassion, patience, knowledge and experience in childhood education.

Madam Speaker, her career in early childhood education began as an enrichment teacher at the Serramonte Nursery School in Daly City. While earning a master's degree from San Francisco State University, she conducted her graduate field study at the Pacifica Co-op Nursery School. Knowing a good thing, the school's board hired her full time as an Assistant Director, leading to a tenure that has spanned generations.

Young parents immediately recognized the unique skills Teacher Sandy exhibited at the Co-op Nursery School. She created the popular Bug School as a summer program, and in 1985 she was appointed Director for the growing morning and afternoon sessions.

In 1995, the Professional Association for Childhood Education (PACE) for the State of California named her Teacher of the Year.

Not only did Sandra Wallace manage the programs at the Co-op Nursery School, but she also worked with the Jefferson Union High School District Adult Education Division teaching Parent Education classes. Many men and women in the area learned valuable skills from Teacher Sandy about how to raise their children effectively. The value of giving families a strong educational beginning cannot be overstated, and I know the families she's touched and the community she's been dedicated to owe her a deep debt of gratitude.

Madam Speaker, I want to share with my colleagues my immense respect and appreciation for Sandra Wallace. She has dedicated her professional life to making sure children and their parents have a meaningful and productive start. She and her husband will be retiring to Michigan this year, but Teacher Sandy is leaving a legacy in my Congressional district that will live on in the more than 1,000 children she has taught while making the Pacifica Co-op Nursery School a treasure of the local community.

I would like to wish her a long, happy and healthy retirement and extend the gratitude of all my constituents for her selfless commitment to childhood education.

NATIONAL BREAST AND CERVICAL CANCER EARLY DETECTION PROGRAM REAUTHORIZATION ACT OF 2007

SPEECH OF

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2007

Ms. WOOLSEY. Mr. Speaker, I rise in support of this legislation. Breast cancer is the second leading cause of cancer death among women and the leading cause of cancer death among women under the age of 40. Early detection and education are key to winning this battle. It is imperative that we reauthorize the National Breast and Cervical Cancer Early Detection Act, H.R. 1132, so that all women are given access to free and low-cost breast and cervical screenings. No woman should be denied these life-saving screenings simply because they cannot afford them. Further, all women should be made aware of the benefits of each screening and the risks of these cancers through public education programs.

This issue is very important within my District of Marin and Sonoma Counties in California, and especially so in Marin County because it has the highest rate of breast cancer in the country. Among white women, aged 45 to 64, the breast cancer rate in Marin has increased 72 percent in the last decade. Marin County's rates are approximately 40 percent higher than the national average and about 30 percent higher than the rest of the Bay Area. This is why early detection and education in women of all ages is so important.

In addition to this important legislation, we need to do more to prevent breast cancer deaths in women under the age of 40. Approximately 11,000 women under the age of 40 will be diagnosed with breast cancer this year, of which nearly 1,300 will die. That's why I introduced the Annie Fox Act, H.R. 715, named after a young woman in my district who was diagnosed with breast cancer and died at the age of 35. This bill will authorize research into the causes of breast cancer in younger woman and educate them about the risks of breast cancer.

It is important that we not only continue to fund preventative screenings, education and research for women over the ages of 45, but that we also do so for our younger women so that they may live long, healthy lives.

I applaud the passage of this important legislation and look forward to working with my colleagues to pass H.R. 715, the Annie Fox Act.

IN HONOR OF NAAMANS LITTLE LEAGUE

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. CASTLE. Madam Speaker, it is with Speaker, it is with great enthusiasm that I rise today to celebrate the 50th anniversary of the Naamans Little League. By providing a positive outlet for children, this organization has played a vital role in shaping young leaders in my home state of Delaware.

After it was founded in 1957, the organization has grown rapidly because of its efficient organization and the valuable service it provides to the community: uniting children with sports. While it began with only 60 boys on 4 baseball teams, Naamans Little League now has over 500 players on 42 teams and has formed both a Tee Ball League and a Senior League.

I was fortunate enough to celebrate with the League after they participated in the Little League World Championship. This opportunity further convinced me that their significance within the community cannot be emphasized strongly enough. Their efforts have allowed countless people to understand and enjoy the benefits of physical activity, team work, sportsmanship, and responsibility. After spending just a short while at the celebration, it became very clear to me that this organization has a profoundly far reaching impact, shaping individuals, friendships, families, and communities.

I am pleased to announce that a flag will be flown over the capital in honor of the Naamans Little League's 50th anniversary. I commend this great organization for their immeasurable contributions to Delaware and wish them all the best on this momentous anniversary.

RECOGNIZING DOMINICK ESTEBAN FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Dominick Esteban, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 214, and in earning the most prestigious award of Eagle Scout.

Dominick has been very active with his troop, participating in many scout activities. Over the many years Dominick has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Dominick Esteban for his

accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO THE CARPENTERS LOCAL 1005 OF HOBART, INDIANA

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. VISCLOSKY. Madam Speaker, it is with great pride and respect that I congratulate the members of Carpenters Local 1005 of Hobart, Indiana, who were honored at the union's 2007 Service Recognition Banquet. The union members of Northwest Indiana have consistently demonstrated the work ethic and quality craftsmanship on which the community prides itself. The banquet, which was held on Saturday, April 14, 2007, at the Avalon Manor in Hobart, Indiana, honored those members who have completed between 10 and 65 years of service with the union.

Carpenters Local 1005, which received its charter on March 7, 1972, is one of the largest Carpenters' locals in the State of Indiana. Every year, Local 1005 honors its members for their years of dedicated service. This year's distinguished honorees included Charles Ray, who was honored for his 65 years of service, as well as Charles Bonner, William Bruce, James Donnella, Chester King, Paul Malott, Oakley Moench, Robert Olson, Elbe Rice, Victor Stanzione, and Robert Szentesy, all members who were honored for 60 years of service. Those who were honored for 55 years of service include: Phillis Angelo, Willard Basco, Earl Cooper, John Demay, Lawrence Dewes, Robert Fedorchak, George Garbus, Duane Hanaway, and Jozef Wozniak. For 50 years of service, the honorees were: Ed Cicillian, Robert Covaciu, David Dunn, Bernard Floyd, Wyvil Gearhart, Carrol Kelley, and Howard Scheidt. Bobby Anderson and J.C. Stanley were recognized for 45 years of service, while several members were honored for 40 years of service. These honorees included: Phillip Bough, James Brannock, Harry Carey, James Fields, Jerry Fox, Joe Gabonay, Joe Harbison, Paul Kirchenstien, Robert Odell, Jack Postma, James Postma, Truman Shelton, Richard Tallant, Robert Todd, Donald Treadway, Loren Underwood, and James Vickers. For their 35 years of service, Roy Balcerak and Richard Kleckner were honored, while the 30-year honorees included: Lucas Amptmeyer, Don Ayers, Wesley Birky, Gerald Blend, Larry Bliss, Elmer Conley, Gerald Donohue, Dale Gearhart, Greg Hanas, Thomas Hill, Daniel Holden, Clyde Imboden, James Jablonski, Richard Liebharth, Leonard Lustgarten, Charles Nannenga, Joseph Pero, Mark Robertson, Rick Singleton, Jerry Vanderplough, Larry Vick, and Michael Zickuhr. The members honored for 25 years of dedicated service were Harris Sampson, Charles Smith, and Bobby Thompson, while 20-year honorees included: Mark Berg, Jeffrey Berkman, Ronald Blaney, Michael Collins, Robert Cook, Brian Deutscher, Timothy Flatt, Roy Guerrero, Lawrence Hill, Stanley Kurczewski, Michael Lelak, David Lopez, Andrew Mitchell, Richard Neal, Robert Ott, Michael Pouch, Dan Prochno, John Schwartz, Ann Starzynski, Charles Stone, Michael Wallace, Frank Westerlund, and Doug Wilson. Those members honored for 15 years of service included: Ronald Bennett, Douglas Bohnert, Carl Depaul, Mark Derosa, Terence Dicken, Joel Edgington, Michael Gajewski, Dennis Glover, Christopher Kerulis, Roger Kikkert, Kenneth Kollasch, Steven Kopack, Michael Lawrence, Samuel Lazaro, Kevin Lynch, Darren Marsee, Kevin Mulroe, Joe Rettig, Thomas Rettig, Nicholas Saliwonczyk, Harold Sills, Patrick Stanley, Albert Turner, Commodore Warren, Kenneth Whitten, William Yuhasz, and Philip Zagone.

Finally, members of Local 1005 honored at the banquet for 10 years of service included: Steve Adams, Erik Bailey, Christopher Birky, Robert Bleck, Scott Blue, Brian Clare, Thomas Climack, Scott Crawford, Tim Crepeau, Anthony Dafcik, Timothy Dekock, Joseph Emons, Joseph Evert, Dustin Farnum, Eddie Fowler, Nathaniel Gaska, Donald Haddix, James Harrison, David Jurov, Douglas Kamminga, Bryan Kowalisyn, Stanley Kush, Aaron Lowe, William Lynch, Jason Marcotte, David Messer, Donald Murphy, John Nygra, Ryan Prendergast, Greg Province, Tony Qualizza, Jason Samuels, Jim Sargent, Larry Scheeringa, James Schultz, Martin Shell, John Stoddard, Antwon Strong, Timothy Sweeney, James Taylor, Catherine Thoreson, and Dan Vanderwall.

Madam Speaker, I ask that you and my distinguished colleagues join me in congratulating these dedicated, honorable, and outstanding members of Carpenters Local 1005, in addition to the hard-working union men and women throughout the country. The countless hours of exceptional service the men and women of Carpenters Local 1005 have provided to their community deserve our admiration and respect. Their dedication and commitment are the epitome of the values we hold in Northwest Indiana, and I am proud to represent such fine men and women in Congress.

CELEBRATING DR. DOROTHY I. HEIGHT, A LIVING LEGEND AND ADVOCATE FOR JUSTICE AND EQUALITY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. RANGEL. Madam Speaker, I rise today in celebration of the birth of Dr. Dorothy Irene Height. For nearly half a century, Dorothy Height has served as a leader in the struggle for equality and human rights. Living by example, her life's work has and will remain a testament to her vision for a just and equitable world for all people.

Born in Richmond, Virginia on March 24, 1912 she moved to Ranklin, Pennsylvania, with her parents, at the age of four. Dr. Height demonstrated her intelligence, focus and astonishing oratorical skills early on, winning scholarships and competitions that would aid her in the pursuit of both a bachelors and masters degree, which she completed in four years, at New York University.

Dr. Height's career as an activist began when she joined the National Council for Negro Women in 1937. At the time Dr. Height was working as a caseworker for the welfare department in New York. She would go on to join the national staff of the YWCA, serve as national president of Delta Sigma Theta, Incorporated from 1946–1957. Throughout her tenure in these capacities Dr. Height developed leadership training programs, interracial and ecumenical educational programs, and a series of programs—like ''Wednesdays in Mississippi''—designed to bring together people of different racial and ethnic backgrounds to create a dialogue of understanding.

Beyond championing a vision of equality and justice for the United States, Dr. Height is renowned for her extensive international and developmental work in education. In her illustrious career she has worked as a national leader, served on numerous appointed committees, and received numerous awards and accolades.

