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Senate

The Senate met at 2 p.m. and was called to order by the Honorable MARK L. PRYOR, a Senator from the State of Arkansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray:

Almighty God, smile on us and lift us with Your mighty strength. Develop in us an optimism that will withstand all challenges, bear all burdens, and catapult all obstacles.

Guide the Members of this body, today, on Your path. Show them Your ways as You lead them by the power of Your truth. Help them to set priorities that will deliver captives and relieve the oppressed, causing ''justice to roll down like waters and righteousness like a mighty stream.'' Direct our Senators with their going out and coming in, inspiring them with a resolute determination to fulfill Your purposes on Earth. We pray in Your reverent Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK L. PRYOR 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 please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 14, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK L. PRYOR, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. PRYOR 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. Mr. President, shortly the Chair will announce that we are in morning business until 3 p.m. today, with the time equally divided between the two leaders.

At 3 p.m., the Senate will begin consideration of H.R. 1495, the Water Resources Development Act. Senators BOXER and INHOFE are managing the bill, and they will be here at 3 o'clock ready to conduct business. There will be no rollcall votes today.

If there are no amendments on Tuesday, the water resources bill would be ready for a vote. If there are no votes on WRDA tomorrow and they are able to complete work on the bill, then we will have the judicial nomination before the caucuses in the morning.

Also, I have had discussions with the Republican leader. We finished a conversation a short time ago. I indicated last Friday I would delay filing cloture on the motion to proceed to the immigration bill until today so that negotiations could continue. That cloture vote will occur now on Wednesday.

The Republican leader and I will continue our discussions about the best way to proceed with the supplemental. The bill is expected to be received from the House today and will be placed on the Senate calendar when it arrives. The Senate must complete action on the supplemental this week so it can be conferenced with the House and sent to the President prior to the scheduled Memorial Day recess. It will occur. That is, the conference will be completed or we will delay our recess.

In addition, the Senate can expect to receive a conference vote on the budget sometime later this week. We need to act on that also. Under the Budget Act, debate time is limited to 10 hours.

So a busy week lies ahead for us in the Senate. We have one week after this before the Memorial Day break.

HONORING 2007 NATIONAL POLICE WEEK

Mr. REID. Mr. President, this weekend I had the good fortune of having my brother in town. My brother Don is the oldest of four boys. He is 12 years older than I. He served in the Marine Corps, and during the Korean War he served in the Army. It was a wonderful time we had yesterday. Among other things, we went to Arlington National Cemetery. He wanted to go there.

I have been here a long time. I went to law school here, and I now have been in Congress for about 25 years. You don't often take the opportunity—because you are busy doing other things—to visit the wonderful attractions there are in the District of Columbia area.

Arlington Cemetery is a place that every Member of Congress should go once in a while. It is amazing to see all those graves. I went, as I have on a number of occasions, to President Kennedy's grave site. We saw the eternal flame. He is there with his two babies and his wonderful wife.

We watched the changing of the guard at the Tomb of the Unknown Soldier. We visited the Iwo Jima memorial—it is called the Marine Corps Memorial. Iwo Jima is mentioned there. I have been reading a lot about that lately. There are some books, such as Flags of Our Fathers—I don't want to hurt Clint Eastwood's feelings, but

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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the book is much better than his movie. It is a wonderful book about the people who raised the flag over Iwo Jima. That was quite a battle on that little island. The fighting lasted 40 days. Seven thousand Americans were killed and 20,000 wounded. During the first few days, hundreds were being killed every day. Even though that battle lasted a little over a month, a significant percentage of all of the Medals of Honor that were awarded during that war were awarded to the Battle of Iwo Jima.

So, Mr. President, for me to go yesterday to the cemetery at Arlington and see the eternal flame at President Kennedy's grave, to go to the Iwo Jima monument speaks in words that cannot be described in just the setting rather than the actual words you are hearing of the uncommon valor of the courageous American men and women in uniform serving overseas.

On Saturday, we also visited the World War II monument, the relatively new monument in the area. We went to the FDR Memorial, Lincoln's monument. These are things I enjoyed doing, but I especially enjoyed them because my brother was there with me.

Our troops serve as we speak with great valor overseas. Thousands and thousands more do the same for us here at home.

Last night, National Police Week kicked off with a candlelight vigil at the National Law Enforcement Officers Memorial. President Kennedy actually designated May 15 of every year as the ''National Peace Officers Memorial Day'' and the week surrounding it ''Police Week.'' Forty-five years later, our commitment to honor the memories of officers lost in the line of duty, police officers lost in the line of duty, as well as those who continue to serve us, remains as strong as ever.

At last night's candlelight vigil, the names of all 145 officers killed in the line of duty in 2006 were read. One of those names was Sgt. Henry Prendes of Las Vegas. He was a member of the Las Vegas Metropolitan Police Department.

On February 1, 2006, Sergeant Prendes was the first to respond to a domestic violence call involving a man brutally beating a woman. As Sergeant Prendes approached the suspect, he was fatally shot and killed by a semiautomatic rifle.

Sergeant Prendes had spent 14 years on the force protecting the people of Las Vegas.

His wife Dawn and daughters Brooke and Kylee are in Washington this week to honor their husband and father.

It is impossible to imagine the void left in Dawn, Brooke, and Kylee's hearts. Perhaps that void will be eased in some small way by the pride in knowing that their father and husband served his community and our country with extraordinary courage and uncommon valor.

During this National Police Week, the memory of Sergeant Prendes and all those who have likewise fallen in the line of duty this year and in years past are foremost in our thoughts.

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 until 3 p.m., with Senators permitted to speak for up to 10 minutes each and the time equally divided between the two leaders or their designees.

The Senator from Iowa is recognized.

WHISTLEBLOWER WEEK IN WASHINGTON

Mr. GRASSLEY. Mr. President, I announced today the kickoff of whistleblower week in Washington. This week, and the events surrounding it, are designed to promote, to celebrate, and to educate Congress and the public about the courage and the patriotism of our whistleblowers. These individuals often risk their careers to expose fraud, waste, and abuse in an effort to protect not only the health and safety of the American people but also the Federal Treasury and taxpayer dollars.

This week's events promoting and celebrating whistleblowers are important for all Members of Congress and for the public as well. By highlighting what whistleblowers do, we provide insight into what it means to be a whistleblower and the important role they play in Government and society.

For over two decades, I have learned from, appreciated, and honored whistleblowers. Congress needs to make a special note of the role that whistleblowers play in helping us to fulfill our constitutional duty of conducting oversight of the executive branch of Government or what we learn in high school government classes called checks and balances.

As a Senator, I have conducted extensive oversight into virtually all aspects of the Federal bureaucracy. Despite the differences in cases from agency to agency and from department to department, one constant remains: the need for information and the need for insight from whistleblowers. This information is vital to effective congressional oversight, the constitutional responsibility of Congress, in addition to legislating.

Documents alone are insufficient when it comes to understanding a dysfunctional bureaucracy. Only whistleblowers can explain why something is wrong and provide the best evidence to prove it. Moreover, only whistleblowers can help us truly understand problems with the culture of Government agencies, because without changing the culture, business as usual is the rule.

Whistleblowers have been instrumental in uncovering $700 being spent on toilet seats in the Department of Defense. These American heroes were also critical in our learning about how the Food and Drug Administration missed the boat and approved Vioxx, how Government contracts were inappropriately steered at the General Services Administration, and how the corporation Enron was cooking the books and ripping off investors. Courageous employees blew the whistle and shed much needed sunlight on the problems that would otherwise never see the light of day.

Similar to all whistleblowers, each whistleblower in these cases demonstrated tremendous courage. They stuck their neck out for the good of all of us. They spoke the truth. They didn't take the easy way out by going along to get along or by looking the other way when they saw that things were wrong and that there was wrongdoing.

The whistleblower whom I call the grandfather of all whistleblowers, Ernie Fitzgerald, of about 30 years of Department of Defense fame as an auditor, says that the only thing that whistleblowers commit—let me say it this way: The only thing that whistleblowers do, and it ends up getting them in trouble is, in his words, ''commit truth.'' For committing truth, then, they are about as welcome as a skunk at a Sunday afternoon picnic with the bureaucracies they are within.

I have said it for many years without avail, and it probably will not be of avail, that I would like to see the President of the United States—and I have said this to four different Presidents—have a Rose Garden ceremony honoring whistleblowers. This would send a message from the very top of the bureaucracy, which is the Presidency of the United States, and to the bottom of the bureaucracy about the importance and value of whistleblowers.

They deserve this attention, and we all ought to be grateful for what they do and appreciate the very difficult circumstances they often have to endure to do whistleblowing—or as Fitzgerald says, ''committing truth''—because in the end they sacrifice their family's finances, oftentimes their employability, and the attempts by powerful interest groups to actually smear their good names and good intentions.

Earlier today, I had the opportunity to speak at a panel that gathered to discuss the plight of whistleblowers at the Federal Bureau of Investigation. These individuals discussed the hurdles they face in exposing the truth—or, according to Fitzgerald, ''committing truth.'' Further, they discussed the lengths at which some bureaucrats will go to prevent the truth from getting out.

Unfortunately, these former agents also discussed a culture that keeps problems internal and the circling of wagons within the bureaucracy when

things go wrong. Oftentimes, this culture ''shoots'' the whistleblower instead of addressing the problem.

Mr. President, retaliation against whistleblowers should not be tolerated. We have an obligation to ensure that those who retaliate are punished. Congress has recognized the need to protect whistleblowers, and I have used my experience working with whistleblowers to promote legislation that protects them from retaliation—legislation such as the Whistleblower Protection Act, the Sarbanes-Oxley Act, and the False Claims Act.

These acts all recognize the benefits of whistleblowers and offer protection to those seeking to uncover the truth. For example, whistleblowers have used the False Claims Act to help the Federal Government recover nearly $20 billion since Congress passed my amendments in 1986. I think the deterrent effect—if you can quantify it—would be many times the $20 billion of hard cash that has actually come back into the Federal Treasury. These laws I gave are a good step. However, our work in this field is unfinished and more can be done.

The next step in protecting whistleblowers was filed in January and is currently pending before this body. It is S. 274, the Federal Employee Protection of Disclosures Act, which will provide much needed updates to Federal whistleblower protections. I am proud to be an original cosponsor of S. 274 and believe the Senate should move this important legislation. Unfortunately, this bill was introduced but not addressed in the last Congress. It is my hope this Chamber will act on S. 274 and improve the protections for whistleblowers.

I urge all of my colleagues to join in support of S. 274 and swiftly move this important legislation to help protect whistleblowers further than present law does. I also urge all of my colleagues to attend the events that are occurring all week to help celebrate whistleblowers, point out that this is an important tool in the checks and balances of our Government, and all that whistleblowers have done to benefit the work of Congress and, more important, all they have done to make America safer, stronger, a better nation, and to make sure we get our dollars' worth for the taxpayers' dollars.

ALTERNATIVE MINIMUM TAX

Mr. GRASSLEY. Mr. President, I have addressed my colleagues many times over the past few months to advocate for the American families who will pay the alternative minimum tax in 2007. You have all heard me say the AMT is an absolutely maddening tax that has insidiously crept into the homes of more and more families each year and that it should be repealed.

The AMT was first installed by Congress in 1969. It created a two-tiered tax system, and that tax system still exists. It essentially pieced together a backup tax to ensure that the wealthiest taxpayers among us did not evade income taxes altogether through the use of tax shelters, loopholes, and deductions—albeit all legal—in the labyrinth of the Federal Tax Code.

The road to tax fairness is paved with good intentions, but this one—the AMT—has created a giant-sized pothole that is going to drive middle-income taxpayers batty. Unlike the Federal income tax, the AMT is not indexed for inflation. That means more and more middle-income taxpayers are being slapped with higher tax rates and fewer exemptions, credits, and deductions as they fall under the creeping shadow of this 36-year-old stealth tax.

On top of the unfair tax burden is its mind-boggling complexity. No wonder the AMT is causing major heartburn among more and more families across America, especially those who live in high-tax States and have three or four children. That is because the AMT causes taxpayers to lose standard deductions for State and local tax payments and for personal exemptions, even including spouses and children.