It is with great personal joy that I recognize and celebrate the birth anniversary of Dorothy Irene Height, a living legend and a treasure to us all.

IN HONOR OF LUIS VALDEZ

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. FARR. Madam Speaker, I rise today to honor Mr. Luis Valdez of San Juan Bautista, California, who will be inducted into the College of Fellows of the American Theatre on April 22 at the Kennedy Center for the Performing Arts here in Washington, DC. The 124 current members include playwright Edward Albee and Broadway director Jack O'Brien. Like those before him, Luis is to be honored for his contribution to American theater.

His has been a ''career of firsts.'' His play ''Zoot Suit'' was the first play written by a Chicano to be produced on Broadway. His movie ''La Bamba,'' about the life of the 1950's rock 'n' roll star Ritchie Valens, won popular acclaim, and was the first film written and directed by a Chicano that was produced by a major motion picture company.

As a child, Luis emigrated from Mexico with his family and became a migrant farm worker. In 1965, he founded El Teatro Campesino, which means ''The Farm Worker's Theater.'' He chose to create this theater in rural San Juan Bautista instead of moving to a big city in order to stay in touch with his roots and remain a true theater of farm workers.

Luis has three sons, all of whom are involved in the arts. ''I have to stress the importance of family in my life,'' he said. He has won several awards, including the Presidential Medal of the Arts from the White House, but says, ''I'm proudest of my family. I consider myself to be quite blessed in that regard.''

Luis believes that art should have a message, and inspiring people to make changes in their lives has been one of his main goals in the theater. He recently produced a play for the Monterey Bay Aquarium about the dangers of pollution.

Madam Speaker, it is a tremendous honor for a national organization of any kind to seek out a resident of a small town for their highest award. Luis Valdez came from humble beginnings, and in spite of his remarkable accomplishments, he remains a humble man. I am proud to congratulate Luis on his election to the College of Fellows of the American Theatre.

RECOGNIZING JOSHUA ABERNATHY FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Joshua Abernathy, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 264, and in earning the most prestigious award of Eagle Scout.

Joshua has been very active with his troop, participating in many scout activities. Over the many years Joshua has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Joshua Abernathy for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING BARBARA S. AUSTIN ELEMENTARY UPON ITS 20TH-YEAR ANNIVERSARY

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. MARCHANT. Madam Speaker, I rise today to recognize Barbara S. Austin Elementary, ''Home of the Austin Mustangs'' for its 20th anniversary of providing a superb education for the students of Coppell, Texas.

Barbara S. Austin Elementary School is proud to celebrate 20 years of excellence in education. Nestled in the center of Coppell, Texas, Austin Elementary is a neighborhood school that has provided thousands of students with an outstanding learning experience over the years.

Named after Barbara S. Austin, an actively involved community leader who served on the Coppell Independent School District Board of Trustees, Austin Elementary opened its doors in the fall of 1987 with over 500 students. Once a small community with one school housing kindergarten through twelfth grade, by August of 1987 Coppell had grown to include three elementary schools, two middle schools, and one high school. Austin Elementary was the first elementary school built with the new architectural plan that led the way for the additional seven elementary schools added over the next 10 years.

Mustang pride and the school motto, ''Just for today, I will do my best!'', are part of Austin's heritage. It has a student body comprised of a diverse mix of energetic students, parents who are supportive and involved in their children's education, and a dedicated and committed staff who do everything in their power to ensure success for all students.

In honor of this special anniversary, Austin Elementary is creating a ''Thanks for the Memories'' personalized brick patio to commemorate the many teachers and families that have been a part of Austin Elementary over the past 20 years. On April 29, 2007 at 2:30 p.m., a dedication ceremony will take place and all current and former staff, students and parents are invited to share in this celebration.

Madam Speaker, I am honored to have had this time to honor the 20th anniversary of Barbara S. Austin Elementary School.

THE 12TH ANNIVERSARY OF THE OKLAHOMA CITY BOMBING

HON. DIANE E. WATSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Ms. WATSON. Madam Speaker, this Wednesday, April 19, 2007 marks the 12th anniversary of the Oklahoma City bombing that claimed 168 lives and left over 800 injured. 19 of the victims were children. On the occasion of the 12th anniversary of the Oklahoma City bombing, I want to acknowledge those who lost their lives as well as the family and friends left behind. I further acknowledge the selfless sacrifice and courage Oklahoma City family members made in their embrace of 9/11 family members following the attacks on the World Trade Center in 2001. The exchange that has taken place since that time is great evidence of how Americans come together in time of need.

Let us never forget those who lost their lives on this day of infamy as well as the living who have been so profoundly affected by this national tragedy.

TRIBUTE TO ARMAND ''SKIP'' BECOTTE, JR.

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. FRANK of Massachusetts. Madam Speaker, last Friday, while we were in recess, the Massachusetts Lions Club held a very well-deserved testimonial for Armand ''Skip'' Becotte, Jr., who lives in the town of Fairhaven, Massachusetts, in the district I am privileged to represent.

Madam Speaker, as many Members know, the Lions Club has made as its highest priority helping people deal with health problems, particularly in the area of eyesight. They have also worked on hearing related issues. Personally, Skip Becotte has taken as his motto the words of the great Helen Keller, in her address to the Lions Club, ''Help me hasten the day when there shall be no preventable blindness; no little deaf, blind child untaught; no blind man or woman unaided. I appeal to you Lions, you who have your sight, your hearing, you who are strong and brave and kind. Will you not constitute yourselves Knights of the Blind in this crusade against darkness?''

Currently Skip Becotte is the District Governor for the Massachusetts Lions District 33S, which includes much of Southeastern Massachusetts, including all of Cape Cod and much of the district that I represent. During his governorship the Lions in District 33S have given nearly $200,000 to the Perkins School for the Blind, Massachusetts Eye and Ear Infirmary. Joslin Diabetes Center, New England Eye Center, Schepens Eye Research Institute and many other institutions.

Madam Speaker, Skip Becotte—winner of the Melvin Jones Fellow Award for outstanding service in 2001—is an extraordinary man. A retired police officer and father of five, his life exemplifies service to others. I congratulate the Lions Club for honoring this man and I am glad to share with my colleagues the story of his work because it is an inspiration to all.

HONORING THE FORT KNOX VETERAN SERVICE OFFICE

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. LEWIS of Kentucky. Madam Speaker, I rise today to pay public tribute to the men and women who work in the Fort Knox Veteran Service Office. These dedicated individuals from my congressional district are deserving of our respect and admiration.

Recent global events have rightfully renewed our focus on those brave men and women, past and present, who have answered our Nation's call to service. In times of war and in times of peace we must always show our gratitude for those who have worn the uniform of the United States military.

Through their work at the Fort Knox Veteran Service Office, Paul Schlisser, Clint Meshew, Jaydean Maschak, and Mildred Meshew have made it their mission to assist fellow veterans and their survivors in obtaining benefits they have earned. Collectively, the group helped over 900 individuals in Kentucky's Second Congressional District in 2006.

As the home of Fort Knox, my district has a high population of veterans. Our government has a special responsibility to support programs and initiatives that ensure premium health care and economic stability for those Americans who stood selflessly in harm's way to preserve our most fundamental freedoms. The Fort Knox Veteran Service Office continues to do exemplary work supporting this important endeavor.

It is my great privilege to honor Paul Schlisser, Clint Meshew, Jaydean Maschak, and Mildred Meshew today before the entire House of Representatives for their continued service to our country helping fellow veterans and their survivors who need their support. They are a group of outstanding citizens worthy of our collective honor and appreciation.

IN RECOGNITION OF BISHOP ARETHA E. MORTON

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to recognize Aretha E. Morton for being appointed as State Bishop for my home state of Delaware in 2006.

This great honor has been bestowed upon her due to her long-standing dedication to the Baptist church. I congratulate Bishop Aretha E. Morton on an outstanding career in ministry. She began her career by singing and recording in several different Gospel groups. By

the age of twenty-one, she made the decision to commit her life to the ministry and preached her first trial sermon. Her hard work as a preacher was acknowledged in 1983, when she became the pastor of Tabernacle Baptist Church, making her the first female Baptist Pastor in the State of Delaware. Ten years later, she was given another great honor when the Wilmington Fire Department appointed her as Chaplain for the Wilmington Fire Department. This honor made her the first woman and the first African American Fire Chaplain.

In 1995, she connected her church with the Full Gospel Church Fellowship. This church, now named the Tabernacle Full Gospel Baptist Church, has become the largest affiliate church of its kind in the Delaware area. In 2002, she was named the Full Gospel Baptist Church Fellowship's District Overseer of the Year. Her success in ministry continued when she became one of the first female bishops in the Full Gospel Church Fellowship International. Fellow clergy refer to her as "Mother" and in September of 2005 she was even listed on Gospel Today's "World's Most Loved Pastors" List, illustrating her respected, humble and revered reputation.

After over 40 years of bringing her love, talents, and enthusiasm to the Baptist ministry, she was appointed Bishop of the Baptist Church for the State of Delaware. I can think of no candidate more deserving of our recognition and praise than Bishop Aretha E. Morton. I congratulate Bishop Morton on an exceptional career of service and dedication.

RECOGNIZING TRAVIS JAMES FOSTER FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Travis James Foster, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 264, and in earning the most prestigious award of Eagle Scout.

Travis has been very active with his troop, participating in many scout activities. Over the many years Travis has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Travis James Foster for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE ON THE PUBLIC SERVICE OF RON GRIFFIN AND HIS SON, KYLE

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. GARRETT of New Jersey. Madam Speaker, last month, one of my constituents, Ron Griffin, journeyed to Iraq. His son, Kyle, had been killed while serving in Iraq. Mr. Griffin wanted to meet with men and women who were now serving there and with Iraqi citizens who were living through the war there.

His trip was not sanctioned by our Government. In fact, the State Department and Pentagon tried to talk him out of taking it for fear for Mr. Griffin's safety. But, showing the same determination and commitment that his son and his son's fellow servicemembers demonstrate to the world every day, Mr. Griffin found his way to Iraq any way.

In the face of constant media and political attention on Iraq, sometimes it seems that the negative news dominates coverage and it is easy to forget the many positive acts about which we may never hear. Mr. Griffin is on a mission to show the world how extraordinary the men and women serving in Iraq are and how hopeful they and the Iraqi people are for a better future. He says that what he saw in Iraq can be summed up in three words: "Professionalism. Humanity. Spirituality." And, I would like to share his thoughts on his trip in his own words:

I journeyed to Iraq for this is where my son died helping to free a nation. I came on my own dime without the sponsorship of anyone. I simply desired to experience through my own eyes a sense of what the true reality of life on the ground in Iraq is from the words of and the ability to observe the people who populate the Kurdish area in the northern and eastern portion of Iraq and from our service members wherever I had the honor of meeting with and speaking to the true American Idols of our lifetime.

I went not as some distraught father searching for that elusive feeling of closer that all so many believe that I must attain in order to move on. I abhor that statement. It is not the manner in which I mourn or honor my son and every other Fallen Hero. Each day of my life I endure the numbing sadness that is the reality of Kyle's death while in simultaneously I have been comforted and supported by the fathomless depths of human kindnesses. I am saddened for all those who never had the pleasure of meeting my son, the other Fallen Heroes or any of those other magnificent individuals who have served and serve us this day. You have lost more than I have for I have been honored to have walked among greatness.

I came however with a pre-disposed political bent that is in total support of our mission and for doing whatever and for how long it takes for the successful completion of our mission. Having spent nearing two weeks living among the Kurdish people, journeying from Erbil to Duhok to Barzan and countless locations in between and then traveling from Harbor Gate on the Turkish border in the north down through Mosul, Tikrit and finally to Baghdad with the members of our magnificent military I am today an American father who knows unquestionably and steadfastly that the price my son paid to liberate Iraq was worth every ounce of blood and sweat he sacrificed. However it is not from the political perspective that I have reached that conclusion but rather from the depths of the humanity of the Kurdish people and the majesty in which our military conducts themselves while in service to us.

Somewhere in the recesses of my consciousness I am continually reminded that somehow I have been put on this path for a purpose and that could not have been made more perfectly clear than by what I have experienced these past two weeks. I have long bridled under the incessant negativity that the vast majority of the media portrayed as the reality of Iraq. That notion was ripped from my perspective when I was told outright by the Soldiers that they knew that regardless of how many ribbons they helped cut, schools they opened, or lives they improved on any given day that if one bomb went off in Baghdad the story that would be told would be the boom story. They felt bad for the American people for they would then not be able to share in the joyous satisfaction that the soldiers and the Iraqi people had experienced. They are over that and now so am I. Likewise I was somewhat consumed with the hypocrisy of those who mouth the words of support for the troops while calling their mission a failure and wanting to end it. I thought that such statements were hurting the troops as they served us. I am now ashamed of my lack of insight to what indeed is the reality of Iraq, or at least that part of and the people of that part that I journeyed through. Almost universally the troops told me that they simply do not have the time to be involved in the political aspect of what they are doing for to do so would interfere with the performance of their job and that is the primary mission to every Soldier. It finally became clear to me from my many conversations that while they, like most human beings would most certainly would appreciate the unending support of the American people especially as they endure all the hardships of being Soldiers, they will perform every task assigned to them for they are consummate professionals through and through. They do their job because they are individuals of the highest moral character who have sworn an oath to protect and defend this country and nothing will prevent them from doing just that. To watch them do their jobs is liken to viewing Tiger Woods march through a golf course. The Soldiers just wear different clothes.

Stepping off the plane in Erbil, a city of over 1 million residents and the capital of the Kurdish region, you can not help but be stunned by the majestic vistas, impressed by the precision and competency of the personnel at the airport and be totally astonished by the expansion that is taking place on every section of the now Erbil International Airport and the city itself for you must continually remind yourself that indeed you are in Iraq! The physical part of the Kurdish region is simply breathtaking in it's scope and beauty, while the emotional aspect is riveting in its intensity and vibrancy. Freedom permeates from every inch of this land and in that sense of security, optimism resounds. The entire region appears to be one vast construction site with building and improvements going on everywhere. One only has to travel but a few short blocks in any direction and the examples of rapid and real progress stun your senses. I have likewise traveled to the hinterland where the amenities of life are Spartan but in both locations the quality of the Kurdish people bring joy to all those that have the privilege of meeting them. They seem to have been born with a perpetual warm and engaging smile and a sincere and genuine greeting for all those that they come in contact with. Eye contact is never absent from the conversation, nor is the ever-present wry smile that can burst into uncontrolled laughter at any time. One need to only ride down the road from Erbil to Khanzad, a 15 Km drive from central Erbil to experience the joy of these wonderful people. There are endless picnics ongoing during this month of celebration. Children laugh, play and fly their kites, men play music or dance while the women in festive and shimmering colored native dress organize the feeding of everyone.

Each and every conversation is filled with the personal atrocities that they have all endured. Atrocities that they will forever remember and will not allow anyone to forget

but amidst those stories of horror lurks absolutely no seething need for revenge. They know full well that there is no time or place for revenge and recrimination. They live with the horror of yesterday and look to the future with optimism and eternal thanks for the help and support of the American people in helping them gain their total freedom. Thank you and welcome are part of every conversation. From Harbor Gate to Mosul to Tikrit to Baghdad back to Tikrit, with a honored stop at Diyala, to Mosul and then finally back to Erbil I have been simultaneously overwhelmed, stunned and awe struck by the extraordinary professionalism of every soldier I personally meet and those I only had the opportunity to observe without them ever knowing that I was watching. I learned of an organization that cares deeply, profoundly and personally for the well being of every individual within its ranks, while every individual member is willing to sacrifice their very being for every other individual member. That is why they go about what they call their job but what I refer to as their passion with a clarity of purpose that humbles you to your knees. In this organization everyone and I mean everyone knows that they are first and foremost a soldier who is fully trained and prepared to go into battle should the need occur but they likewise perform a multitude of vast ranging tasks that they have been highly trained for to highest possible professional standards. They completely understand their specific task and perform it superbly for they know full well that every individual soldier is equal in their value and importance to the successful completion of the mission.

The words COMPLEXITY and PROFESSIONALISM scream at you as you begin to understand all that is going on all about you. From the formation of a huge truck convoy, to the logistical requirements of a division, to the combat readiness of squadrons of Blackhawks to the coordination of the divergent aspects of public affairs one can not help but be stunned the complexity of our effort in Iraq and most importantly the professionalism in which the effort is carried out.

Accompanying that professionalism is the humanity of these Soldiers who have sacrificed so much for us and of which we sadly know so little. Their stories should be told and retold for they are the heroes that we should be emulating. In Baghdad I was fortunate to be allowed to stay in visitors quarters and was escorted by a National Guard Unit from Kentucky. I like most people had a somewhat diminished view of the National Guard. I got to know these individuals quite well and dramatically experienced that same level of professionalism first hand. I was learning the history of the county in Kentucky where my escort was from when a fire fight broke out across the lake. After a number of minutes of continuous fighting the Sgt's unit was notified that they would be joining the fight. In an instant the calm of the mess was transformed as these soldiers prepared for combat. Three vehicles and 15 men would be heading out to the streets of Baghdad. Everyone knew their job precisely. The guns were mounted as the computers were spun up. Communications were checked and every individual soldier completed their own mental checklist. As if in a heart beat I watched as men did what I initially thought was a transformation from escort to Soldier but what I watched was in fact was a Soldier performing one job and then another, both to the highest professional standards.

Over the next few weeks Americans will argue over and eventually vote for their choice as to who is going to get the title of ''AMERICAN IDOL ''. They will watch transfixed as young athletes perform at the highest possible level to gain the title of National Champion of College Basketball. Millions will flock to the baseball stadiums of America to watch in awe as their teams begin their long journey to be named as The World Champions of Baseball. All that should pale before your eyes for those Wondrous Warriors who seek not the accolades but unselfishly protect your very freedoms have already earned the right to be crowned as World and National Champions and are in fact ''THE TRUE AMERICAN IDOLS'' for everyday they place their lives on the line for us.

''CONGRATULATING THE NATIONAL JROTC MIDDLE SCHOOL CHAMPIONS OF T.C. MARSH JUNIOR HIGH''

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. SESSIONS. Madam Speaker, I rise today to proudly recognize T.C. Marsh Junior High School as the home to the National Junior Reserve Officer Training Corps (JROTC) Middle School Champions. Thirty-five of the school's 217 unit members qualified for the competition which was held on March 31 in Dallas. Under the guidance of teacher David Bates, the students competed against units from all over the country. Bates served for the army as a corporal in the First Calvary. As a former Florida Gator football player, Bates coaches W.T. White varsity softball and football teams and until this year, coached 8th grade football, basketball and baseball at T. C. Marsh. I congratulate David Bates and the students of T.C. Marsh Junior High School for their well-deserved victory and wish them all the best in future endeavors.

HONORING HISPANIC VETERANS OF WORLD WAR II

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, I proudly join my colleagues today to pay tribute to the contributions of Latinos who served in our Armed Forces during World War II. As we were painfully reminded by the complete omission of Hispanics from a PBS documentary on World War II, the important contributions of Latinos, native born, as well as immigrants, are too often overlooked and forgotten.

From the American Revolution, a victory that established our Nation; to the Civil War, a victory that preserved our Nation; to the current wars in Iraq and Afghanistan, Hispanics have played an instrumental role.

From Hispanic business owners to day laborers to the growing number of Hispanics in executive level positions, Hispanics are ingrained in the fabric of our strong Nation. As the largest and fastest growing minority in the Unites States, Hispanic participation in all segments of society is not only essential but apparent. It should not be surprising, then, that Hispanics also serve our nation in one of its most patriotic duties—the heroic defense of our country.

During World War II, Hispanics served in greater proportions than any other minority in the U.S. Armed Forces with the number of Hispanics serving likely peaking at well over 400,000. Although proper record keeping of Hispanics in the armed forces was not kept until after World War II, we have a multitude of accounts of Hispanic participation. One famous example is Company E of the 141st Regiment of the 36th Texas Infantry Division, which was made up entirely of Spanish-speaking Americans. For their notable service they were awarded 1,685 Bronze Stars, 492 Silver Stars, 31 Distinguished Service Crosses, 12 Legions of Merit, and 11 Soldier's Medals.

One individual example is Staff Sergeant Ysmael R. Villegas. A California native, he served in the United States Army during World War II. At the Battle of Luzon in the Philippines, he stepped up to lead his squad in a counterattack of the enemy and single-handedly cleared five installations of heavy machineguns. Upon taking the sixth and final area of firing, and at only twenty-one years old, Staff Sergeant Villegas was killed in action. For his bravery, President Harry Truman posthumously awarded him the Medal of Honor.

There are countless stories of heroism like Staff Sergeant Villegas'. Hispanics disproportionately earned more Medals of Honor in the 20th Century than any other major subgroup. From the Civil War to the Vietnam War, there have been thirty-nine Hispanic Americans who have received the Medal of Honor. Twenty-two of them sacrificed their lives in combat in service to the United Stated Navy, Army, and Marines.

According to the latest Census, there are over 1.1 million living Hispanic veterans of the U.S. Armed Forces. And this number is expanding. Since November 2006, 25,300 Hispanics have been deployed for service. According to the Department of Defense, Hispanics have endured the most deaths for a minority group in Operation Iraqi Freedom and Operation Enduring Freedom. Our country honors their service as well as those who have served in the past.

I encourage all Americans to take the opportunity to recognize and continue to learn about the role Hispanics played in World War II and throughout our nation's history. It is an integral part of the American story. Without these contributions and sacrifices, America would not be what it is today.

TRIBUTE TO MRS. CINDY CARLSON

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. VISCLOSKY. Madam Speaker, it is with great pleasure that I stand before you today to honor Mrs. Cindy Carlson upon her retirement from her position as Secretary for Sub-District 5, District 7 of the United Steelworkers. I have known Cindy for many years, and she is one of the most involved citizens I have ever known, especially when it comes to her service to the United Steelworkers. Cindy has been a member of the staff at District 7 for an astonishing 31 years, and her contributions to the organization are immeasurable. For her efforts and many contributions to Sub-District 5,

District 7 and the United Steelworkers, there will be a retirement celebration in Cindy's honor on Friday, April 20, 2007, at Andorra Banquets in Schererville, Indiana.