In 2004, about 3 million taxpayers—about 2 percent of all taxpayers—were subject to the AMT. But without congressional action, up to 23 million taxpayers are, right now, subjected to the AMT during this 2007 tax year. In order to prevent this, my friend and chairman of the Finance Committee, MAX BAUCUS, and I introduced legislation on the first day of the 110th Congress to repeal the individual alternative minimum tax beginning in the 2007 tax year.

My colleagues have also heard me say the AMT has expanded beyond its original intent and that it is now a tax that Congress never intended to collect—meaning they never intended to collect it from 23 million taxpayers who are right now hit with it, who would not have been hit with it before, and were never intended to be hit with it.

Over the past 6 years, Congress has had to enact a series of what I call ''patches'' to prevent the AMT from hitting more and more middle-class Americans—a class of taxpayers never intended to be taxed by it. More recently, Congress acted to prevent millions of taxpayers from receiving this surprise on their 2006 tax returns by including an extension of AMT relief in the Tax Increase Prevention and Reconciliation Act of 2005. This provision extended the AMT exemption that was initiated in the Jobs and Growth Tax Relief Reconciliation Act of 2003 through the year 2006 but at a higher level. The exemption for married couples filing jointly was increased from $58,000 to $62,550.

This week, in fact, marks the 1-year anniversary of the enactment of the conference agreement of that last act. That act contained the AMT ''patch'' for 2006. Nearly 20 million American families who were exempt from the AMT before that because of the 2006 patch knew at this time last year that Congress was moving to relieve the AMT burden for the whole year of 2006. This year, those very families, plus several million more, have no such assurance by this Congress.

Now, to the contrary, the Democratic leadership, now the majority in this Congress, doesn't appear to be moving any legislation to address the AMT. I would be happy for them to move the Baucus-Grassley repeal bill. I know our chairman, Senator BAUCUS, is like me, concerned about the uncertainty caused by the inaction of the leadership.

The Tax Code has a thicket of problems requiring attention. But this one—the AMT—is the thorniest and must be addressed not later, but we must address it right now. Some of you may wonder why this is a pressing issue. Why can this not wait for an AMT patch at the end of the year? This is the reason: It is because 23 million American families who are subjected to the AMT in 2007 are dealing now with the uncertainty of whether, by hook or by crook, they must come up with the money to set aside to pay that tax in April of next year. Many of them—just check the instructions from the 2007 estimated tax payment forms—don't have the option of waiting until next April because they have to file their estimated tax payments quarterly this very year.

So some of them filing, on April 15, a quarterly report had to figure in that alternative minimum tax and set money aside and send it into the Treasury because the here and now is here and now for those 23 million people, or the ones who have to file quarterly returns.

Those families have already seen that first estimated tax payment come and go. Hopefully, they had some refund coming to them from last year they were able to offset against a portion of that first payment. Of course, we know many of them had to shell out the tax and send the Federal Government more of their hard-earned money with that first estimated tax payment last month.

Unfortunately, as unpopular as the AMT is among taxpayers and policymakers, it is not easy to simply erase it from the books because of the massive amount of revenue that it is set to raise over the next decade. That is funny because this is coming from taxpayers never intended to be taxed by it in the first place. That is how idiotic this can get.

Until recently, I had hoped the Senate was unified in not wanting to collect the AMT for this year or any future year. On March 23, I offered an amendment to the 2008 Senate budget resolution that would have required Congress to stop spending amounts that are scheduled to come into the Federal coffers through the AMT—from middle-income taxpayers who were never intended to pay it in the first place. This would have put some honesty back into our budgeting process.

However, not a single colleague on the other side of the aisle voted in its favor. Repealing the AMT would put lawmakers on notice to either trim Federal spending by a like amount or be transparent about the revenue base.

On the House side, we hear that the Ways and Means Committee is doing a lot of talking about the AMT, but they have yet to move to action. We are forced to wonder what their plans may be. To do that, we need only read what they have been saying and think through the conclusions on such proposals.

It has been reported that some in the other body—the majority party, the Democrats—plan to exempt everybody who earns less than $250,000 a year from the AMT. It sounds to me as if they might be on the right track to full repeal when I hear that. However, we need to follow through on what exactly they would do if they insist on providing pay-fors to cover the lost revenue under the new pay-go rules that are being adopted.

One option is reportedly being floated on the House side which is to pay for a $250,000 AMT exclusion by raising the top marginal income tax rate. Well, we have found some shocking numbers when we examine that issue further. In order to exempt folks who earn less than $250,000 from the AMT, if you insist on raising taxes to offset it, you would have to raise the top marginal tax rate to over 46 percent.

Now, we have a chart showing the top marginal tax rate. Back in the 1970s, it was 70 percent, and it gradually went down to a low of 28 percent. Now it is back at 35 percent, and the red mark would have the highest marginal tax rates that we have had since 1980. I will take a few minutes to put that regular income tax rate into a historical perspective.

In 1913, when less than 1 percent of the population was subject to the income tax, the rate ranged from 1 percent to 7 percent. Rates increased significantly during the 1920s, 1930s, and 1940s, up to a top marginal tax rate of over 90 percent. The concept of deduction for home mortgages, interest, charitable contributions, State and local taxes, to name a few, became ingrained in the code during that period of stifling high tax rates.

During the President Kennedy administration, tax rates were reduced from 91 percent to 70 percent on the highest income levels, and rates fell again during the Reagan administration, first from 70 percent to 50 percent, and then again the top marginal tax rate was 28 percent by the 1986 Tax Act. The top rate now stands at 35 percent.

It is important to remember that when we look at those historical rates, the tax base was narrower prior to 1986 than it is today. Many phaseout and phasein concepts took hold in 1986, such as PEP and Pease limits. Today, substantially all individual tax incentives are phased out and capped, and the result of this base broadening is that if the Tax Code were to approach a tax rate similar to the highest marginal rate under the more narrow pre-1986 tax base, it would result in substantially higher effective tax rates than in the pre-1986 tax rates. A marginal regular income tax rate of over 46 percent may actually exceed the top effective rate that was in place before 1986 because of the increase in the tax base.

Another option that may be working its way through the mill on the House side is to pay for that exemption by raising the top alternative minimum tax rate. Again, with that option, the tax rate increase is staggering. The top AMT rate would go up to nearly 37 percent.

There is a popular misconception that Congress can sit on its hands on tax policy before the next election and that there will be no tax increase until 2011. While that view is comforting, it is uninformed. Just enacting the alternative minimum tax patch for 2007 will cost over $50 billion. That also means that without doing the patch, Americans then will pay the $50 billion higher alternative minimum tax, and it is coming from middle-income taxpayers who were never intended to be taxed when the alternative minimum tax was put in place back in 1969. So we must act to prevent such an unfair tax increase.

The folks who voted against my amendment to take the AMT revenue off the table for the tax and spenders have some real explaining to do soon. It is possible that they will do nothing on the tax side. The result is a $50 billion tax increase on families, middle-income-tax families, who are going to be subject to the AMT for the first time and are subject to it right now, or they may propose some sort of exemption or relief that is paid for by other tax increases and face the music on proposing a massive tax increase on the neighbors of those who have been paying the AMT, or perhaps they may provide AMT relief but fiddle away the money in the budget anyway and increase the deficit.

I suggest that the tax and spenders consider learning to hum a different tune and spend within their means soon or folks may just figure out that they planned to raise their tax rates all along. So the sad reality is that while it is the new congressional majority that needs to face the music, it is likely to be the American taxpayers who will end up singing the blues.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WEBB). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

WATER RESOURCES DEVELOPMENT ACT OF 2007

The PRESIDING OFFICER. Under the previous order, the hour of 3 p.m. having arrived, the Senate will proceed to the consideration of H.R. 1495, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1495) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the Senator from California is recognized to offer an amendment.

AMENDMENT NO. 1065

Mrs. BOXER. Mr. President, I call up amendment No. 1065.

It is an amendment in the nature of a substitute. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself and Mr. INHOFE, proposes an amendment numbered 1065.

Mrs. BOXER. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in the RECORD of Thursday, May 10, 2007, under ''Text of Amendments.'')

AMENDMENT NO. 1086 TO AMENDMENT NO. 1065

Mrs. BOXER. Mr. President, I see my leader is here, but before he starts, I wish to also call up the Feingold amendment No. 1086, and ask that be brought up and laid aside and considered as read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself and Mr. FEINGOLD, proposes an amendment numbered 1086 to amendment No. 1065.

(The amendment is printed in the RECORD of Friday, May 11, 2007, under ''Text of Amendments.'')

Mrs. BOXER. I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

AMENDMENT NO. 1097

Mr. REID. Mr. President, I appreciate the manager of the bill, the chairman of the Environment and Public Works Committee, the distinguished Senator from California, allowing me to obtain the floor.

We all know 2 weeks ago President Bush vetoed the supplemental appropriations bill, a bill to fully fund the troops in Iraq and change the course of

that conflict in Iraq. Late last week, the House sent a new bill to the Senate. We received that within the past hour. The ball is now in our court, the Senate's court. Democrats and Republicans agree the Senate needs to get a bill in conference as soon as possible and we need to work together to make that happen.

I have had a number of conversations with Senator MCCONNELL the last several days. I spoke to him earlier today at some length. As much as we all recognize how badly we need to get a bill to conference, we have not, on this side of the aisle, lost sight of the fact that the American people have concluded the President's Iraq policy has failed and we are now demanding a new way forward on behalf of the American people.

In an effort to ensure quick Senate passage of our conference vehicle later this week, as well as to give Senators an opportunity to express their views on the President's Iraq policy, I will offer two important amendments. The first amendment is Feingold-Reid, to safely redeploy United States troops from Iraq by March 31 of next year, and transition the mission to fighting al-Qaida and other terrorist organizations, providing security for United States infrastructure and personnel, and training Iraqi forces.

Of course, after the 1st of April of next year, our troops will be in Iraq for counterterrorism, force protection—that is to protect American assets in Iraq—and to help train the Iraqis.

I will also offer a Levin-Reid amendment which is consistent with the bipartisan legislation approved by Congress with one change: It permits the President to waive the timeline for redeployments. It has in it some things some Members want very badly, including the Presiding Officer, to deal with how our troops are taken care of, how often they have to go back to battle, how much time they have to have before being returned to the battlefield after having been deployed. We will have votes on these two amendments at the earliest possible date. I will work with the distinguished Republican leader to see when that will happen. These votes represent an opportunity for the Senate to shape the important conference we hope will begin this week upon passage of the Senate version of the supplemental.

There is probably no end of amendments that could be offered, as I have here today, but on our side of the aisle, Democrats believe we should do something very close to what was done in the bill we sent to the President which he vetoed.

Basically that is what we have here—except getting the President the ability to waive the timelines we have in the legislation.

Finally, there are those on this side who believe there should be some end in sight. That is why I indicated that as of April 1 of next year, the funding would still go on but it would be limited to the counterterrorism, force protection, and training Iraqis.

It is very important to understand that transitioning this mission to fighting al-Qaida is a part of the recognition of what we and the American people believe is important. At present, as you know, American troops are over there protecting the Shias, protecting the Sunnis, protecting the Kurds, and at all times all these different elements are shooting at the Americans. We should limit our focus to al-Qaida.

Mr. President, I call up the Levin-Reid amendment first.

That is No. 1097.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. LEVIN, for himself and Mr. REID, proposes an amendment numbered 1097 to the language proposed to be stricken by amendment No. 1065.

Mr. REID. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

AMENDMENT NO. 1097

SEC. 1. MILITARY READINESS—MISSION CAPABLE UNITS.

(a) Congress finds that it is Defense Department policy that units should not be deployed for combat unless they are rated ''fully mission capable''.

(b) None of the funds appropriated or otherwise made available in this or any other Act may be used to deploy any unit of the Armed Forces to Iraq unless the chief of the military department concerned has certified in writing to the Committees on Appropriations and the Committees on Armed Services at least 15 days in advance of the deployment that the unit is fully mission capable.

(c) For purposes of subsection (b), the term ''fully mission capable'' means capable of performing assigned mission essential tasks to prescribed standards under the conditions expected in the theater of operations, consistent with the guidelines set forth in the Department of Defense readiness reporting system.