Cindy Carlson was born and raised in Saint John, Indiana. She began her career with the United Steelworkers of America in 1976 as Staff Secretary in what was then Sub-District 2 of District 31. From there, Cindy moved up to become the Secretary for the SubDistrict 2 Director, a position she held from 1981–1988. Then in 1988, recognizing Cindy's skills and abilities, Director Jack Parton assigned Cindy to the position of Secretary for the Assistant Director and the Civil Rights/Safety and Health Coordinator. Though these new responsibilities would have been enough for most people, Cindy also took on the position of Secretary for the District 31 Steelworkers Organization of Active Retirees (SOAR). From there, Cindy went on to become Executive Secretary to the Director of District 31 in 1995. After redistricting took place in 1996, and District 31 changed to District 7, Cindy was reassigned to the Organizing Department. During this time, her experience and expertise was fully utilized, as she served in many secretarial capacities with District 7. Finally, in 2004, Cindy was awarded the position of SubDistrict 5 Secretary, which she held until her retirement on March 1, 2007. During this time, she also served as Secretary for the District 7 Women of Steel and for the Contracting-Out Coordinator, Mike Mezo.

In addition to the impressive career Cindy has had with District 7, she has also served as a dedicated member of the International United Steelworkers Clerical Union, Local 3657, where she once again utilized her many talents as a member of several committees. Cindy's knowledge of the Union and her field, along with her complete commitment to improving conditions for the steelworkers in her district, has made her one of the most well-respected individuals the First Congressional District has produced. While she will remain in contact with those with whom she has worked, her daily presence will surely be missed by all of her colleagues.

Now retired, Cindy is committed to spending her time with those closest to her, her family. A devoted wife, mother, and grandmother, Cindy's commitment to the United Steelworkers and its members is surpassed only by her dedication to her family. Cindy and her husband, Lyle, remain in Northwest Indiana. They have been blessed with one daughter, Heather, and her husband Chad, as well as Cindy's loving grandson, Alex, whom she truly adores. While Cindy will be enjoying her retirement with them, and with her mother, Ellen Hogan, there is no doubt that Cindy will remain committed to several organizations, including the Tri-Town Labor/Democratic Organization, which she founded in 2005, the Saint John Junior Women's Club, the VFW Post 717 Ladies' Auxiliary, and of course, SOAR.

Madam Speaker, Cindy Carlson has given her time and efforts selflessly to the members of the United Steelworkers for the past 31 years. At this time, I ask that you and all of my distinguished colleagues join me in wishing her the best upon her retirement and commending her for her lifetime of service and dedication.

RECOGNIZING KEVIN AARON LEWIS FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Kevin Aaron Lewis, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 264, and in earning the most prestigious award of Eagle Scout.

Kevin has been very active with his troop, participating in many scout activities. Over the many years Kevin has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Kevin Aaron Lewis for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. TOM FEENEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. FEENEY. Madam Speaker, I would like to express my regret for missing votes on the House floor on Monday, March 26, 2007. I was delayed in my district as a result of a canceled flight.

TRIBUTE TO MR. DAVID J. LYNCH

HON. BILL SALI

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. SALI. Madam Speaker, I rise to honor and express appreciation for Mr. David J. Lynch of Meridian, Idaho. Mr. Lynch is not only a great Idahoan, he is also a great American. He served our country as an enlisted member of the U.S. Navy and served in World War II on the USS *Tappahannock.* His life of service did not end with the war. He has continued to give his time and energy freely up until this very day as a grassroots volunteer for the Jade Bar-Shalom Books for Israel Project.

As Rena Cohen, a co-founder of the Project has said: Mr. Lynch ''is a most extraordinary citizen of the United States and has done much to extend the hand of friendship and solidarity of the people of the United States to the children of Israel threatened by terrorism, and sadly, deprived of basic learning materials as funding for Israel's public school system has of necessity been diverted to defense during the last few years.''

Jade Bar-Shalom Books for Israel Project provides used English books that are still in good condition to school libraries in Israel and is an excellent example of what can be done when committed individuals sacrifice time and energy for the sake of a cause greater than themselves.

Mr. Lynch should be honored for a lifetime of service not only to Idaho and the United States, but also to those in need in a very troubled part of the world. It is for that reason that I rise to ask my colleagues to join me in recognizing this fine American.

RECOGNIZING EVAN WRIGHT FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Evan Wright, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 264, and in earning the most prestigious award of Eagle Scout.

Evan has been very active with his troop, participating in many scout activities. Over the many years Evan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Evan Wright for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF GERALD A. ESPOSITO

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Ms. VELÁZQUEZ. Madam Speaker, I rise today on the floor of the U.S. House of Representatives to recognize Gerald (Gerry) A. Esposito, District Manager of Community Board 1 in Brooklyn, leader within our community, and lifetime resident of the Greenpoint-Williamsburg community, for 30 years of public service.

Born on March 7, 1954 at St. Catherine's Hospital on Bushwick Avenue, Gerald is a product of Brooklyn Public Schools. As he moved on in his academic career, receiving a bachelors of science from the C.U.N.Y. Graduate Center, and a masters degree in public administration at John Jay College of Criminal Justice. Gerry remained loyal to the city of New York and later he successfully graduated from the city's Executive Training ''Top Forty Program''.

While in college, Gerry became interested in community and public service. Volunteering with the Boy Scouts of America, VISTA, and the Peace Corps, his dedication to improving the community was obvious to all. After gaining employment in the nonprofit and local government sectors, in 1977 he was hired by the Community Board No. 1—the youngest district manager in the city of New York. Thirty years later, there is no aspect of that board that has not been enriched by his guidance. A strong advocate for the delivery of city services to the community, he has successfully addressed a complex range of matters relating to the public welfare, the district, and its residents.

In addition to the long years of public service, Gerald's commitment to the residents of Brooklyn has been unyielding. Socially conscious and philanthropic, Mr. Esposito is a loyal supporter and member of various fraternal organizations and alumni associations. President of the Seneca Club, Scout Master of Troop 604, and appointed Chairman of the Boy Scouts of America in the Lenape Bay District are just a few of the many roles our residents rely on this advocate's generosity to fill. It is truly uplifting to know that Williamsburg/Greenpoint has invested their trust in a public servant, wholeheartedly dedicated to the betterment of our community.

Therefore, Madam Speaker, I rise with my colleagues in the House of Representatives to honor the 30 years of public service and contributions of Gerald A. Esposito in Williamsburg and Greenpoint in Brooklyn, New York.

TRIBUTE TO MALDEN CATHOLIC HIGH SCHOOL ON THE OCCASION OF THE 75TH ANNIVERSARY OF THE SCHOOL

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. MARKEY. Madam Speaker, I am proud to say that on April 29, 2007, my alma mater Malden Catholic High School will celebrate 75 years of Xaverian Brothers education in my hometown of Malden, Massachusetts.

Since 1932, Malden Catholic has graduated over 8,000 alumni. Currently, 700 young men from over 45 Massachusetts cities and towns are educated at Malden Catholic.

Malden Catholic has created a community of faith that promotes the dignity of all. The high school is dedicated to the spiritual, intellectual, creative, social, and physical development of its students.

In 2006, Malden Catholic was named ''One of America's Top 50 Catholic High Schools'' by the Catholic High School Honor Roll.

Malden Catholic was honored in 1999 when it was named ''One of America's Outstanding High Schools'' by US News & World Report.

The Malden Catholic Community embraces the challenge put forward in its mission, ''Plus Ultra,'' which means ''More Beyond.'' The Community as a whole works diligently to ensure that a Malden Catholic education continues to be available to a variety of deserving young men from a variety of social and economic backgrounds.

Madam Speaker, I offer my heartfelt congratulations to Malden Catholic High School as the school celebrates 75 years of excellence. I thank the faculty, alumni, students, and parents who make Malden Catholic one of the greatest high schools in America.

TRIBUTE TO ARNIE C. GLASSBERG

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. STARK, Madam Speaker, I rise today to pay tribute to Arnie C. Glassberg, Superintendent of the San Lorenzo Unified School District in San Leandro, California. Mr. Glassberg is retiring after having served as an educator and administrator for 37 years. He has been employed by the San Lorenzo Unified School District for the last eight years, serving as Assistant Superintendent of Business Services and currently as Superintendent.

Mr. Glassberg began his career in education as a junior high school teacher and counselor. After leaving the classroom he spent several years in special education as a program specialist, assistant and principal. With several years of school site level experience behind him, Mr. Glassberg accepted a position as Director of Instruction for a unified school district. While in that position he was asked to move from education to business support and assume the position of acting assistant superintendent, business services.

For the next 22 years, Mr. Glassberg worked as a chief business official and deputy superintendent in a variety of school districts where he was responsible for the construction of new schools and the modernization of old schools.

As Assistant Superintendent of Business Services at the San Lorenzo Unified School District, Mr. Glassberg was instrumental in the development of a partnership with Dell Computers. This partnership resulted in an eLearning project that put laptops in the hands of almost 5,000 students.

As Superintendent, Mr. Glassberg was instrumental in the development of Small Learning Communities to better serve high school students. The Small Learning Communities are based on student interest in building strong relationships with teachers during their high school years. The San Lorenzo Unified School District now offers six Small Learning Communities as well as a traditional high school program to enhance students' learning experience.

Mr. Glassberg has many professional and personal achievements of which he can be proud. He has been asked to share his many years of expertise and experience in education related matters at numerous conferences. He is certified in a number of education specialties.

On May 15, 2007, Mr. Glassberg will be honored at a reception. I join his colleagues and admirers in thanking him for his service to our students and teachers. He is an exemplary educator and an administrator who has left his mark and made a positive difference.

RECOGNIZING JOSHUA PATRICK ZANS FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Joshua Patrick Zans, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 264, and in earning the most prestigious award of Eagle Scout.

Joshua has been very active with his troop, participating in many scout activities. Over the many years Joshua has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Joshua Patrick Zans for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO THE 100TH ANNIVERSARY OF THE SUSQUEHANNA COUNTY HISTORICAL SOCIETY AND FREE LIBRARY ASSOCIATION

HON. CHRISTOPHER P. CARNEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. CARNEY. Madam Speaker, I rise today to recognize the 100th anniversary of the Susquehanna County Historical Society and Free Library Association. The Susquehanna County Historical Society and Free Library serve all of Susquehanna County, providing books, services, education, and historical information to all of the residents of Susquehanna County.

The Cope family of Philadelphia and Dimock had expressed interest in the founding of a free public library, and working with the Historical Society, in 1907 merged to better serve the people of Susquehanna County. The Historical Society and Library headquarters were opened in 1907 at the corner of Monument Square and Maple Street in Montrose. The building was expanded in 1957, adding a museum space and a Children's room. In the first year of the Library's operation, circulation was almost 14,000, and last year in 2006, circulation was a quarter of a million.

The Library now serves as a headquarters for the county library system. Three other locations throughout the county also offer books, CD's, videos, computers and internet access, and other services and materials to all of Susquehanna County. The access is not limited to those who are able to visit the library, but all inhabitants of Susquehanna County. Programs such as Books-by-Mail, Books-on-Wheels and Books for the Blind allow books to reach residents throughout the county. Outreach librarians bring collections of books and other items to deposit stations, as well as throughout the county to classrooms, day cares, nursing homes, and preschools.

The Historical Society and Museum, founded by W.C. Cruser, occupies the top floor of the Montrose building. The Museum charges no admission and draws thousands of visitors every year from throughout Susquehanna County. Described as a ''jewel of the county,'' the museum's incredible collections of art, toys, photographs, tools, clothing, weapons, and other artifacts serve as a testament to the history of Susquehanna County.

In closing, madam Speaker, I ask my colleagues to join me in recognizing the Susquehanna County Historical Society and Free Library Association for their 100 years of distinguished service to Susquehanna County and the United States of America.

TRIBUTE TO JOSEPH TOMASI

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Ms. KAPTUR. Madam Speaker, on April 9, our community lost a giant of a man dedicated to the greater good and betterment of all. Joseph Tomasi, lifetime labor union leader and resident of Ohio, passed from this life to the next at the age of 86 after a decade long and valiant struggle with kidney disease. He loved his family and community and devoted his noble life to the cause of working men and women.

For nearly all his life, Mr. Tomasi built the labor movement within Ohio and America. In an effort to stand up for what he believed in, Mr. Tomasi lost his first job because of participation in union activities, and later dedicated his life to this cause. He served our Nation during World War II in the United States Army and was awarded the Purple Heart medal. When he returned, Mr. Tomasi continued to exhibit his dedication to his community by working as the director of Region 2B for the United Auto Workers for 17 years. Even after retirement, Mr. Tomasi helped to establish and served on the board for the Northwest Ohio Cooperative Labor Management Center at the University of Toledo. His efforts there saved thousands of jobs in our region through careful attention to negotiated workouts and settlements and gained respect from all involved.

Joe Tomasi showed compassion to all. He gave back to the community every chance he was given. He served on numerous boards and committees throughout the Northwest Ohio area, always striving to help bridge the gap between management and labor.

Mr. Tomasi's calm and collected manner, his keen insight and unbounding enthusiasm will be missed by all. He always fought for the underdog—in his profession, his community, and his politics. His spirit inspired all those who knew him. May God royally bless him for a life lived for others. We extend our deepest sympathies to Mr. Tomasi's daughter, son, grandchildren, brothers and sister and extended family. We know Joe joins his childhood sweetheart, Evelyn, in the heavens beyond.

RECOGNIZING JOSEPH WHALON FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Joseph Whalon, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 264, and in earning the most prestigious award of Eagle Scout.

Joseph has been very active with his troop, participating in many scout activities. Over the many years Joseph has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Joseph Whalon for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

SAFETEA–LU TECHNICAL CORRECTIONS ACT

SPEECH OF

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. MITCHELL. Mr. Speaker, I rise to thank our Chairman, JAMES OBERSTAR, for his dedication to our Nation's highways, and for his willingness to work with me on an issue of great importance to Arizona as H.R. 1195 continues its way through the legislative process.

H.R. 1195 makes technical corrections to the law that funds our Nation's highways: the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users ("SAFETEA–LU").

Unfortunately, when the law was drafted, Arizona was left out of a key provision. That provision concerns the Federal funding share that is made available for certain highway projects.

Under existing law, the Federal Government is supposed to assume a larger share for Federal highway projects in states with large proportions of Federal lands.

Currently, SAFETEA–LU identifies 6 such states with large amounts of public land.

Unfortunately, Arizona . . . which ranks 3rd in the Nation in public lands . . . was left off that list.

I believe this was a mistake, and should be corrected along with all the other mistakes that H.R. 1195 addresses.

At the time SAFETEA–LU was initially drafted, no one from Arizona served on the House Committee on Transportation and Infrastructure, and thus, there was no one to bring this omission to the Committee's attention.

I am now proud to serve on that committee.

When we marked up H.R. 1195 earlier this month, I offered an amendment to add Arizona to the list of states with large amounts of public lands which are supposed to receive a higher Federal share.

My amendment was budget-neutral. It would have cost nothing. It would not have reduced any other state's highway funding. Rather, it would have merely given our state . . . a state with more public lands than 47 other states . . . the flexibility it needs to allocate its Federal funding between our various highway projects.

At the Chairman's request, and in exchange for his commitment to work with me on this issue as H.R. 1195 goes to conference comittee, I withdrew my amendment. I know the Chairman understands how important this is to Arizona, and I am grateful for his assistance.

I would also like to publicly thank Senator JON KYL, who has been a champion of this issue for years. He has fought hard for this in the Senate, and I know he will do the same again this year. I look forward to working with him as well, for the good of Arizona, when the bill reaches conference committee.

IN HONOR OF THE EQUALITY RIDERS

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. NADLER. Madam Speaker, I rise today to pay tribute to an extraordinary group of young adults—The Equality Riders—who have dedicated 2 months of their lives, traveling thousands of miles, visiting 32 colleges and universities around the country and talking to countless students, faculty members and staff in pursuit of social justice.

The spirit of The Equality Ride was born out of the recognition that homophobia is globally pervasive and that no country, state, city, community or school escapes its reach. The Equality Ride offers a unique opportunity for student activists to dedicate their time and energy in the pursuit of Lesbian, Gay, Bisexual and Transgendered equality through the practice of nonviolent resistance and educational campaigns.

I embrace the spirit of The Equality Ride and these leaders in the fight for social justice. The participants of the Equality Ride as well as its supporters have changed numerous lives, raised awareness and challenged notions regarding homosexuality through both on and off campus activities.

While conducting their work on the various campuses, riders confront some of their harshest critics and engage in structured dialogue with the academic community through classroom presentations, panel discussions, school-wide forums and film screenings as well as informal interactions. Outside of the college and university campuses, communities have welcomed the riders to share in worship, potlucks, fundraisers and meetings.

I applaud these riders and their supporters who have tirelessly waged a campaign of truth based on the nonviolent practices of Dr. Martin Luther King, Jr. and Mahatma Gandhi to end the cycle of fear and misunderstanding that causes this vicious form of prejudice. As the Chairman of the Subcommittee on the Constitution, Civil Rights and Civil Liberties, it is my great honor to pay tribute to these visionary young people and congratulate them on their courage, determination and dedication.

RECOGNIZING ALEX J. MARTIN FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Alex J. Martin, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 264, and in earning the most prestigious award of Eagle Scout.

Alex has been very active with his troop, participating in many scout activities. Over the many years Alex has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Alex J. Martin for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING KATY RHOADES, ELIZABETH GHELETA AND PATRICIA BROWN ON BEING AWARDED A JEFFERSON AWARD FOR PUBLIC SERVICE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2007

Mr. LANTOS. Madam Speaker, I rise today to bring attention to three remarkable women in my Congressional District in California. These women are distinguished recipients of the prestigious Jefferson Award for Public Service in 2006. I would like to express my own personal gratitude to these women and share their stories with my colleagues.

Katy Rhoades is an extraordinary volunteer who has devoted herself to improving the quality of life of people with disabilities. She became an advocate for the disabled when her son, Kit, was first diagnosed with spina bifida. Katy left a career in the insurance industry to care full-time for her son. While she worked tirelessly with Kit, she also managed to find the time and energy to work with others with disabilities in San Mateo County. I am happy to announce that her son, now 21, has become a successful, independent young man and is currently enrolled at Cañada College in Redwood City. Katy has continually given of herself, tirelessly advocating for people with disabilities.

Her work on behalf of disabled people includes serving on the San Mateo County Commission on Disabilities, the Health Plan of San Mateo, the Meals on Wheels Coalition, New Beginning Coalition and the Second Harvest Food Bank. Katy has also worked with the California Children Services and the Far-West Wheelchair Sports Association. Katy developed the ''Transition to Independence Fair'' to help children with disabilities as they grow into adulthood. This unique fair now takes place every other year and is growing in importance. Katy Rhoades is an incredible ally and friend to people with disabilities. She has made her community in the Bay Area a better place for everyone.

Madam Speaker, Elizabeth Gheleta is another recent winner of the Jefferson Award. She has helped rebuild the lives of thousands of San Mateo County jail inmates and former inmates, and has also provided support and assistance to their children and families.

A long, distinguished career with the San Mateo County Service League has made Elizabeth Gheleta an invaluable and integral part of the agency's history. When Proposition 13 closed down the Service League in 1978, Elizabeth took on a leadership role that salvaged it. She built the Service League into a well-established, non-profit community organization with 25 staff members and over 500 dedicated volunteers.

This tireless and visionary woman expanded local in-jail resources to include educational programs, religious services, substance abuse counseling, and life skills to aid in the transition back into society. Elizabeth's success with the Service League has resulted in similar programs that have given hundreds of former inmates and their families a second chance in life.

Elizabeth Gheleta has spent 38 years with the Service League, and her recent retirement will leave a large void in the agency, but we can all take comfort in the knowledge that she leaves behind a strong and essential pillar of our community. She refused to give up on prison inmates and has given countless men and women the skills and support they need in order to return to productive lives in our society.

Madam Speaker, the third, and certainly not last, extraordinary woman I want to tell you about is Patricia Brown, who has retired from the Peninsula Conflict Resolution Center after 20 years of service. She has been the Executive Director of PCRC since 1992, guiding the non-profit organization in its mission to provide conflict management and resolution services in San Mateo County. This remarkable organization has grown under Patricia's leadership and today trains people to communicate and solve problems together, through constructive means. Through her vision and commitment, conflict resolution today not only involves adults, but children in school as well.

Patricia is also an active community volunteer, involving herself in the creation and development of a number of partnerships, including development of the Multi-Option Alternative Dispute Resolution Program. She has served on the California Judicial Council's Collaborative Justice Courts Advisory Committee and was involved in an innovative alliance of San Mateo County non-profits known as Thrive. A founding member of the California Dispute Resolution Council and its non-profit partner, the California Dispute Resolution Institute, Patricia can point to countless success stories relating to successful conflict resolution.

Madam Speaker, let me recognize with great pride Katy Rhoades, Elizabeth Gheleta and Patricia Brown, three women who have devoted their lives to making our community a stronger, safer and more vibrant place to live. These women are gems in San Mateo County and an inspiration to all of us. I am honored to be able to highlight their accomplishments.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, April 17, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 18

Time to be announced

Homeland Security and Governmental Affairs

Business meeting to consider the nomination of Gregory B. Cade, of Virginia, to be Administrator of the United States Fire

Administration, Department of Homeland Security.

S–216, Capitol

9:30 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine economic challenges and opportunities facing American agricultural producers today, focusing on livestock, poultry and competition issues.

SD–106

Armed Services

Airland Subcommittee

To hold hearings to examine whether the Army is properly sized, organized, and equipped to respond to the most likely missions over the next two decades while retaining adequate capability to respond to all contingencies along the spectrum of combat in review of the Defense Authorization Request for fiscal year 2008 and the Future Years Defense Program.

SR–222

10 a.m.

Finance

To hold hearings to examine the Administration's plan for reducing the tax gap, focusing on goals, benchmarks, and timetables.