(d) The President may waive the limitation prescribed in subsection (b) on a unit-by-unit basis by certifying in writing to the Committees on Appropriations and the Committees on Armed Services that he has authorized the deployment to Iraq of a unit that is not assessed fully mission capable and by submitting along with the certification a report in classified and unclassified form detailing the particular reason or reasons why the unit's deployment is necessary despite the chief of the military department's assessment that the unit is not fully mission capable.

SEC. 2. MILITARY READINESS—DURATION OF TOURS OF DUTY IN IRAQ.

(a) Congress finds that it is Defense Department policy that Army, Army Reserve, and National Guard units should not be deployed for combat beyond 365 days or that Marine Corps and Marine Corps Reserve units should not be deployed for combat beyond 210 days.

(b) None of the funds appropriated or otherwise made available in this or any other Act may be obligated or expended to initiate the development of, continue the development of, or execute any order that has the effect of extending the deployment for Operation Iraqi Freedom of—

(1) any unit of the Army, Army Reserve or Army National Guard beyond 365 days; or

(2) any unit of the Marine Corps or Marine Corps Reserve beyond 210 days.

(c) The President may waive the limitations prescribed in subsection (b) on a unit-by-unit basis by certifying in writing to the Committees on Appropriations and the Committees on Armed Services that he has authorized the extension of a unit's deployment in Iraq beyond the periods specified in subsection (b) and by submitting along with the certification a report in classified and unclassified form detailing the particular reason or reasons why the unit's extended deployment is necessary.

SEC. 3. MILITARY READINESS—MULTIPLE DEPLOYMENTS.

(a) Congress finds that it is Defense Department policy that Army, Army Reserve, and National Guard units should not be redeployed for combat if the unit has been deployed within the previous 365 consecutive days or that Marine Corps and Marine Corps Reserve units should not be redeployed for combat if the unit has been deployed within the previous 210 days.

(b) None of the funds appropriated or otherwise made available in this or any other Act may be obligated or expended to initiate the development of, continue the development of, or execute any order that has the effect of deploying for Operation Iraqi Freedom of—

(1) any unit of the Army, Army Reserve or Army National Guard if such unit has been deployed within the previous 365 consecutive days; or

(2) any unit of the Marine Corps or Marine Corps Reserve if such unit has been deployed within the previous 210 consecutive days.

(c) The President may waive the limitations prescribed in subsection (b) on a unit-by-unit basis by certifying in writing to the Committees on Appropriations and the Committees on Armed Services that he has authorized the redeployment of a unit to Iraq in advance of the periods specified in subsection (b) and by submitting along with the certification a report in classified and unclassified form detailing the particular reason or reasons why the unit's redeployment is necessary.

SEC. 4. BENCHMARKS.

(a) Beginning on July 15, 2007, and every 30 days thereafter, the Secretary of Defense and the Secretary of State, after consultation with the U.S. Ambassador to Iraq, Commander U.S. Central Command, and Commander, Multi-National Forces Iraq, shall jointly submit to Congress a report describing and assessing in detail the progress made by the Government of Iraq in meeting each of the benchmarks set forth in subsection (1), the security objectives set forth in the President's revised strategy of January 10, 2007, and answering the questions posed in subsections (2) and (3).

(1) whether the Government of Iraq has:

(i) enacted a broadly accepted hydro-carbon law that equitably shares oil revenues among all Iraqis;

(ii) adopted legislation necessary for the conduct of provincial and local elections including setting a schedule to conduct provincial and local elections;

(iii) reformed current laws governing the de-Baathification process to allow for more equitable treatment of individuals affected by such laws;

(iv) amended the Constitution of Iraq consistent with the principles contained in Article 140 of such constitution, including, at a minimum, the submission of such amendments to the Iraqi Parliament for the protection of minority rights; and

(v) allocated and expended $10,000,000,000 in Iraqi revenues for reconstruction projects,

including delivery of essential services, on an equitable basis.

(2) whether the Government of Iraq and United States Armed Forces has made substantial progress in reducing the level of sectarian violence in Iraq; and

(3) whether each battalion of the security forces of Iraq has achieved a level of combat proficiency such that it can conduct independent combat operations without support from Coalition forces in Iraq.

(b) Notwithstanding any other provision of law, 75 percent of the funds appropriated by this Act or any other act for assistance for Iraq under the headings ''Economic Support Fund'' and ''International Narcotics and Law Enforcement'' shall be withheld from obligation until the President certifies to the Committees on Appropriations, Armed Services and Foreign Relations of the Senate and the Commnittees on Appropriations, Armed Services and Foreign Affairs of the House of Representatives that the Government of Iraq is making substantial progress towards meeting each of the benchmarks set forth in subsection (a)(1).

(c) The requirement to withhold funds from obligation pursuant to subsection (b) shall not apply with respect to funds made available under the heading ''Economic Support Fund'' for continued support for the Community Action Program and the Community Stabilization Program in Iraq administered by the United States Agency for International Development, or for programs and activities to promote democracy and human rights in Iraq.

SEC. 5. REDUCTION OF FORCES.

(a) Subject to the waiver authority provided for in subsection (e), the Secretary of Defense shall commence the reduction of the number of United States Armed Forces in Iraq not later than October 1, 2007, with a goal of completing such reduction within 180 days. The goal of completing such reduction shall be accelerated if the President is unable to report that the Government of Iraq is making substantial progress towards meeting each of the benchmarks set forth in subsection (a)(1) of Section 4 by October 15, 2007.

(b) Notwithstanding any other provision of law, funds appropriated or otherwise made available in this or any other Act are available for obligation and expenditure to plan and execute a safe and orderly reduction of the Armed Forces in Iraq.

(c) The reduction of forces required by this section shall be implemented as part of a comprehensive diplomatic, political, and economic strategy that includes sustained engagement with Iraq's neighbors and the international community for the purpose of working collectively to bring stability to Iraq.

(d) After the conclusion of the reduction required by this section, the Secretary of Defense may not deploy or maintain members of the Armed Forces in Iraq for any purpose other than the following:

(1) Protecting American diplomatic facilities and American citizens, including members of the U.S. armed forces;

(2) Serving in roles consistent with customary diplomatic positions;

(3) Engaging in targeted actions against members of al-Qaeda and allied parties and other terrorist organizations with global reach; and

(4) Training and equipping members of the Iraqi Security Forces.

(e) WAIVER AUTHORITY.—

(1) IN GENERAL.—The President may waive the reduction of forces requirements of this section if he submits to Congress a written certification setting forth a detailed justification for the waiver, which shall include a detailed report describing the actions being taken by the United States to bring about the meeting of the benchmarks set forth in subsections (a)(1) of section ____ by the Iraqis. The certification shall be submitted in unclassified form, but may include a classified annex.

(2) DURATION.—The Waiver under paragraph (1) shall be effective for 90 days beginning on the date of the submittal of the certification under that paragraph.

(3) RENEWAL.—A waiver under paragraph (1) may be renewed if, before the end of the expiration of the waiver under paragraph (2), the President submits to Congress before the end of the effective period of the waiver under paragraph (2) a certification meeting the requirements of this subsection. Any waiver so renewed may be further renewed as provided in this paragraph.

AMENDMENT NO. 1098 TO AMENDMENT NO. 1097

Mr. REID. I now ask the clerk report the Feingold-Reid amendment No. 1098.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. FEINGOLD, for himself and Mr. REID, proposes an amendment numbered 1098 to amendment No. 1097.

Mr. REID. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(a) TRANSITION OF MISSION.—The President shall promptly transition the mission of United States forces in Iraq to the limited purposes set forth in subsection (d).

(b) COMMENCEMENT OF SAFE, PHASED REDEPLOYMENT FROM IRAQ.—The President shall commence the safe, phased redeployment of United States forces from Iraq that are not essential to the limited purposes set forth in subsection (d). Such redeployment shall begin not later than 120 days after the date of the enactment of this Act.

(c) PROHIBITION ON USE OF FUNDS.—No funds appropriated or otherwise made available under any provision of law may be obligated or expended to continue the deployment in Iraq of members of the United States Armed Forces after March 31, 2008.

(d) EXCEPTION FOR LIMITED PURPOSES.—The prohibition under subsection (c) shall not apply to the obligation or expenditure of funds for the limited purposes as follows:

(1) To conduct targeted operations, limited in duration and scope, against members of al Qaeda and other international terrorist organizations.

(2) To provide security for United States infrastructure and personnel.

(3) To train and equip Iraqi security services.

Mr. REID. Mr. President, on these amendments, I am a cosponsor of both.

I thank the manager very much. I hope she and Senator INHOFE can move the WRDA amendment along. It is an important piece of legislation for the whole country and it is way past due when we should have had this completed.

Mrs. BOXER. Before the leader leaves, I hope I can get the attention of the floor staff, to make sure—my understanding is you have now offered the amendments on Iraq to the underlying bill, but the text that is before us is clean of the Iraq amendments? I think it is a good thing to do because we can move on here with WRDA, as the amendments were applied to the underlying text, not to the amendment we are working on.

I thank my colleague for thinking it through. I am proud he is with us in wanting to move this WRDA bill forward.

Let a message go out we are going to move this bill forward. One of the reasons I say to my friend, thank you—I don't want to keep him here, I just want to thank him.

We have received a letter from the National Construction Alliance. It is the Laborers International Union of North America, the International Union of Operating Engineers, the United Brotherhood of Carpenters & Joiners of America.

The reason I am bringing this up is they are very strong supporters of WRDA. I think their letter lays out why, so I am actually going to read it so it goes into the RECORD at this point. It says:

Dear Senator BOXER and Senator INHOFE:

The National Construction Alliance, representing the three leading construction unions advocating for robust federal infrastructure investment, endorses the Senate version of the Water Resources Development Act reauthorization. This vital Federal infrastructure legislation should be considered and passed by the United States Senate. Our three constituent unions, the Laborers, Operating Engineers and the Carpenters, commend you both for your strong, bipartisan leadership on this legislation.

This gets to the heart of why Senator INHOFE and I and all on the committee believe so strongly about the bill.

The $13.9 billion authorization of Corps of Engineers projects is an important and necessary step in addressing our country's serious backlog of water projects. From harbor improvement to flood protection, to lock and dam construction, dredging and environmental infrastructure, your bill will immeasurably strengthen America's water resources. As labor unions representing nearly one million skilled construction workers, we recognize that this WRDA reauthorization will create tens of thousands of good paying construction jobs.

We strongly urge the Senate to pass your legislation in an expeditious manner so that America's critical water infrastructure needs can be addressed.

I say to the President—who is sitting in the chair today, as opposed to the President of the United States—he has so long been speaking about the problem of our loss of middle-class jobs. What is so important about this particular bill is that while we are doing things the Nation must have in order to grow and in order to protect itself from the ravages of Mother Nature, as we saw in Katrina—in the course of doing the right thing we are creating good jobs. It is a wonderful winner for everybody.

That is why we have more letters I want to share with colleagues. The American Society of Civil Engineers has added its voice to all these unions, to both Senator INHOFE and myself, saying they are very pleased with this bill, they are very pleased with the levee system fixes; they believe this is

overdue legislation and that it ensures we have learned the lessons from Hurricane Katrina. It ''goes far toward protecting human life and property in flood-prone areas.''

They ask us if the American Society of Civil Engineers can be of more assistance, please call them. We may, because we want everybody to weigh in here and help us.

We have a letter from the Audubon Society. You have heard from the business side, the union side, now the environmental side. They have a million members. They say, please, let's have prompt consideration of WRDA because it restores America's natural resources. It includes:

> . . . Corps modernization provisions, including independent review of costly or controversial Corps projects and ensuring that mitigation for Corps projects is consistent with stricter State laws.

This refers to the Corps' formula in the last bill which is embedded in this bill.

Audubon also talks about:

> . . . two crucial Everglades restoration projects—Indian River lagoon and Picayune Strand—that would mitigate harmful federal drainage projects, restore more than 160,000 acres of wetlands and significant estuarine habitat, and help secure Florida's tourism and outdoor recreation economy.

They also cite the upper Mississippi River restoration program, in its first 15-year increment, will preserve 105,000 acres of habitat; protect 35,000 acres of floodplain habitat in five States along the river.

The Coastal Louisiana restoration program will begin to reverse the devastating pattern of land loss, protecting important habitat for birds and fish and other wildlife as well as the region's economy and quality of life.