SD–215

Health, Education, Labor, and Pensions

Business meeting to markup S. 1082, to amend the Federal Food, Drug, and Cosmetic Act to reauthorize and amend the prescription drug user fee provisions, and the nominations of Douglas G. Myers, of California, Jeffrey Patchen, of Indiana, Lotsee Patterson, of Oklahoma, all to be Members of the National Museum and Library Services Board, Stephen W. Porter, of the District of Columbia, to be a Member of the National Council on the Arts, and Cynthia Allen Wainscott, of Georgia, to be a Member of the National Council on Disability.

SH–216

Commerce, Science, and Transportation

Interstate Commerce, Trade, and Tourism Subcommittee

To hold hearings to examine if ''Free Trade'' is working.

SR–253

Rules and Administration

To hold hearings to examine repealing the limitation on party expenditures on behalf of candidates in general elections.

SR–301

Small Business and Entrepreneurship

To hold hearings to examine Public Law 107–204 (Sarbanes Oxley Act) and small business addressing proposed regulatory changes and their impact on capital markets.

SR–428A

Appropriations

State, Foreign Operations, and Related Programs Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2008 for maternal and child health, and family planning and reproductive health.

SD–124

Veterans' Affairs

Business meeting to markup the nomination of Thomas E. Harvey, of New York, to be an Assistant Secretary of Veterans

Affairs (Congressional Affairs).

Room to be announced

2:15 p.m.

Library

Organizational business meeting to consider an original resolution authorizing expenditures for committee operations and committee's rules of procedure for the 110th Congress.

S–115, Capitol

2:30 p.m.

Appropriations

Energy and Water Development Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2008 for the Department of Energy.

SD–138

Environment and Public Works

To hold hearings to examine the nomination of Lieutenant General Robert L. Van Antwerp, Jr. to be Chief of Engineers and Commanding General of the United States Army Corps of Engineers.

SD–406

Commerce, Science, and Transportation

Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee

To hold oversight hearings to examine the President's budget request for fiscal year 2008 for the United States Coast Guard.

SR–253

Printing

Organizational business meeting to consider an original resolution authorizing expenditures for committee operations and committee's rules of procedure for the 110th Congress.

S–115, Capitol

3 p.m.

Armed Services

Readiness and Management Support Subcommittee

Personnel Subcommittee

To hold joint hearings to examine the readiness impact of quality of life and family support programs to assist families of Active Duty, National Guard, and Reserve military personnel in review of the Defense Authorization Request for Fiscal Year 2008 and the Future Years Defense Program.

SR–232A

9:30 p.m.

Foreign Relations

To hold hearings to examine the nominations of R. Niels Marquardt, of California, to be Ambassador to the Republic of Madagascar, and to serve concurrently and without additional compensation as Ambassador to the Union of Comoros, Janet E. Garvey, of Massachusetts, to be Ambassador to the Republic of Cameroon, and Phillip Carter, III, of Virginia, to be Ambassador to the Republic of Guinea.

SD–419

APRIL 19

9 a.m.

Homeland Security and Governmental Affairs

To hold hearings to examine the impact of global warming on private and federal insurance.

SD–342

9:30 a.m.

Armed Services

To hold hearings to receive testimony on the Department of Defense's management of costs under the Logistics Civil Augmentation Program (LOGCAP) contract in Iraq.

SD–106

Judiciary

To hold oversight hearings to examine the Department of Justice.

SH–216

10 a.m.

Appropriations

Commerce, Justice, Science, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2008 for the Department of Justice.

SD–192

Finance

To hold hearings to examine grains, cane, and automobiles relating to tax incentives for alternative fuels and vehicles.

SD–215

Judiciary

To hold hearings to examine S. 1079, to establish the Star-Spangled Banner and War of 1812 Bicentennial Commission, S. 495, to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information, S. 221, to amend title 9, United States Code, to provide for greater fairness in the arbitration process relating to livestock and poultry contracts, S. 495, to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information, S. 376, to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, S. 119, to prohibit profiteering and fraud relating to military action, relief, and reconstruction efforts, S. 735, to amend title 18, United States Code, to improve the terrorist hoax statute, H.R. 740, to amend title 18, United States Code, to prevent caller ID spoofing, and the nominations of Robert Gideon Howard, Jr., of Arkansas, to be United States Marshal for the Eastern District of Arkansas, Frederick J. Kapala, of Illinois, to be

United States District Judge for the Northern District of Illinois, and Benjamin Hale Settle, of Washington, to be United States District Judge for the Western District of Washington; and the possibility of the issuance of certain subpoenas in connection with the investigation into the replacement of United States Attorneys.

SD–226

Appropriations
Military Construction and Veterans' Affairs, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2008 for miltary construction for the Army, Navy, and Marine Corps.

SD–138

Commerce, Science, and Transportation
Science, Technology, and Innovation Subcommittee
To hold hearings to examine United States competitiveness through basic research.

SR–253

Appropriations
Transportation, Housing and Urban Development, and Related Agencies Subcommittee
To hold hearings to examine rising highway fatalities.

SD–124

2 p.m.
Homeland Security and Governmental Affairs
Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee
To hold hearings to examine the current state of the Postal Service along with the efforts underway to implement the Postal Accountability and Enhancement Act (Public Law 109–435).

SD–342

2:30 p.m.
Armed Services
Strategic Forces Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2008 for the military space programs in review of the Defense Authorization Request and the Future Years Defense Program; with the possibility of a closed session in SR–222 following the open session.

SR–232A

Intelligence
To receive a closed briefing on certain intelligence matters.

S–407, Capitol

10 p.m.
Aging
To hold hearings to examine bioidentical hormones.

SD–562

APRIL 20

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2008 for the National Institutes of Health, focusing on the burden of chronic diseases.

SD–116

APRIL 23

3 p.m.
Energy and Natural Resources
To hold hearings to examine S. 1115, to promote the efficient use of oil, natural gas, and electricity, reduce oil consumption, and heighten energy efficiency standards for consumer products and industrial equipment.

SD–366

APRIL 24

9:30 a.m.
Homeland Security and Governmental Affairs
Disaster Recovery Subcommittee
To hold hearings to examine trailers, focusing on creating more flexible, efficient, and cost-effective Federal Disaster Housing Program.

SD–342

Armed Services
To hold hearings to receive testimony on United States Pacific Command, United States Forces Korea, and United States Special Operations Command in review of the Defense Authorization Request for fiscal year 2008 and the Futures Years Defense Program.

SH–216

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine communications, broadband and competitiveness relating to how the United States measures up.

SR–253

Health, Education, Labor, and Pensions
To hold hearings to examine No Child Left Behind Reauthorization, focusing on modernizing middle and high schools for the twenty-first century.

SD–628

Judiciary
Human Rights and the Law Subcommittee
To hold hearings to examine the casualties of war focusing on child soldiers and the law.

SD–226

2:30 p.m.
Judiciary
To hold hearings to examine the Insurrection Act rider and the state control of the National Guard.

SD–226

APRIL 25

2 p.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
To hold hearings to examine language technology and training for the Department of Defense.

SR–325

Veterans' Affairs
To hold an oversight hearing to examine the Department of Veterans Affairs, focusing on mental health issues.

SR–418

2:30 p.m.
Commerce, Science, and Transportation
Business meeting to consider pending calendar business.

SR–253

APRIL 26

9:30 a.m.
Armed Services
To hold hearings to receive testimony on legal issues regarding individuals detained by the Department of Defense as unlawful enemy combatants.

SH–216

10 a.m.
Health, Education, Labor, and Pensions
Employment and Workplace Safety Subcommittee
To hold hearings to examine if the Occupational Safety and Health Administration (OSHA) is working for working people.

SD–628

Commerce, Science, and Transportation
Science, Technology, and Innovation Subcommittee
To hold hearings to examine clean coal technology.

SR–253

2:30 p.m.
Commerce, Science, and Transportation
Consumer Affairs, Insurance, and Automotive Safety Subcommittee
To hold hearings to examine All-Terrain Vehicle (ATV) safety.

SR–253

MAY 3

2:30 p.m.
Commerce, Science, and Transportation
To hold hearings to examine pending nominations.

SR–253

MAY 9

9:30 a.m.
Veterans' Affairs
To hold hearings to examine on benefits legislation.

SD–562

MAY 16

10 a.m.
Veterans' Affairs
To hold hearings to examine the nomination of Michael K. Kussman, of Massachusetts, to be Under Secretary for Health of the Department of Veterans Affairs.

SD–562

MAY 23

9:30 a.m.
Veterans' Affairs
To hold hearings to examine on health legislation.

SD–562

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4459–S4550

Measures Introduced: Eleven bills and one resolution were introduced, as follows: S. 1109–1119, and S. Res. 149. **Pages S4477–78**

Measures Passed:

Virginia Tech University Condolences: Senate agreed to S. Res. 149, expressing the condolences of the Senate on the tragic events at Virginia Tech University. **Page S4550**

Intelligence Authorization Act: Senate resumed consideration of S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, taking action on the following amendments proposed thereto:

Pages S4463–70, S4471–74

Pending:

Rockefeller/Bond Amendment No. 843, in the nature of a substitute. **Pages S4465–67**

Collins Amendment No. 847 (to Amendment No. 843), to reaffirm the constitutional and statutory protections accorded sealed domestic mail.

Pages S4467–70

During consideration of this measure today, Senate also took the following action:

By 41 yeas to 40 nays (Vote No. 130), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the bill. **Pages S4471–72**

Subsequently, Reid motion to reconsider the vote by which cloture was not invoked on S. 372, was entered. **Page S4471**

A unanimous-consent agreement was reached providing for further consideration of the bill at 11 a.m., on Tuesday, April 17, 2007. **Page S4550**

Medicare Prescription Drug Price Negotiation Act: Senate began consideration of the motion to proceed to consideration of S. 3, to amend part D of title XVIII of the Social Security Act to provide for fair prescription drug prices for Medicare beneficiaries. **Page S4461**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, April 18, 2007.

Page S4461

Subsequently, the motion to proceed to the consideration of the bill was withdrawn. **Page S4461**

Court Security Improvement Act: Senate began consideration of the motion to proceed to consideration of S. 378, to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members. **Pages S4470–71**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, April 18, 2007.

Page S4470

Subsequently, the motion to proceed to the consideration of the bill was withdrawn. **Page S4470**

Appointments:

U.S.-Russia Interparliamentary Group: The Chair, on behalf of the Republican Leader, pursuant to Section 154 of Public Law 108–199, appointed the following Senator as Vice Chairman of the Senate Delegation to the U.S.-Russia Interparliamentary Group conference during the 110th Congress: Senator Lott. **Page S4549**

U.S.-Russia Interparliamentary Group: The Chair, on behalf of the Majority Leader, pursuant to Section 154 of Public Law 108–199, appointed the following Senator as Chairman of the Senate Delegation to the U.S.-Russia Interparliamentary Group conference during the 110th Congress: Senator Nelson (NE). **Page S4549**

Nominations Received: Senate received the following nominations:

Dennis R. Schrader, of Maryland, to be Deputy Administrator for National Preparedness, Federal Emergency Management Agency, Department of Homeland Security.

Routine lists in the Army. Page S4550

Messages from the House: Page S4475

Petitions and Memorials: Pages S4476–77

Executive Communications: Pages S4475–76

Additional Cosponsors: Pages S4478–80

Statements on Introduced Bills/Resolutions: Pages S4480–S4507

Additional Statements: Page S4475

Amendments Submitted: Pages S4507–49

Notices of Hearings/Meetings: Page S4549

Authorities for Committees to Meet: Page S4549

Record Votes: One record vote was taken today. (Total–130) Pages S4471–72

Adjournment: Senate convened at 2 p.m., and adjourned at 6:47 p.m., until 10 a.m. on Tuesday, April 17, 2007. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4550.)