The bill permanently authorizes the Asian Carp Barrier to protect the Great Lakes from this looming threat. The Audubon Society, which is so well respected on both sides of the aisle, closes and says that ecosystem restoration projects for the Everglades, the Mississippi, Louisiana's coastal wetlands, and the Great Lakes are overdue, as is Corps modernization.

Then I will add to these letters, Mr. President, a letter from the National Association of Manufacturers. I mean, this is one of those bills that gets everybody's support. It is something that is important for everyone.

They say: On behalf of more than 14 million manufacturing employees in the U.S., they are thanking us for our leadership, and they are saying: Let's move forward with WRDA. It is important. They say that: America's water resources infrastructure needs to be reliable and productive.

They applaud our efforts and they say how vitally needed WRDA is, including the modernization of locks, harbors, canals, and other key infrastructure that is vital to America's competitiveness. They say: WRDA will authorize many of these needs. So that is the National Association of Manufacturers. So it goes on and on.

The Pacific Northwest Waterways Association has a similar letter that is very important to us. The American Farm Bureau. The American Farm Bureau has entered this, and they have written us saying it is a good bill, urging us to support WRDA, and they oppose any amendment that would hinder our progress in moving forward.

The corn growers of America, they have weighed in and they say: It is important. They have sent a letter to HARRY REID and MITCH MCCONNELL, our leaders, saying we need to have this bill. They need to have efficient transportation networks and so on. This is a very important letter, I think. They say that continued development of our water resources in an environmentally sound manner will contribute mightily to our Nation's well-being.

Congress needs to act now to address issues such as environmental restoration, navigation, flood control, hurricane protection, water supply, irrigation, beach nourishment, and recreation.

So that is yet another letter. The American Public Works Association has sent us a letter. They have a similar message: With adequate dredging, our ports and waterways are the backbone of our transportation system, ensuring domestic and international trade opportunities and low-cost, environmentally sensitive goods movements. It goes on.

Now, I have already placed some of those letters in the RECORD, and I am going to do it again today because I think every day, as colleagues will look at the RECORD, they will see their importance.

I ask unanimous consent to have these letters printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mrs. BOXER. The reason I like to share these letters is that it shows the breadth of support this bill has. We know we come to the floor with a lot of legislation that is contentious, that is contentious between the parties, that is contentious with people throughout America, one group supports it. For example, the labor unions might but the bosses do not. This is a place where everybody comes together. I think that is very important.

So colleagues know what is happening today, you know we do not have votes today. But we are going to try to debate some amendments today. We have already debated the Feingold amendment, so that is ready to be voted on tomorrow. I understand that Senator COBURN is on his way over to offer at least the one—we are hoping three amendments. He can debate today, and then we can have votes on those as we agree between the sides. The way we have decided to handle this bill, because it has been such a delicate balance, is the following: We are working across party lines to come up with amendments we can agree to. We have taken the amendments that have been submitted thus far, and we are sort of categorizing those amendments in what is easy for us to agree to, what is more difficult. We are going to try to work through the easier amendments, and the more contentious ones we will have to have votes.

Now, what we call the big four of the committee, the Chairman of the full committee, the Chairman of the subcommittee, the ranking members of both the full committee and the subcommittee, we have made an agreement that we will oppose all amendments. Why are we doing this? Believe me, that is not an easy thing for us to do. We feel we have worked so closely, in a bipartisan fashion, we want to keep this bill totally bipartisan. We are trying to keep the most contentious items out of the bill to make sure it gets to the President's desk and he signs it.

Now, the good news is we have a score on the bill. That means how much the bill is scored at. It is $13.9 billion. It makes it lower than the House bill. This is very good news because we want to be fiscally responsible.

We also want to make sure all the projects in this bill meet certain criteria, that they have been studied, they have been looked at, that there is a fair cost share, unless there is an usual circumstance.

So Senator INHOFE has been very strong on conditions. I expect him to come to the floor very soon. He actually had a weekend trip to Iraq. I do appreciate the fact that he has gone and that he is going to be here, we believe, at about 3:30—as a matter of fact, in about 10 minutes—at which point I hope he will make some of his comments on this bill.

But the way we have set the bill up is we now have the committee substitute pending in the form of an amendment. Leader REID has sent forward two amendments, but they are not to the substitute bill, they are to the underlying bill about Iraq, as a way to expedite the consideration of the Iraq supplemental. He has done that with the knowledge of Senator MCCONNELL so there are no surprises here. We have discussed this with Senator FEINGOLD in terms of offering his amendment, which he already debated. That will be ready for a vote later. I hope we can set aside all these amendments and vote on them tomorrow morning at such time as the leader agrees.

At this point, since I think I have laid out the reason why we so much need this bill, after 7 long years of not having a WRDA bill, we so much need this bill, and we are so proud of the committee that they voted this bill out in a very harmonious way and that we are still working side by side, the majority and minority side, on crafting the amendments we need to push this over the finish line.

I look forward to the comments of Senator INHOFE. We also will, of course,

entertain the amendments of Senator TOM COBURN when he gets to the floor. I urge anybody else who wants to lay down amendments, please, you are absolutely welcome.

I understand Senator LANDRIEU would like the floor. So why don't I leave the floor with the understanding that if Senator INHOFE comes, would you wind down within 10 minutes so he can have the floor.

I yield the floor.

EXHIBIT 1

PACIFIC NORTHWEST
WATERWAYS ASSOCIATION,
Portland, OR, May 10, 2007.

Hon. BARBARA BOXER,
Chairman, Senate Committee on Environment and Public Works, Washington, DC

Hon. JAMES INHOFE,
Ranking Member, Senate Committee on Environment and Public Works, Washington, DC

DEAR CHAIRMAN BOXER AND SENATOR INHOFE, We write to urge your support for the reauthorization of the Water Resources Development Act in 2007.

WRDA is fundamentally important to the economic health of our nation and particularly important to the states of Oregon, Washington, Idaho and California. Our region depends on international trade to a greater extent than any other region in the United States. In Washington state, one in four jobs are related to international trade. Cost-effective, efficient, and environmentally sound trade and transportation corridors are imperative to secure our place in the global economy. Delay in WRDA means exacerbated backlogs which will dull our competitive edge.

The Pacific Northwest Waterways Association (PNWA) membership includes nearly 100 organizations in Oregon, Washington, Idaho and California. PNWA represents public port authorities on the Pacific Coast, Puget Sound, and Columbia Snake River System; public utility districts, investor-owned utilities, electric cooperatives and direct service industries; irrigation districts, grain growers and upriver and export elevator companies; major manufacturers in the Pacific Northwest; forest products industry manufacturers and shippers; and tug and barge operators, steamship operators, consulting engieneers, and others involved in economic development throughout the Pacific Northwest.

PNWA has a long history of working with the Committee and the U.S. Army Corps of Engineers on projects of regional and national importance, sharing the challenge to maintain and develop our transportation infrastructure. Our members wish to thank the Committee for its support of Pacific Northwest transportation programs and projects.

Issues of particular concern to the members of our Association follow:

MINIMUM DREDGE FLEET

The federally-owned hopper drege fleet and the Corps of Engineers' dredges *Essayons* and *Yaquina*, are particularly important to the maintenance of ports and harbors in the Pacific Northwest. The goals of Congressional actions in 1978, 1993 and 1996, which limited the utilization of the of the federal dredge fleet and provided increased opportunity for industry, have been meet.

Since passage of the Energy and Water Appropriations Act of 1993, designed to increase competition in the dredge industry, the number of private dredging contractors has declined. This is of concern because the Northwest has unique conditions such that, compared to other regions, Northwest ports depend to a greater degree on hopper dredging and on smaller class hopper dredges. The Government Accountability Office found in a March 2003 to Congress (GAO–03–382) that operating restrictions have imposed additional costs on the Corps' dredging program, but have not resulted in proven benefits to the taxpayer.

PNWA strongly supports the language included in your bill to lift operating restrictions from the *Essayons* and *Yaquina*, which will enable the Corps of Engineers to utilize the *Essayons* and *Yaquina* to the maximum extent possible to maintain Northwest ports, harbors and channels, consistent with the safe and efficient performance of their missions.

MAKING SECTION 214 PERMANENT

Section 214 of the Water Resources Development Act of 2000 (P.L. 106–541) provides the authority to the Secretary of the Army to accept and expend funds contributed by non-Federal public entities and to expedite the processing of permits. Section 214 has allowed local governments to move forward with vital infrastructure projects. By funding additional staff to work on specific, time-intensive permits, existing Corps staff members are able to process the significant permit application backlog much more quickly. Funding for additional Corps staff has resulted in a reduction of permit wait times not only for the funding entity, but for any individual or organization that makes an application with that District of the Corps.

This authority is currently scheduled to sunset on December 31, 2008. Though PNWA has been successful in working with Congress to secure short-term extensions for several years now, the time has come to give Corps regulatory offices as well as the contributing entities the predictability that would come with a permanent authority. PNWA strongly supports language in your bill that would make Section 214 permanent.

These provisions are strongly supported by PNWA's membership, and are important to improve the efficiency and cost competitiveness of Northwest ports engaging in international trade. Additional provisions that are supported by PNWA are included in the attached document, PNWA WRDA Requests. We appreciate the Committee's and Congress' attention to these important matters.

Sincerely,

KRISTIN MEIRA,
Government Relations Director.

PNWA MEMBER DIRECTORY

Alaska Assoc. of Port Managers & Harbormasters; Almota Elevator Company; Anderson-Perry & Associates, Inc.; Ball Janik LLP; Bell Buoy Crab Co.; Benton County PUD #1; Boise Cascade LLC; BST Associates; Central Washingotn Grain Growers, Inc.; CH2M Hill; Clark Public Utilities; Columbia Basin Development League; Columbia County Grain Growers, Inc; Columbia River Bar Pilots; Columbia River Pilots; Columbia River Steamship Operators Assoc.; Cowlitz County Board of Commissioners; David B. Barrows Environmental Consulting; Douglas County PUD #1; Dustra Group.

East Columbia Basin Irrigation District; Foss Maritime Company; Office of Peter Friedmann; Gallatin Group; Gordon Thomas Honeywell Gov't Affairs; Harris Group Inc.; ID Wheat Commission; Jan T. Fancher, CPA, PLLC; Jefferson Government Relations; Kalama Export Company; Kleinfelder, Inc.; Lampson International, LLC; Lewis-Clark Terminal Association; Longview Fibre Company; Manson Construction; Moffatt & Nichol; Northwest Grain Growers, Inc.; Northern Star Natural Gas; OR Economic & Community Development Department (OECDD).

Oregon Int'l Port of Coos Bay; Oregon Iron Works, Inc.; OR Wheat Growers League; Pacific Merchant Shipping Assoc. (PMSA); Pacific International Engineering (PIE); Parametrix; PB Ports & Marine, Inc.; PNGC Power; Pomeroy Grain Growers; Port of Anacortes; Port of Benton; Port of Brookings Harbor; Port of Camas-Washougal; Port of Cascade Locks; Port of Chelan County; Port of Chinook; Port of Clarkston; Port of Columbia County; Port of Garibaldi; Port of Gold Beach.

Port of Hood River; Port of Humboldt Bay; Port of Ilwaco, Port of Kalama; Port of Kennewick; Port of Klickitat; Port of Lewiston; Port of Longview; Port of Morrow; Port of Newport; Port of Pasco; Port of Port Angeles; Port of Portland; Port of Ridgefield; Port of Royal Slope; Port of Seattle; Port of Suislaw; Port of Skagit County; Port of St. Helens; Port of Sunnyside; Port of Tacoma; Port of Toledo; Port of Umatilla; Port of Umpqua; Port of Vancouver; Port of Walla Walla; Port of Whitman County; Port of Woodland; Potlatch Corporation; Presnell, Gage & Company; Preston Gates & Ellis LLP; Primeland Cooperatives; Reid Middleton, Inc.; The Research Group; RETEC Group; Schwabe, Williamson & Wyatt; Seattle Public Utilities; Shaver Transportation Company; Stoel Rives LLP; Teevin Brothers.