Committee Meetings

(Committees not listed did not meet)

CARBON DIOXIDE STORAGE AND RESEARCH

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 731, to develop a methodology for, and complete, a national assessment of geological storage capacity for carbon dioxide, and S. 962, to amend the Energy Policy Act of 2005 to reauthorize and improve the carbon capture and storage research, development, and demonstration program of the Department of Energy, after receiving testimony from Mark D. Myers, Director, United States Geological Survey, Department of the Interior; Thomas D. Shope, Acting Assistant Secretary of Energy for Fossil Energy; George Guthrie, Program Director, Fossil Energy and Environment Programs, Los Alamos National Laboratory; and David G. Hawkins, Natural Resources Defense Council, and Kipp Coddington, Alston and Bird LLP, both of Washington, D.C.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 6 public bills, H.R. 1857–1862; and 4 resolutions, H. Con. Res. 111; and H. Res. 296–298 were introduced. Page H3399

Additional Cosponsors: Pages H3399–H3401

Reports Filed: Reports were filed today as follows:

H.R. 1677, to amend the Internal Revenue Code of 1986 to enhance taxpayer protections and outreach, with an amendment (H. Rept. 110–84);

H.R. 362, to authorize science scholarships for educating mathematics and science teachers, with an amendment (H. Rept. 110–85);

H.R. 1515, to amend the Housing and Community Development Act of 1974 to treat certain communities as metropolitan cities for purposes of the community development block grant program (H. Rept. 110–86);

H.R. 1681, to amend the Congressional Charter of The American National Red Cross to modernize its governance structure, to enhance the ability of the board of governors of The American National Red Cross to support the critical mission of The American National Red Cross in the 21st century, with an amendment (H. Rept. 110–87); and

H.R. 1257, to amend the Securities Exchange Act of 1934 to provide shareholders with an advisory vote on executive compensation, with an amendment (H. Rept. 110–88). Page H3399

Speaker: Read a letter from the Speaker wherein she appointed Representative Altmire to act as Speaker pro tempore for today. Page H3377

Suspensions: The House agreed to suspend the rules and pass the following measures:

Lieutenant Todd Jason Bryant Post Office Designation Act: H.R. 988, to designate the facility of the United States Postal Service located at 5757 Tilton Avenue in Riverside, California, as the "Lieutenant Todd Jason Bryant Post Office"; Pages H3378–79

Commemorating the 85th Anniversary of the founding of the American Hellenic Educational Progressive Association (AHEPA): H. Con. Res. 71, to commemorate the 85th Anniversary of the founding of the American Hellenic Educational Progressive Association (AHEPA), a leading association for

the Nation's 1.3 million American citizens of Greek ancestry, and Philhellenes; and **Pages H3387–89**

Honoring the life of Ernest Gallo: H. Con. Res. 88, to honor the life of Ernest Gallo. **Pages H3389–91**

Moment of Silence: The House observed a moment of silence in honor of the victims of the shooting on the campus of the Virginia Polytechnic Institute and State University earlier today. **Page H3387**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed until Tuesday, April 17th:

Supporting the goals and ideals of Financial Literacy Month: H. Res. 273, to support the goals and ideals of Financial Literacy Month and **Pages H3379–87**

Honoring the 50th Anniversary of the International Geophysical Year (IGY) and its past contributions to space research: H. Con. Res. 76, to honor the 50th Anniversary of the International Geophysical Year (IGY) and its past contributions to space research, and looking forward to future accomplishments. **Pages H3391–93**

Senate Messages: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on page H3377.

Senate Referrals: S. 30 was referred to the Committee on Energy and Commerce; S. 229 was referred to the Committee on Veterans' Affairs; S. 801 was referred to the Committee on Transportation and Infrastructure; and S. 1104 was referred to the Committee on the Judiciary. S. 5 and S. 521 were held at the desk. **Page H3397**

Quorum Calls—Votes: There were no yea-and-nay votes, and there were no recorded votes. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 4:01 p.m.

Committee Meetings

No Committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, APRIL 17, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, to hold hearings to examine combating autism, focusing on undertaking a coordinated response, 2 p.m., SD–124.

Committee on Armed Services: to hold hearings to examine whether the Army and Marine Corps are properly sized, organized, and equipped to respond to the most likely missions over the next two decades while retaining adequate capability to respond to all contingencies along the spectrum of combat, 9:30 a.m., SD–106.

Subcommittee on Readiness and Management Support, to hold hearings to examine the current readiness of United States ground forces in review of the Defense Authorization Request for fiscal year 2008 and the Future Years Defense Program, 3 p.m., S–407, Capitol.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, Insurance and Investment, to hold hearings to examine the role of securitization relating to subprime mortgage market turmoil, 3 p.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the proposed merger between XM and Sirius, 10 a.m., SR–253.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Employment and Workplace Safety, to hold hearings to examine domestic violence in the workplace, 10 a.m., SD–628.

Select Committee on Intelligence: to hold hearings to examine The Foreign Intelligence Surveillance Act (Public Law 95–511), 2:30 p.m., SDG–50.

House Committees

Committee on Agriculture, April 17, Subcommittee on Livestock, Dairy and Poultry, hearing to review the market structure of the livestock industry, 11 a.m., 1300 Longworth.

April 18, Subcommittee on Horticulture and Organic Agriculture, hearing to review the economic impacts of production, processing and marketing of organic agricultural products, 10 a.m., 1300 Longworth.

April 19, Subcommittee on Conservation, Credit, Energy and Research, hearing to review USDA Farm Bill conservation programs, 1 p.m., 1300 Longworth.

Committee on Appropriations, April 17, Subcommittee on Defense, on Army Force Posture/Acquisition Overview, 10 a.m., and executive, on U.S. Central Command, 1:30 p.m., H–140 Capitol.

April 17, Financial Services and General Government, on FCC, 10 a.m., 2220 Rayburn.

April 17, Subcommittee on Interior, Environment and Related Agencies, on Indian Health Service, 9:30 a.m., B–308 Rayburn.

April 17, Subcommittee on Military Construction, Veterans' Affairs and Related Agencies, on Central Command, 10 a.m., H–143 Capitol.

April 17, Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, on Federal Highway Administration/Federal Transit Administration, 10 a.m., 2358 Rayburn.

April 18, Subcommittee on Defense, on Army Reset, 10 a.m., and on Army/Marine Corps Personnel Issues, 1:30 a.m., H–140 Capitol.

April 18, Subcommittee on Financial Services and General Government, on GSA, 10 a.m., 2220 Rayburn.

April 18, Subcommittee on Interior, Environment and Related Agencies, on Public Witnesses (Native Americans), 9:30 a.m., and 1:30 p.m., B–308 Rayburn.

April 19, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Food Safety and Inspection Service, 10 a.m., 2362A Rayburn.

April 19, Subcommittee on Defense, executive, on U.S. Special Operations-Command, 1:30 a.m., H–140 Capitol.

April 19, Subcommittee on Interior, Environment, and Related Agencies, on Members of Congress and Public Witnesses, 9:30 a.m., and on Public witnesses, 1:30 p.m., B–308 Rayburn.

April 19, Subcommittee on Legislative Branch, on GAO, 10 a.m., H–144 Capitol.

April 19, Subcommittee on State, Foreign Operations, and Related Programs, on Public Diplomacy and Broadcasting Programs, 10 a.m., 2359 Rayburn.

April 20, Subcommittee on Defense, on Guard and Reserve-Oversight, 10 a.m., H–140 Capitol.

April 20, Subcommittee on Financial Services and General Government, on District of Columbia, 10 a.m., 2359 Rayburn.

Committee on Armed Services, April 18, hearing on the Fiscal Year 2008 National Defense Authorization Budget Request U.S. Central Command, 9 a.m., 2118 Rayburn.

April 19, Subcommittee on Air and Land Forces, hearing on Fiscal Year 2008 National Defense Authorization Budget Request, Unmanned Aerial Vehicles and Intelligence, Surveillance, and Reconnaissance capabilities, 10 a.m., 2118 Rayburn.

Committee on Education and Labor, April 20, hearing on Mismanagement and Conflicts of Interest in the Reading First Program, 9 a.m., 2175 Rayburn.

Committee on Energy and Commerce, April 17, Subcommittee on Health, hearing entitled ''Reauthorization of the Prescription Drug User Fee Act,'' 10 a.m., 2123 Rayburn.

April 18, Subcommittee on Energy and Air Quality, hearing entitled ''Alternative Transportation Fuels: An Overview,'' 2 p.m., 2123 Rayburn.

April 18, Subcommittee on Health, hearing entitled ''Medicare Program Efficiency and Integrity,'' 2 p.m., 2322 Rayburn.

April 19, Subcommittee on Telecommunications and the Internet, to continue hearings entitled ''Digital Future of the United States: Part III: Spectrum Opportunities and the Future of Wireless,'' 10 a.m., 2123 Rayburn.

April 20, Subcommittee on Oversight and Investigations, hearing entitled ''Department of Energy's Response to Ongoing Mismanagement at the Los Alamos National Labs,'' 9:30 a.m., 2123 Rayburn.

Committee on Financial Services, April 17, hearing entitled ''Possible Responses to Rising Mortgage Foreclosures, 10 a.m., 2128 Rayburn.

April 19, Subcommittee on Housing and Community Opportunity, hearing entitled ''The Expanding American Homeownership Act of 2007: H.R. 1852, to modernize and update the National Housing Act and enable the Federal Housing Administration to use risk-based pricing to more effectively reach underserved borrowers; and related FHA Modernization Issues, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, April 17, hearing on the Outlook for the Independence of Kosova, 10 a.m., 2172 Rayburn.

April 17, Subcommittee on International Organizations and Human Rights and the Subcommittee on Europe, joint hearing and briefing on Extraordinary Rendition in the U.S. Counterterrorism Policy: The Impact on Transatlantic Relations, 2 p.m., 2172 Rayburn.

April 18, Subcommittee on Middle East and South Asia, hearing on the Political Situation in Lebanon, 10 a.m., 2172 Rayburn.

April 18, Subcommittee on Terrorism, Nonproliferation and Trade, and the Subcommittee on Domestic, and International Monetary Policy, Trade and Technology of the Committee on Financial Services, joint hearing on Isolating Proliferators and Sponsors of Terror: The Use of Sanctions and the International Financial System To Change Regime Behavior, 2 p.m., 2172 Rayburn.

April 19, full Committee, hearing on Current Situation in Darfur, 9:30 a.m., 2172 Rayburn.

Committee on Homeland Security, April 17, to mark up H.R. 1680, Secure Handling of Ammonium Nitrate Act of 2007, 10 a.m., 210 Cannon.

April 18, Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, hearing entitled ''Can BioShield Effectively Procure Medical Countermeasures That Safeguard the Nation?'' 1 p.m., 1539 Longworth.