Tidewater Barge Lines; Ukiah Engineering Inc. (UEI); USA Dry Pea & Lentil Council; WA Association of Wheat Growers; WA Public Ports Association; WA State Office of Trade and Economic Development (CTED); WA State Potato Commission; WA Wheat Commission; Weyerhaeuser Company; Whitman County Growers.

MAY 10, 2007.

Hon. BARBARA BOXER,
Chairwoman, Senate Environment and Public Works Committee, Washington, DC.

DEAR MADAM CHAIRWOMAN: On behalf of more than 4 million manufacturing employees in the U.S., we would like to thank you for your leadership in moving forward with the Water Resources Development Act of 2007 (WRDA). It is vitally important that America's water resources infrastructure be reliable and productive. Therefore we applaud your efforts to end the stalemate over water resources project authorization by bringing H.R. 1495, WRDA, to the Senate floor. We firmly believe that it is time to end the impasse over passage of WRDA.

A Water Resources Development Act is vitally needed to accommodate the many important projects awaiting authorization, including the modernization of the locks, harbors, canals and other key infrastructure that are vital to the competitiveness of the U.S. economy. A sound national transportation system for the 21st century needs modern water projects, and WRDA will authorize many of those needs.

We look forward to working with you and your staff and issues of importance to the nation's economy and environment. Again, thank you for your leadership.

Sincerely,

THE NATIONAL ASSOCIATION
OF MANUFACTURERS.

AUDUBON,
May 10, 2007.

Re Act now to Restore America's Natural Treasures.

DEAR SENATOR: On behalf of the National Audubon Society and our more than one million members and supporters, I urge you to help restore America's natural resources by advocating for prompt consideration and passage of the Water Resources Development Act of 2007 (S. 1248). WRDA 2007 would authorize unprecedented spending for ecosystem restoration projects, including Everglades, upper Mississippi River, coastal Louisiana, and Great Lakes.

The bill should include Corps modernization provisions, including independent review of costly or controversial Corps projects and ensuring that mitigation for Corps projects is consistent with stricter State laws.

WRDA 2007 contains two crucial Everglades restoration projects—Indian River Lagoon and Picayune Strand—that would mitigate harmful federal drainage projects, restore more than 160,000 acres of wetlands and significant estuarine habitat, and help secure Florida's tourism and outdoor recreation economy. The Upper Mississippi River Restoration Program, in its first 15-year increment, will restore 105,000 acres of habitat, protect 35,000 acres of floodplain habitat in five States along the river, and will include a significant monitoring program. The Coastal Louisiana Restoration program will begin to reverse this devastating pattern of land loss, protecting important habitat for birds, fish, and other wildlife, as well as the region's economy and quality of life. The bill would also permanently authorize the Asian Carp Barrier to protect the Great Lakes from this looming threat.

Ecosystem restoration projects for the Everglades, the Mississippi River, Louisiana's coastal wetlands, and the Great Lakes are overdue, as is Corps modernization. Thank you for helping to restore some of America's greatest natural treasures.

Sincerely,

JOHN FLICKER,
President and CEO.

NATIONAL CONSTRUCTION ALLIANCE,
Washington DC, May 10, 2007.

Hon. BARBARA BOXER,
Chairwoman, Senate Environment and Public Works Committee, Washington, DC.
Hon. JAMES M. INHOFE,
Ranking Member, Senate Environment and Public Works Committee, Washington, DC.

DEAR SENATOR BOXER AND SENATOR INHOFE: The National Construction Alliance, representing the three leading construction unions advocating for robust federal infrastructure investment, endorses the Senate version of the Water Resource Development Act reauthorization. This vital federal infrastructure legislation should be. considered and passed by the United States Senate. Our three constituent unions, the Laborers. Operating Engineers and the Carpenters, commend you both for your strong, bipartisan leadership on this legislation.

The $13.9 billion authorization of Corps of Engineers projects is an important and necessary step in addressing our country's serious backlog of water projects. From harbor improvement, to flood protection, to lock and dam construction, dredging and environmental infrastructure. your bill will immeasurably strengthen America's water resources. As labor unions representing nearly one million skilled construction workers, we recognize that this WRDA reauthorization will create tens of thousands of good paying construction jobs.

We strongly urge the Senate to pass your legislation in an expeditious manner so that America's critical water infrastructure needs can be addressed.

Sincerely,

RAYMOND J. POUPORE,
Executive Vice Pesident.

AMERICAN SOCIETY OF CIVIL ENGINEERS,
Washington, DC, May 10, 2007.

Hon. BARBARA BOXER,
Chair, Committee on Environment and Public Works, U.S. Senate, Washington, DC.
Hon. JAMES INHOFE,
Ranking Member, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR MADAM CHAIRWOMAN AND SENATOR INHOFE: As the Senate begins its consideration of the Water Resources Development Act (WRDA) of 2007 this week, the American Society of Civil Engineers (ASCE) commends your efforts to bring a bipartisan bill to the floor. We appreciate your commitment to moving forward with responsible legislation to authorize much-needed improvements to the nation's water resources and public works infrastructure. We support WRDA's speedy passage into law.

ASCE is especially pleased to champion enactment of subtitle C of the Senate bill, which would require the U.S. Army Corps of Engineers to establish a national levee safety program. Subtitle C would authorize the Secretary to spend $100 million to inspect and inventory the nation's levee systems and fund state levee safety programs. This long overdue legislation ensures that we have learned the lessons from Hurricane Katrina and goes far toward protecting human life and property in flood-prone areas.

If ASCE can be of further assistance as this important legislation advances, please do not hesitate to contact Brian Pallasch of our Washington office.

Sincerely yours,

PATRICK J. NATALE,
Executive Director.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I come to the floor to speak for a few moments about probably one of the most important bills that this Congress will consider relative to Louisiana and our ongoing attempt to protect the 3 million people who live in south Louisiana and also to protect the great infrastructure we have in this country, in a vast and broad way, not just from the energy sector but the fisheries but, most importantly, transportation and commerce.

There was an excellent article in the Post this weekend that I would like to have printed for the RECORD, written by one of the most distinguished citizens of our State, John Barry, who is a renowned author who wrote the book ''Rising Tide,'' also a recent book about the influenza of 1917.

But he writes, in reference to the WRDA bill and to the amendments I am going to be offering to this bill, about the importance of acting now to save this great region of the Southern part of the United States, and the fact that this delta that we are attempting to save by building the right kind of levees, the right kind of gates and locks, the right kind of navigation channels, correcting some of our past mistakes that we made before we realized the damage that would occur by some of our own actions.

He writes about the importance of this Delta, that at one time it reached from Cape Girardeau, MO, all the way up the Mississippi River, down to the present mouth of the river, that the entire delta, that it was created over thousands of years, and it was maintained as the river overflowed its banks. As the river overflowed, it carried silt. It built the Delta.

But as we have channeled the delta, channeled the river and built levees up along the river, we have caused the natural building up of the delta to stop.

Then as we cut channels through this great and amazing land, that reaches from the east of New Orleans all the way to the Texas-Louisiana border, as we crisscross it with pipelines and navigation channels to tap into the extraordinary oil and gas reserves both on land and offshore, it exacerbates an already tough situation.

Then to level on top of that the dredging of the Mississippi River, to keep the sandbars out of the mouth, the channel as we have made the water move faster, that has an impact on the way this delta is now lowering itself, if you will, into the water.

There are other contributing factors, but the bottom line is we have to take corrective action to reverse this. We cannot correct everything that we did, but we most certainly can pass this bill, the WRDA bill, the Water Resources Development Act, which has—about 22 percent of the entire bill is dedicated basically to this purpose

It is right that a large portion of this bill be dedicated to this purpose because this delta, this Mississippi River, does not just serve the 4.5 million people who call Louisiana home but it literally serves the 360 million people who call the United States of America home. It serves Canada and Mexico as well, as well as ports around the world. So it is not just for the people of Louisiana whom we act today, it is in the national interest to do so.

In the underlying bill, which Senator BOXER and Senator INHOFE have so carefully crafted, the Louisiana Coastal Area Ecosystem Restoration system has $1.133 billion. Morganza to the Gulf, a very important aspect of our protection of south Louisiana, is included in this bill at $841 million.

Some port work at the Port of New Iberia for Vermilion and Iberia Parishes, which are two of our larger southern parishes, has an authorization that is overdue and most certainly timely. There is an amount of money to help relocate facilities from the Mississippi River Gulf Outlet, both private and public, so we can close the Mississippi River Gulf Outlet, which is also, hopefully, going to be part of this bill, some work on the western side of our State, the Calcasieu River and Pass and rock bank protection, and there is a lock project around the capital city, to mention a few.

The bottom line is, there is about $2.5 billion in this bill for Louisiana projects. It sounds like a lot, and it is. We are proud of the 8 years of work that have gone into building this WRDA bill, through past Congresses

and now this one. Under the leadership of Senator BOXER, she has committed to work with her colleague, Mr. OBERSTAR, on the House side to get a WRDA bill to the President's desk for him to sign. It doesn't do us any good to keep talking about a WRDA bill.

The only good that will come of this bill is if we can actually get it to the President's desk, get him to sign it, and get these projects underway. The people of Louisiana have waited for 8 years through any number of hurricanes, not the least of which in the last 2 years, we have had the unbelievable challenge of dealing with Hurricanes Katrina and Rita, the first and third largest hurricanes in terms of disaster and impact to ever hit this country. We are still fighting to rebuild and reeling from the damage of those storms. As I have said many times, it wasn't just the multiple levees that collapsed, it was really a Federal flood more than a hurricane that did us in. It was the multiple failure of levees that should have been maintained, should have been stronger, should have been higher, and were not.

It is also because of the loss of great wetlands. I would like to share what a healthy wetland looks like, with cyprus trees and land where you can do a little swimming and boating and fishing—not, of course, a lot of walking and building. This wetland stretches from east of New Orleans to the Sabine River pass, which separates Louisiana and Texas. This is a lot of what our coast looks like. This doesn't look like a Florida beach or the Biloxi beach or the North Carolina beach. We actually don't have any beaches in Louisiana. We actually only have two. That is a little bit of a fib. We do have two. One is 7 miles long, and it is called Grand Isle, and the other one is Holly Beach. The rest of our coast basically looks like this. You can't even get to it because there are only two roads, two lanes each. We don't have any interstate highways on our coast. We have two two-lane roads, one down the east side of our State and one down the west. They basically dead-end into swampland. This is not wasteland. This is beautiful land. It nurtures migratory birds. It is 40 percent of the nurseries of the gulf coast, extraordinary wetlands we are trying to preserve. Without this bill, it will be impossible.

I would like to show a poster. I see Senator COBURN here, and I will finish in just a moment. I will resume after his comments.

As Senator BOXER knows, because she came down and flew over these wetlands—I am so grateful to my colleague from California, the chairman of this committee, for coming to fly over these wetlands—we flew over New Orleans, which is right here, and out to the coast. We got to see some of these wetlands. This is the coast of Louisiana. The red spots are land loss just since Katrina and Rita, the land loss from the storm. A lot of it is St. Bernard Parish, lower Plaquemine Parish, and then over this way, which is where Hurricane Rita made landfall. So hurricanes exacerbate an already difficult situation. But because we have been putting navigation channels through these wetlands, we have been allowing for shipping, which is appropriate, but you have to have the right locks and dams and water control structures. Because mostly we have blocked the great Mississippi River, which is the largest river system on our continent, from naturally overflowing so that we could ship the grain out of the Midwest, so we could ship products from Canada down to the midsection of our country, this delta is starved for sediment. We don't have a choice.

I am going to end now by saying that this WRDA bill, as far as Louisiana is concerned, is the bill that is going to reverse this decline and start us on a path of safety for the residents, of protection for the environment, and of laying down the foundation for a great economy, which we need to do. We can't shut off this part of the Nation and call it quits. We can't shut down the refining capacity and oil and gas. We have to make it work. We can. It is going to take good science, long commitments, and more than this WRDA bill. But this legislation is a start.

In a few minutes, after Senator COBURN speaks, I will lay down an amendment that will lay the foundation for the category 5 protection we need. We do not expect, in Louisiana, this Congress to pick up the whole tab. We most certainly do not expect this Congress to pick up the tab in this bill. But we would like to lay the beginning foundation, knowing the people of Louisiana and Mississippi and Texas will pay our own way as well. The independent stream of revenue we now have from offshore oil and gas revenues can contribute to this project which is going to be several decades, and it will take anywhere from $30 to $50 billion. But there is no alternative. It is expensive, but the cost of doing nothing is even more.

Let me yield the floor for the Senator from Oklahoma who was scheduled before me. I will return to the debate at a later time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I have a couple amendments I will be offering in a few minutes. I wanted to spend a moment or two talking about priorities.

The work on the WRDA bill has been very important. I am supportive of us keeping our obligations, especially in Louisiana for the tremendous problems they have encountered. There is a legitimate role for the Federal Government as a partner with the people of Louisiana, Mississippi, and Texas in terms of restoration and also prevention so that we don't see the same things again. The WRDA bill is an important bill for a lot of States on a lot of projects, many of which have come about because the Federal Government has overreached in some of its authority and demanded things of States they can no longer afford to do. That is where we sit today. That is the consequence sometimes of having a Federal Government that is a little bit bigger than what the Constitution envisioned and what our Forefathers envisioned as appropriate.

Let me talk about the process for a minute. The chairman asked me a moment ago if I was going to offer any other amendments other than amendments on this bill. I told her no, and I will not. But I think it is important for the American people to consider what we are doing here today. It is important work, but it certainly is not as important as funding our troops. We have asked American families and their children who are serving in the armed services to do a very difficult job. It is very controversial at this time. But regardless of where you are on that job, the fact that we continue to produce bills and not address their needs seems somewhat out of context for where we should be. It has been almost 60 days since the President asked for the additional funding. We have passed the COMPETES Act, spending money on the future, but we can't seem to pass the money for our troops in harm's way. We passed an FDA reauthorization with PDUFA for making sure drugs get cleared, but we can't seem to produce a consensus that our troops will be funded with the necessities they require since they are in harm's way. I find it ironic that we would do anything other than that.

When I look at the Constitution, our No. 1 priority is defense. Whether or not we agree with the foreign policy ongoing today, we all agree we don't want our troops to be in any way placed in harm's way because of our lack of action. That is a justified criticism today which may come true, that American troops are hampered because we cannot pass a bill. I won't offer that amendment, although I think that is what we should be discussing, rather than the WRDA bill.

I thank my colleagues, Senators INHOFE and BOXER, for their work on this bill. I know it means a lot to a lot of communities that don't have the resources to accomplish the things they need to. However, one of the things I am concerned about is priorities. Last year, we had a debate on the emergency status of funding the levees in Sacramento. I had offered an amendment. I talked with the Governor of California, with the two Senators from California. Ultimately, I withdrew that because I became convinced that, in fact, it was an emergency. It still is. Sacramento is the largest town in this country that is at major risk for a flood. The Corps of Engineers uses years for an event, and Sacramento sits at 85 years, the likelihood that 1 out of the next 85 years, Sacramento will be flooded, whereas New Orleans today, even post-Katrina, has a 1-in-250-year risk of being flooded again.

As we look at the WRDA bill, one of the things we ought to think about is how do we prioritize to make sure that where there is a legitimate Government role, we actually spend the money on that role. There is a lot of money in this bill. Granted, this is an authorization bill which will put forward a lot of new projects, some of which we know the cost and some we don't.

I remind my colleagues, right now we have enough work for the Corps of Engineers for the next 50 years, if we don't give them another job to do on their budget. In this bill, we are going to give them several more major projects and not the appropriate funding to do them. One of the reasons we will not give them the appropriate funding is because we don't have the money because, No. 1, we have $200 billion a year in waste, fraud, and duplication in the money we appropriate presently, which the Senate and the Congress refuse to look at, and No. 2, because of the limitations we have in terms of the magnitude of the jobs we put before the Corps.

If you look at priorities in terms of what is important, California has several projects in this, as do several other States. You ask: What are the priorities? You say: We as a family have so many things we have to do. Should we do the most important ones first? If families have a roof they need to put on the house, it is highly unlikely they will build a swimming pool. They are going to fix the roof first and then save for the swimming pool. We don't do that in terms of many of the priorities in this bill.

Myself and seven other Members voted against going ahead with this bill for two reasons. No. 1 is the intent, although the details were not followed in terms of the new earmark proposals in the bill. No. 2 is that we think the priorities are out of whack.

I do have a couple of amendments I will offer.

AMENDMENT NO. 1089 TO AMENDMENT NO. 1065

I ask unanimous consent that the pending amendment be set aside and amendment 1089 be called up.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 1089 to amendment No. 1065

Mr. COBURN. 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 prioritize Federal spending to ensure the needs of Louisiana residents who lost their homes as a result of Hurricanes Katrina and Rita are met before spending money to design or construct a nonessential visitors center)

On page 209, line 1, strike ''The'' and insert ''Subject to paragraph (5), the''.

On page 210, between lines 21 and 22, insert the following:

(5) REQUIREMENT.—No Federal funds shall be used to conduct any study, or to carry out any activity relating to the design or construction, of the visitors center under this subsection until the date on which the Secretary, in consultation with the Director of the Federal Emergency Management Agency, the Secretary of Housing and Urban Development, and the State of Louisiana, certifies to Congress that all residents of the State of Louisiana who were displaced as a result of Hurricane Katrina or Rita in 2005 are no longer living in temporary housing.

Mr. COBURN. This is a simple amendment. It says that there are 100,000 people from Louisiana today in temporary housing. We have failed to move them from temporary housing into other housing.

There are, in this bill, plans and studies for a new visitor center to be set up in Morgan City, which will be a great thing for the area of Louisiana. I do not doubt that. The purpose of this amendment is to say we should not spend any money on that until we get the people affected by Katrina back into housing instead of temporary housing.

So it is not necessarily a criticism, although I generally have criticisms of the Federal Government's role in providing visitor centers for tourism, et cetera, in the States. More importantly, it is about priorities, of whether we ought to take care of those people who have been markedly impaired in their housing opportunities, which ultimately affects their ability to earn a living in Louisiana, before we build another visitor center, before we spend any money on it. We attempted to try to find out how much this visitor center would cost, and nobody could tell us. But the point is, we probably should not spend a penny on that until we have taken care of the people in Louisiana.

If you look at the stories that continue to come out—and Senator LANDRIEU has been a champion in this body of making sure the rest of the Members of this body are aware of the continuing needs of Louisiana for housing—we should not spend any money on anything other than those critical needs for the people of Louisiana. When those are met, then we go and build a visitor center. We do not do it at the same time. To do it at the same time says there is no limit on the amount of funds we have, and we know there are. So we should not put this forward.

This amendment does not take away the visitor center, it does not eliminate the visitor center; it just says you cannot spend any money on it until we have taken care of people in Louisiana and their housing. It is very simple, very straightforward, but puts a priority, much like you and I put a priority on what our needs are. One of our big failures in this body is picking priorities. If we had unlimited funds, we would not need to do that, but we do not have unlimited funds. Our true deficit was far in excess of $300 billion last year, although we claimed it was under $200 billion by Enron-style accounting. But, in fact, we added $300 billion to our children's and grandchildren's debt.

So this is just a little, small amendment that says we should not do this until we have taken care of the obligations that are in front of us in terms of people's lives. When we have done that, then go for it, go do it, but do not do it ahead of those people. When people cannot have services, cannot have what they need, who have been displaced by a natural disaster the likes of which we have never seen before in this country, we should not spend one penny on thing other than taking care of them. Once they are taken care of—a legitimate Federal role, to make sure the environment for housing has been created so Louisiana can get back on its feet—then we ought to do that. So we are not eliminating it. We are just saying, do not spend the money, there is no authorization until you have met and it has been certified that the housing needs of those who are in temporary housing today—trailers, tens and tens of thousands of people are still living in trailers, who still do not have access to housing—do not do that until you have met that need. It is very simple.

Mrs. BOXER. Mr. President, may I ask the Senator to yield for a question?

Mr. COBURN. Certainly.

Mrs. BOXER. Mr. President, is the Senator now going to go to the second amendment?

Mr. COBURN. Mr. President, I plan on it.

Mrs. BOXER. Mr. President, would it be wise to have the Senator from Louisiana respond now, and then the floor would go back to the Senator for the next amendment?

Mr. COBURN. Mr. President, I would be fine with that.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, let me respond to my colleague. I want to begin by first thanking my colleague from Oklahoma for his time and focus. He has come down to our State. He has viewed the damage. As you can tell, Mr. President, he is most familiar with our situation. He is absolutely correct, we have a great deal of work to do.

This particular visitor center, like several others, is not just for extra recreation, I say to my colleague. This is the heart and soul of tourism in this region. We do not have big cities like New York and Chicago in this region. Maybe they are somewhat like the Senator's cities in Oklahoma. They are small communities, but they are important communities. Throughout the southern part of our State, as I have shown on the maps, we do not have large communities but communities of 15,000 or 10,000, for example, high up on a ridge, surrounded by levees.

We are proud of these great wetlands. We want people to come see them. So it is not just saving them for the birds and the fish, which is very important, but it is actually saving them for the benefit of the people who live there, who want to be able to recreate on them, and we want to share them with the world.

I say to the Senator from Oklahoma, we think the more people can actually get their eyes on this problem, the more support we can get for doing the right things to preserve them, to taper down on unnecessary and unwanted development, to scale up the investments in the right kinds of levees and structures, that will help us preserve it over time.

So while I know on first blush it may seem to the Senator as if this is a frivolous expenditure, I would say this is part of a very comprehensive approach Louisiana has to save the wetlands. I do not think—I will be happy to submit for the RECORD the total cost because I most certainly can get that for the Senator—it is going to amount to very much money, but it is an important aspect of our redevelopment that has to do with science, with engineering, with the environment, with the basic industries, and with tourism and the education of people about what wetlands are.

I say to the Senator, as I said, one of the difficulties Senator VITTER and I are having in trying to explain this to the Nation is there are virtually no other shores in the country like this. There are low-lying areas, of course, in South Carolina and North Carolina, and marshes, but there is virtually no other delta like this in the country. So people literally have not been able to see it.

When you see something like a beach in Florida, the wonderful coast in California, which many of us have been to, or to Long Island in the Hamptons, in New York, when you have seen that with your own eyes, you can appreciate it, and you can understand it. The only way to get to the coast of Louisiana is literally by boat or by air, except for those two little highways I spoke about: LA1 on the east side and Holly Beach Road on the west side.

So having this center—I would like to show you where it might be, if I can find a picture of the Atchafalaya. I am not sure I have one. Let me show you the original picture I started with. I will show it, not to make too much of this because it is just a small education center. The center would allow people to come down into this wetlands area and see some of the great Atchafalaya Basin that is sort of the last standing Cyprus swamp in the country. So again, it is a small item.

I object to the Senator taking it out of this bill, but I want him to know this is not because we do not think it is important to put people in housing and to build levees. We are doing all that and doing it as fast as we can, trying to reduce redtape, but we do think these educational centers which we are building serve a significant and important purpose. I do believe the State has already contributed in kind, as well as the local parish.

So I will leave my argument there and at the appropriate time come back to this subject.

I yield the floor, but I would like to speak sometime later this afternoon.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I thank the Senator for yielding.

I would like to make some comments. First of all, we do not take this out. We do not eliminate it. We just say there ought to be a priority on the funds, and the funds for housing ought to come ahead of this. No. 2 is, 3 years ago, a new visitor center was opened for this very purpose for the Atchafalaya Basin, which is the focus of the new visitor center. This just opened 3 years ago.

Again, in a quote from it: Smack dab in the center of the Atchafalaya Basin is a very welcoming site for those traveling on Interstate 10. The Atchafalaya Welcome Center is open seven days a week from 8:30 to 5. The center is located off Interstate 10 at exit 121. It is a first class facility, quite impressive, with historical information within the walls. It is an Acadian-style cottage museum. Outside, wildlife and nature will take you back in time.

It was completed in June 2004. It has many of the same things the Senator wants to support. There are also two other visitor centers in Morgan City, so it is not that there is not some process out there already to do that.

Again, the point is not to eliminate this visitor center. The point is to say, shouldn't we have a priority—before we allow money to go for another visitor center where there is already one that has just opened 3 years ago, shouldn't we have the people who need housing taken care of? So I will stand with that and will not continue the debate on that.