April 19, Subcommittee on Emerging Threats, Cybersecuity, and Science Technology, hearing entitled ''Cyber Insecurity: Hackers Are Penetrating Federal Systems and Critical Infrastructure,'' 1 p.m., 1539 Rayburn.

April 19, Subcommittee on Management, Investigations, and Oversight, hearing entitled ''Addressing the Department of Homeland Security's Morale Crisis,'' 10 a.m., 311 Cannon.

April 19, Subcommittee on Transportation and Infrastructure Protection, hearing entitled ''Airport Security: The Necessary Improvements To Secure America's Airports,'' 11:30 a.m., 340 Cannon.

April 20, full Committee, hearing entitled ''Responsibility in Federal Homeland Security Contracting,'' 10 a.m., 2118 Rayburn.

Committee on the Judiciary, April 17, Subcommittee on Commercial and Administrative Law, oversight hearing on Executive Compensation in Chapter 11 Bankruptcy Cases: How Much Is Too Much? 10:30 a.m., 2141 Rayburn.

April 17, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on H.R. 1592, Local Law Enforcement Hate Crimes Prevention Act of 2007, 2 p.m., 2141 Rayburn.

April 19, Subcommittee on Courts, the Internet and Intellectual Property, oversight hearing on Federal Judicial Compensation, 10 a.m., 2141 Rayburn.

April 19 and 20, Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law,

hearings on Shortfalls of 1986 Immigration Reform Legislation, 3 p.m., on April and 10 a.m., on April 20, 2141 Rayburn.

Committee on Natural Resources, April 17, Subcommittee on Energy and Mineral Resources, oversight hearing on Implementation of Title III, the Oil and Gas provisions of the Energy Policy Act of 2005, 2 p.m., 1334 Rayburn.

April 17, Subcommittee on Fisheries, Wildlife and Oceans, oversight hearing on Wildlife and Oceans in a Changing Climate, 10 a.m., 1324 Longworth.

April 17, Subcommittee on National Parks, Forests and Public Lands, hearing on the following bills: H.R. 554, Paleontological Resources Preservation Act; H.R. 986, Eightmile Wild and Scenic River Act; H. R. 1100, Carl Sandburg Home National Historic Site Boundary Revision; and H.R. 1285, Snoqualmie Pass Land Conveyance Act, 10 a.m., 1334 Longworth.

April 18, full Committee, hearing on the following bills: H.R. 1294, Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2006; and H.R. 65, Lumbee Recognition Act, 10 a.m., 1324 Longworth.

April 19, Subcommittee on Energy and Mineral Resources, oversight hearing on Renewable Energy Opportunities and Issues on Federal Lands: Review of Title II, Subtitle B—Geothermal Energy of EPAct; and other renewable programs and proposals for public resources, 2 p.m., 1324 Longworth.

April 19, Subcommittee on Insular Affairs, oversight hearing on Current Economic, Social and Security Conditions of the Commonwealth of the Northern Mariana Islands, 10 a.m., 1324 Longworth.

April 19, Subcommittee on Natural Parks, Forests and Public Lands, to mark up the following bills: H.R. 359, Cesar Estrada Chavez Study Act; H.R. 713, Niagara Falls National Heritage Area Act; H.R. 986, Eightmile Wild and Scenic River Act, H.R. 1080,Grand Teton National Park Extension Act of 2007; H.R. 1100, Carl Sandburg Home National Historic Site Boundary Revision Act of 2007; and a measure Expressing the sense of Congress that the National Museum of Wildlife Art, located at 2820 Rungius Road, Jackson, Wyoming, shall be designated as the National Museum of Wildlife Art of the United States, 2 p.m., 1334 Longworth.

April 19, Subcommittee on Water and Power, to markup the following bills: H.R. 487, Cheyenne River Sioux Tribe Equitable Compensation Amendments Act of 2007; H.R. 1114, Alaska Water Resources Act of 2007; and H.R. 1140, South Orange County Recycled Water Enhancement Act, 10 a.m., 1334 Longworth.

Committee on Oversight and Government Reform, April 17, Subcommittee on Federal Workforce, Postal Service, and the District of Columbia, hearing on the U.S. Postal Service: 101, 10 a.m., 2247 Rayburn.

April 17, Subcommittee on National Security, and Foreign Affairs, to continue hearings on Is This Any Way to Treat Our Troops—Follow-up on Corrective Measures Taken at Walter Reed and Other Medical Facilities Caring for Wounded Soldiers, 10 a.m., 2154 Rayburn.

April 18, full Committee, hearing entitled ''Unanswered Questions Regarding the Administration's Claims that Iraq Sought Uranium from Niger, White House treatment of Classified Information, the Appointment of Ambassador Jones as Special Coordinator' for Iraq, and other Subjects,'' 10 a.m., 2154 Rayburn.

April 18, Subcommittee on Information Policy, Census and National Archives, hearing on Ensuring Fairness and Accuracy in Elections Involving Electronic Voting Systems, 2 p.m., 2154 Rayburn.

April 19, Subcommittee on Government Management, Organization and Procurement, hearing on Contractor Tax Enforcement Act and Amendments to Title 31, United States Code, 1 p.m., 2154 Rayburn.

Committee on Rules, April 17, to consider the following measures: H.R. 1257, Shareholder Vote on Executive Compensation Act; and H.R. 1361, RECOVER Act, 11 a.m., H–313 Capitol.

April 18, to consider the following bills: H.R.1495, Water Resources Development Act of 2007; and H.R. 363, Sowing the Seeds Through Science and Engineering Research Act, 2 p.m., H–313 Capitol.

Committee on Science and Technology, April 17, hearing on the State of Climate Change Science 2007: The Findings of the Fourth Assessment Report by the Intergovernmental Panel on Climate Change, Working Group II: Climate Change Impacts, Adaptation and Vulnerability, 10 a.m., 2318 Rayburn.

April 19, Subcommittee on Research and Science, to mark up a measure to authorize appropriations for fiscal years 2008, 2009, and 2010 for the National Science Foundation, 2 p.m., 2318 Rayburn.

April 19, Subcommittee on Technology and Innovation, to mark up the Technology Innovation and Manufacturing Stimulation Act of 2007, 10 a.m., 2318 Rayburn.

Committee on Small Business, April 19, hearing entitled ''Expanding Small Businesses' Access to Federal Contracts,'' 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, April 17, Subcommittee on Highways and Transit, hearing on ''Public-Private Partnerships: Innovating Contracting,'' 10 a.m., 2167 Rayburn.

April 17, Subcommittee on Water Resources and Environment, hearing on Nonpoint Source Pollution: Atmospheric Deposition and Water Quality, 2 p.m., 2167 Rayburn.

April 18, full Committee, oversight hearing on Proposals to Downsize the Federal Protective Service and Effects on the Protection of Federal Buildings, 10 a.m., and an oversight hearing on Compliance with Requirements of the Coast Guard's Deepwater Contract,'' 2 p.m., 2167 Rayburn.

April 19, Subcommittee on Railroads, Pipelines, and Hazardous Materials, hearing on High-Speed Rail Systems, 10 a.m., 2167 Rayburn.

April 19, Subcommittee on Water Resources and Environment, hearing on Nonpoint Source Pollution: The Impact of Agriculture on Water Quality, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, April 17, Subcommittee on Disability Assistance and Memorial Affairs, hearing on the following bills: H.R. 67, Veterans Outreach Improvement Act of 2007; H.R. 1435, Department of Veterans

Affairs Claims Backlog Reduction Act of 2007; H.R. 1444, To direct the Secretary of Veterans Affairs to make interim benefit payments under certain remanded claims; and H.R. 1490, To provide for a presumption of service-connectedness for certain claims for benefits under the laws administered by the Secretary of Veterans Affairs, 12:30 p.m., 334 Cannon.

April 18, full Committee, to mark up H.R. 1642, Homeless Veterans Housing at Sepulveda Ambulatory Care Center Promotion Act; followed by a hearing on H.R. 23, Belated Than You to the Merchant Mariners of World War II Act of 2007, 10 a.m., 334 Cannon.

April 18, Subcommittee on Health, hearing on access to VA Health Care: How Easy is it for Veterans? Addressing the Gaps, 2 p.m., 334 Cannon.

April 19, Subcommittee on Economic Opportunity, hearing on State Approving Agencies, 2 p.m., 334 Cannon.

April 19, Subcommittee on Oversight and Investigations, hearing on Surgical Services at the W.G. (Bill) Hefner VA Medical Center in Salisbury, North Carolina, 10 a.m., 334 Cannon.

Committee on Ways and Means, April 19, Subcommittee on Select Revenue Measures, hearing on Energy and Tax Policy, 2 p.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, April 17, executive, hearing on Personnel and Security, 2 p.m., H–405 Capitol.

April 18, Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive, hearing on All-Source Analysis, 2 p.m., H–405 Capitol.

April 19, full Committee, executive, hearing on National Clandestine Service/Human Intelligence, 2 p.m., H–405 Capitol.

Select Committee on Energy Independence and Global Warming, April 18, hearing entitled ''Geopolitical Implications of Rising Oil Dependence and Global Warming,'' 9:30 a.m., 1100 Longworth.

Next Meeting of the SENATE
10 a.m., Tuesday, April 17

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 60 minutes), Senate will continue consideration of S. 372, Intelligence Authorization Act.

Next Meeting of the HOUSE OF REPRESENTATIVES
10:30 a.m., Tuesday, April 17

House Chamber

Program for Tuesday: Consideration of the following suspensions: (1) H.R. 886—Wild Sky Wilderness Act of 2007; (2) H. Res. 217—Expressing the sense of the House of Representatives concerning the 50th anniversary of Celilo Falls; (3) H.R. 609—To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Central Texas Water Recycling and Reuse Project; (4) H.R. 786—To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Los Angeles County Water Supply Augmentation Demonstration Project; (5) H.R. 309—To direct the Secretary of the Interior to establish a demonstration program to facilitate landscape restoration programs within certain units of the National Park System established by law to preserve and interpret resources associated with American history; (6) H.R. 815—To provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard; (7) H.R. 865—To grant rights-of-way for electric transmission lines over certain Native allotments in the State of Alaska; (8) H.R. 1191—To authorize the National Park Service to pay for services rendered by subcontractors under a General Services Administration Indefinite Deliver/Indefinite Quantity Contract issued for work to be completed at the Grand Canyon National Park; (9) H.R. 1677—Tax Payer Protection Act; (10) H. Res. 125—Expressing deep concern over the use of civilians as ''human shields'' in violation of international humanitarian law and the law of war during armed conflict, including Hezbollah's tactic of embedding its forces among civilians to use them as human shields during the summer of 2006 conflict between Hezbollah and the State of Israel; (11) H. Res. 196—Supporting the goals and ideals of World Water Day; (12) H. Con. Res. 100—Condemning the recent violent actions of the Government of Zimbabwe against peaceful opposition party activists and members of civil society; (13) H.R. 1681—To amend the Congressional Charter of The American National Red Cross to modernize its governance structure, to enhance the ability of the board of governors of The American National Red Cross to support the critical mission of The American National Red Cross in the 21st century; (14) H. Res. 293—Supporting the goals and ideals highlighted through National Volunteer Week; and (15) H.R. 1515—To amend the Housing and Community Development Act of 1974 to treat certain communities as metropolitan cities for purposes of the community development block grant program.

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