AMENDMENT NO. 1090 TO AMENDMENT NO. 1065

Mr. President, I ask unanimous consent that the pending amendment be set aside and call up amendment No. 1090.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 1090 to amendment No. 1065.

Mr. COBURN. 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 prioritize Federal spending to ensure the residents of the city of Sacramento are protected from the threat of floods before spending money to add sand to beaches in San Diego)

On page 11, strike line 5 and insert the following:

(6) IMPERIAL BEACH, CALIFORNIA.—

(A) IN GENERAL.—Subject to subparagraph (B), the

On page 11, between lines 15 and 16, insert the following:

(B) REQUIREMENT.—No Federal funds shall be used for beach nourishment for Imperial Beach, California, until the date on which the Secretary certifies to Congress that the Sacramento River Bank Protection Project has been completed.

Mr. COBURN. This, again, is for the restoration of beaches. It is a 30- or 40-year project, which I do not object to on its face. I love beaches. I take my family to Florida. I noticed recently they restored beaches down there. Again, the question is priorities. We have a tough time setting priorities. We take authorizations bills, we don't look at them. What we do is we get them authorized and then we fight like heck when the appropriations time comes around to get our projects funded.

The Sacramento levee system, according to the Corps of Engineers, is one of the most important projects they have in terms of reducing risk for people at risk of flood. We had a debate on this floor less than a year ago with the Senators from California. I talked to the Governor of California. I had attempted to strip out some of the funding of an emergency bill for emergency funds for the Corps of Engineers for this basin and for these levees. They convinced me with their argument that was a high priority. I actually withdrew my amendment. I did not ask for a vote on it.

We have a WRDA bill that has this in it, and then we have a beach restoration project, over which there is some significant debate in terms of Imperial Beach in southern California, restoring that beach over the next 40 to 50 years, with intermittent projects every 4 to 5 years, pumping sand to restore the beach. I am not against that, either. But what I think we have to do is set a priority.

Why shouldn't the priority be that we protect the people of Sacramento and finish the levee system? The answer will be: We can do both. Well, we really cannot do both. We will do both probably, but we cannot do both. We cannot do both with the money we have. So then it comes to: Where are the priorities? We will have this debate again when the bills come forward in the appropriations process, of where the priority is. We will probably fund both these projects. But when the American taxpayers ask: Now, which one is most important, which one is a true Federal responsibility, which one is a State responsibility, they are going to want some answers. When asked about protecting a major city such as Sacramento with a levee system that the Corps of Engineers designed, which was substandard to begin with, and redoing that to make sure we protect all these people, or letting the State of California restore its own beaches from sand erosion, I believe the vast majority of Americans will say: As to the beach, probably the local community can afford to do that. They get the benefits off of it. They get the property taxes off of it. They get the tourism off of it. But Sacramento is a different story. It is something the Federal Government started. It is something the Federal Government is responsible for, and something the Federal Government should respond to and finish.

Senator FEINSTEIN, in our debate last year, noted that the bottom line is that human life and property hangs in the balance based on the sustainability of these levees. I think that is right. I do not think human life stands in the balance on restoring the beaches, which is really a State responsibility.

What we are going to do in this bill is we are going to take taxpayer money. We are actually going to borrow the money to do it. We are not going to do it out of the regular budget. We are going to pay for something that is a State responsibility. The other factor that comes into it is that every State in the Union, save one, has a surplus this year. We have a $300 billion deficit, if we are honest. So, again, it comes back: is it great if we have extra money, if we aren't borrowing the money for the future? Should we do this at the same time? I would agree.

The fact is, we don't want to make the hard choices. We don't want to tell anybody no, not now. What we want to do is be able to have both. We can satisfy people today, but the people who will be dissatisfied with the generational collar that we put around them will be our kids and grandkids as they repay the cost of out not prioritizing things, not looking at things that are most important, and otherwise not standing up to the line and doing what we should be doing, which is making the hard choices of priorities.

One of the things I think the American citizenry is upset with, as much as the war or more, is the fact that it seems as if we don't care about the future. We will throw money at anything, money we don't have.

So these two amendments I bring to the floor today are not big. They may not pass, but they are based on a principle. The principle is to be a good steward. We all, in our own personal lives, with our own money, have to make priorities. We have to put that roof on before we do something else to the house. We have to make a choice about where the first dollar should go. Unfortunately, sometimes we do a poor job of that in the Congress.

I believe, from the way this Senator sees it, securing the levees ought to be a much higher priority than restoring beach that can be restored by a local community or the State of California. It is not truly a Federal responsibility.

I have studied a great deal about the beach restoration project. They have a general plan. What has happened to them has been out of their control, the Tijuana River in terms of how it has been blockaded and dammed and the amount of sand that filters in and that is available for the beach. Several attempts at growing structures had been made in 1978. A plan was put forth that would have restored it. It did not meet the environmental impact statement. It was abandoned at that time.

What we know and what is predicted by those who have watched this—especially Orrin Pikley, the director of the program for the State Developmental Shorelines at Duke University—is that we shouldn't be nourishing the beaches. President Clinton, much to his credit, saw the need for the States to take a greater burden in financing beach nourishment, and he proposed eliminating all funding for nourishment projects and studies, and he reduced the Federal share to 35 percent on any projects that weren't ongoing.

Where is the responsibility? Who is going to pay for it? It is easy to spend your money. It is easy to not tell anybody no. But the fact is, when we get down to the long and the short of it, we can't do everything everybody wants to do. I know a lot of people were told no in this bill about things they want to do, but we do some of it, to be fair. But in the long run, lives, safety, and housing have to take precedence over convenience and recreation.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, I rise in strong opposition to this amendment. I would like to lay down the reasons why.

First, I do want to thank Senator COBURN because he was very accommodating to both Senator INHOFE and me by coming here on a Monday afternoon and putting these amendments down so we could begin the debate and hopefully vote on them tomorrow. I do appreciate that. It means a lot to us as managers because we worked long and hard on this bill.

Before I tell my colleagues why I call this amendment the Russian roulette amendment, let me just say I have supported Senator COBURN on many of his amendments where he is looking at the fiscally responsible thing to do, and I will continue to do so when I think those amendments make sense, and I am sure there will be more. But I do want to call to the Senator's attention, if you step back from this particular amendment, which I strongly disagree with—I think it is dangerous, and I will go into that in a minute. If you step back and look at the whole picture of this bill, we should be very proud that working together, Republicans and Democrats, we took a bill that was scored at about $31 billion down to a bill that is about $13.9 billion because we really did apply some strict standards to this bill.

There are no projects in this bill that are giveaways or handouts or make somebody's beachfront pretty. That is nonsense because neither side would approve of that.

I also want to make a point—because I think Senator FEINGOLD made this point very well, although I disagreed with him and we had a bit of a debate on it last week—that when colleagues use the word ''prioritize,'' that we should ''prioritize,'' and then they offer these amendments, they are putting out their priorities. That is not subjective. It is not subjective if I put out my priorities next to Senator COBURN's, next to Senator FEINGOLD's, next to Senator INHOFE's. That is objective. I think the Presiding Officer who is now sitting in the chair knows because she sits on the committee that has jurisdiction over this bill. It is hard. We battle it out for what the right priorities should be.

Now, as I told Senator FEINGOLD last week when we had a debate, because he is offering an amendment dealing with prioritization and setting up a whole new way to prioritize this project, let's look at this process in which we are engaged because I think the Senator—the reason I believe the Senator is on weak ground is because he seems to be ignoring what has gone on before he got involved.

First of all, these projects start from the local governments up, and the local governments and the communities get together and say: We have a very rough situation and we pay Federal taxes and we would like to make a partnership to protect lives and property and businesses. From there, they put up their fair share. They have to be willing to put up their fair share. So this isn't Uncle Sam paying for all this. This is a joint effort, and they have to come forward and the various committees of jurisdiction approve a study.

Now, when these studies are looked at, I say to my friend, there is a cost-benefit ratio involved, and sometimes it is very tough on colleagues because they think they are going to get a project and realize it just doesn't add up. So everything before us that has passed muster, the local government, the local people, they pick up the share, and it has to be funded with a study. And that study, as I said, has to come in and show that this makes sense, and then it goes to the various committees or the administration will fund it. There is an environmental impact statement that goes along with all this. They are considered again in WRDA. I guess this is the chance for colleagues to say: We don't like this project or that, and we are having this debate. It is the Senator's absolute right to choose and pick what he thinks are not priorities. I understand. So after we pass it here, it then has to go forward and get appropriated as well.

This bill has been 7 years in the making. We have cut it more than in half. I think it is a proud product.

I would say to my colleague, the reason I say the amendment is playing Russian roulette is this: We don't know when a hurricane, a storm, is going to come up and hit us in the face. It may come in the northern part of my State, I say to my friend. I have a coastal State. I have a State that is beautiful. We have more beauty per square inch—of course, I am not subjective on the point—than I think any other State. We have 37 million people. We have a real problem. The fact is, we can't just do one thing—Sacramento—and not take care of all the other things.

I so appreciate my friend's coming around with us on the Sacramento

issue. I cannot tell my colleagues what it means to me because, as he now knows, we have to take care of Sacramento. It is low lying. It is a potential catastrophe. He is absolutely right to call attention to the levees. We have to do all that.

But the reason I say his amendment is Russian roulette is because it is essentially counting on the fact that we are not going to have this problem in Imperial Beach. I want to say this is not a beach project; this is a hurricane and storm damage reduction project. This is not about making somebody's property pretty to look at. This is serious business.

And speaking of business, if we don't do this work—the locals are going to pay, in the beginning, 30 percent and then 50 percent. If we don't take care of it, business is going to get the floods and it is going to be wiped out. So I wish I could say to my friend all I need is one flood control project in Sacramento and be done with it, but with 37 million people and an economy that if we were a separate Nation would be the fifth or sixth largest in the world, obviously California needs so much.

Now, we have stressed Louisiana and Hurricanes Katrina and Rita. Senator INHOFE and I pulled aside a lot of people and said: Look, we have to come together to help that region. But we also have a backlog of 7 years' worth of work. In the case of Imperial Beach, this project got started in 2007, and the people are waiting. The city of Imperial Beach is home to 26,000 people. Four thousand of its residents live within two to three blocks of the shoreline. It is located near San Diego, just to give everybody a picture, and the beaches and the sand dunes act as a buffer to protect residential and commercial properties. It is a defense. It is a defense against storms and storm surge. If we don't do that, we would be building walls, a very expensive way to get that hurricane damage reduction.

So nature provides our coastal communities with natural protection from violent storms and the waves they produce. In the Northeast it is the high rocky cliffs. From the Mid-Atlantic around the Gulf of Mexico, it is the wide, sandy beaches. In Louisiana, it is miles of wetlands. That is why both our colleagues, Senators VITTER and LANDRIEU, talk a lot about wetlands restoration, which we do in this, because that is the natural flood control, just as the beaches and the bluffs are natural flood control that God gave us.

The coast of my State is particularly prone to strong winter storms that blow in from the Pacific. During the El Nino years, storms can be especially dangerous. That is why I say Russian roulette. We are playing Russian roulette. This is not some project that sprung up because some individual looked out and said: You know, I want more beach in front of my house. No. It has nothing to do with that. It is a dangerous situation. The public is going to be paying for half of this.

The Army Corps of Engineers said 100,000 cubic yards per year is eroding from the beach, corresponding to a shoreline retreat rate of 6 feet per year. There is adequate protection from winter coastal storms. That is what the Army Corps of Engineers said. That is not me speaking. I am not an engineer. I respect what they say.

I know my friend says he is not striking this, he is just saying it is more important to do Sacramento first. We need to do all of it. We need to do this bill. We need to take care of our people in this bill wherever they live—east, west, the north of my State, the South, East or West of the country, Midwest—wherever they are, wherever they need help.

At the current retreat rate, the shoreline in the northern portion of the area could reach the first line of development this year—this year. That is why this bill is so needed. It is needed now—not next year, not after they finish Sacramento or after they finish Hurricane Katrina. We shouldn't be picking and choosing. We should be having an absolutely firm commitment to making sure every one of these projects fits the benchmarks we have set in a bipartisan way, meet the benchmarks, meet the criteria, and not punish people and say, gee, you people in Imperial Beach, you are paying and we are going to pay 50 percent out, but we are stopping because a lot of miles away in another part of the country, or this State, other people need help and they are more important than you. I don't think that is right.

We are Senators. We are Senators of all the people. We have to look at their needs. Absolutely, prioritizing is key. I have shown my colleague how we prioritize through this process and how we cut back the costs of this bill. The beaches, the coastline, the protective buffer is literally washing away.

(Ms. KLOBUCHAR assumed the Chair.)

Mr. COBURN. Will the Senator yield for a question?

Mrs. BOXER. Yes.

Mr. COBURN. Will the restoration project in this bill solve the problem of Imperial Beach?

Mrs. BOXER. This is considered a 50-year fix.

Mr. COBURN. It is a 50-year fix only if they continue to do the work every 5 years, correct?

Mrs. BOXER. Well, of course, all projects have to be maintained.

Mr. COBURN. According to the Corps, every 5 years we will pump the same amount of sand up there, and in 50 years we will be doing the same thing again. This isn't a long-term fix; this is a short-term fix, according to the Corps, not according to anybody else. They have to do the same thing every 5 years to maintain the status quo; is that correct?

Mrs. BOXER. No. The initial project consists of 1.214 million cubic meters of sand, resulting in a total beach with 32 meters beyond the existing beach line. That is the first phase. To get to your point, it is estimated that once every 10 years, over the 50-year life of the project, they would replenish, not every 5 years.

Mr. COBURN. Every 10 years, they are going to have to bring back the sand the ocean naturally washes away from the beach because we have not done what needs to be done, which is a long, extended growing, to help the beach replenish itself.

Mrs. BOXER. Let me say, we continue to maintain the dams in Oklahoma, too. So whether you are maintaining a dam or maintaining this kind of project, yes, you have to take care of your house, your home, your project. This isn't a free lunch for anybody. The local people have to pay for that as well.

So the reason the Corps recommended this particular project is they say it is very cost effective, it provides a lot of protection for these people, and it has a very high cost benefit. For every dollar put in, the American people get $1.70 in return, and few projects can claim such a return.

Mr. COBURN. I would not know how to argue with that. Would the Senator yield for a moment, and I will finish up?

Mrs. BOXER. Yes, I am delighted.

Mr. COBURN. The difference between this and a dam is a dam is put there to control water or generate power. They have to be maintained. The way to fix this, according to the people we have talked to, is the original Corps plan is to put the money into an extended growing until the beach redevelops and replenishes itself. We will continue to do this every 10 years. I am not saying that is not a good priority, but it is not a priority like many of the other things.

I have a letter that I received from Dr. Serge Dedina, executive director of WiLDCOAST, supporting our amendment and asking that this money be placed secondary to the efforts in Sacramento because their studies show one winter storm will wash away what this money was spent for. In fact, this isn't the best plan, although it is a plan and—again, if I was there, I would want this beach maintained and restored. But I understand the desire for it. I understand the priorities for it. I understand the decisions that have been made in terms of lessening priorities that weren't included in that bill.

I appreciate the time the chairman of the committee has given me to offer these amendments.

I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 14, 2007.

DEAR SENATOR COBURN: Please accept this endorsement for your amendment to the WRDA that would require that residents of Sacramento be protected from the threat of floods by the completion of the Sacramento River Bank Protection Program before federal funds are spent to add sand to beaches in San Diego (Imperial Beach) .

WiLDCOAST represents the interests of Imperial Beach taxpayers who are solidly opposed to any public expenditures on beach replenishment projects in Imperial Beach. We have been informed by City of Imperial Beach staff that federally funded beach sand projects are designed to ''enhance private property.''

Our Beach Sand Stakeholder Advisory Group is formed of local Imperial Beach business owners and coastal engineering technical experts who all agree that the effort to have U.S. Taxpayers fund Imperial Beach sand replenishment is an absolute waste of scarce federal dollars. It has been scientifically proven that millions of dollars of sand that would be dumped on the beach of Imperial Beach would wash away in a single winter storm.

We appreciate your support for stopping wasteful expenditures of scarce federal dollars through badly planned and flawed sand replenishment projects in Imperial Beach, California.

Sincerely,

SERGE DEDINA,
Executive Director, WiLDCOAST.

Mrs. BOXER. Madam President, I ask where we are now. Senator COBURN has two pending amendments; is that correct?

The PRESIDING OFFICER. That is correct.

Mrs. BOXER. We now have Senator FEINGOLD's amendment pending on prioritization and two Coburn amendments; is that correct?

The PRESIDING OFFICER. That is correct.

Mrs. BOXER. OK. I feel like I want to respond for a couple of minutes more to this amendment and say that my colleague says: Oh, my goodness, every 10 years you have to do more work. As I say, the Corps found that this is the most economical and sustainable way to resolve this problem. He talks about beaches—what were his words—being washed away. Yes, beaches will be washed away. We expect that, and every 10 years we will restore the beach. But it is better that that happens than houses washing away, businesses washing away or people washing away. So we have looked at the other options, such as concrete structures, walls—all very expensive and requiring a lot of maintenance and so on.

So we have a situation where the city is paying for 35 percent of the initial part of the project, 50 percent for the rest of the project. The city of Imperial Beach is not looking for a handout, but it is sharing the burden of protecting its people.

Again, I don't quite understand the prioritization of the Senator from Oklahoma, or why he picks on this particular project. This is a project that is more cost effective than any other alternative. It is one of the most cost effective in the Nation. We feel very good about it. But just as Louisiana's wetlands restoration will lessen impacts of hurricanes, because the wetlands are that natural absorber of the water and they also lessen the power of the hurricane, we are here using the God-given beaches as a way to do this flood control or, better said, hurricane impact reduction. So we learned from Hurricane Katrina that we should address our flood threats before they materialize.

We are worried about this particular community. I am very pleased that this particular project certainly wasn't even controversial when we put together our package because it so clearly fits all the criteria we had in place. My colleague is saying don't do this until you do Sacramento, and it doesn't make any sense to me because we need to do it all. That is the point of the WRDA bill—to take care of as many people as we can, and that we can project with the most stringent criteria that we have. So this ''Russian roulette'' amendment plays with the fate of my community. I think Senator COBURN's other amendment, which would strike a blow at the tourism revival in Louisiana, is also an ill-fated amendment.

The reason I was so glad he came over this afternoon is I am hoping we can have votes on these three amendments tomorrow. If we send a signal that the members of the committee are sticking together on this in a bipartisan way and we are going to move this forward, I think it would be very good for the bill.

I look forward to Senator INHOFE's arrival. He has had a very grueling weekend in Iraq. I don't know exactly when he will arrive. At this point, 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.

Ms. MURKOWSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Madam President, I ask unanimous consent that I be allowed to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL POLICE WEEK

Ms. MURKOWSKI. Madam President, this week, the week of May 14, is National Police Week, and the streets here in Washington, DC are filled with tens of thousands of law enforcement officers, their families, and their children. This is the week we recognize 17,917 officers whose names are inscribed on the National Law Enforcement Officers Memorial here on Judiciary Square, all of them people who gave their lives to make our communities a safer place.

It is the week we recognize 145 fallen heroes of our Nation lost this past year. The people of Alaska give thanks that we did not lose a law enforcement officer in the line of duty during 2006. This is also the week we add the names of 237 additional law enforcement officers to the memorial. These are officers who lost their lives in the line of duty in generations past but whose stories did not come to light until now. One of those 237 officers is William George Pfalmer, Jr.

Officer Pfalmer's career with the Anchorage Police Department came to an end on June 9, 1953, when he was shot following a traffic stop of a stolen vehicle. He was shot in the left arm and the right shoulder, shattering his spine and causing him to spend the remainder of his life in a wheelchair. Officer Pfalmer lost his battle to survive those wounds on December 26, 1970, at the age of 45, after undergoing one of many corrective surgeries.

I rise today in tribute to Officer Pfalmer and I rise to share the remarkable story of a present-day Anchorage officer, Officer Cathy Diehl Robbins, who made sure Officer Pfalmer's contributions were not lost to history. But for Cathy's determined research, the name of William George Pfalmer, Jr. might never have been inscribed on the National Law Enforcement Officers Memorial.

When Officer Pfalmer was shot on June 9, 1953, the city of Anchorage did not even pay him a full day's pay. At the time, the city did not offer a pension to police officers, nor did it compensate them for their injuries. Officer Pfalmer, who was 27 years old at the time, turned in his badge—which so happened to be badge No. 13—and was left to fend for himself. Anchorage is a city well known for its community spirit. This was true in 1953, it is true today. Officer Pfalmer was named Anchorage's Father of the Year, and the community helped to raise $13,000 to help the family through their difficult time. But that was not enough to enable the Pfalmer family to remain in Alaska.

A World War II Coast Guard veteran, Officer Pfalmer moved his family to California where he could receive medical treatment without charge from the VA. The officer's wife Eleanor was his full-time caregiver. They were tough years financially, but love and commitment held the family together. Officer Pfalmer kept his family afloat for most of those 17 years by purchasing cars at auto auctions, reconditioning them, and reselling them. His three sons, Glenn, Garry, and Greg, helped out after school repairing the cars under their dad's supervision. The three sons were literally their dad's arms and legs. They all became mechanics, a trade their father taught them.

The Pfalmer family assumed that their father's service with the Anchorage Police Department was long forgotten, until one day, out of the blue, son Greg received a call from Cathy Diehl Robbins. Cathy, who had been researching the history of the Anchorage Police Department in her own time, came across an article of some 10 years earlier. That article led Cathy to believe there was a hero who somehow had fallen through the cracks. Cathy would not let go and was determined to run the story to the ground. After diligent research, she discovered the story was true. She tracked Greg down on the Internet and learned that his father was the Anchorage police officer

she had read about. She wondered whether the officer was still alive and, sadly, learned he was not. Cathy then made it her mission to ensure that Officer Pfalmer's contributions were not forgotten.

On June 9, 2006, 53 years after the fateful incident that cost the officer his career, the Anchorage Police Department acknowledged Officer Pfalmer's loss as a line-of-duty death. He was subsequently recognized by the Alaska Peace Officers Memorial, and this year his name is inscribed on the National Law Enforcement Officers Memorial.

It is fitting that Cathy Diehl Robbins was invited by the National Law Enforcement Officers Fund to read Officer Pfalmer's name at the annual candlelight ceremony, which was held last night, Sunday, May 13. I am pleased that Garry Pfalmer, one of Officer Pfalmer's three sons, was able to travel from Fairbanks to witness the ceremony.

During this National Police Week, we remember fallen officers for the way they lived their lives, not the way they gave them. Today, we remember Officer Pfalmer not only for the events of June 9, 1953, but also for the support and the inspiration he provided to his family during the next 17 years: a hero at home and a hero in the service of our community.

During this National Police Week, we recite again and again the phrase that ''heroes never die.'' So let us spend a moment to reflect upon the life of Officer Pfalmer, and as we do, let us acknowledge the efforts of an angel named Cathy Diehl Robbins, who brought the story of Officer Pfalmer back to life.

Madam 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.

Ms. LANDRIEU. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Madam President, it took me a few minutes to get the details I needed to respond to Senator COBURN. I am sorry for the delay. But I want to continue the debate we had just about 45 minutes ago on his amendment No. 1089 about which he spoke earlier, and we are prepared, I think, to vote on in the morning.

I am hoping my good colleague from Oklahoma will think about the possibility of withdrawing his amendment because I am going to submit some things for the RECORD that I think might have a bearing.

First of all, I think he offered his amendment in a way to be somewhat critical—although he was very respectful—somewhat critical that the Federal Government would be funding visitors centers before we build our levees and protections that we need for south Louisiana. I was a little puzzled by that. I went and found the facts.

Actually, we are not asking the Federal Government to spend a dime. What we are asking the Federal Government to do is simply to authorize a visitors center, type A as opposed to B, so we can be, as I said in the earlier debate, more interpretive—to have a real place where people can come and learn about the wetlands and the entire delta. The cost difference between B and A would be absorbed by Louisiana. So the Senator's main argument that it would cost the taxpayers of the United States, out of our budget, out of our money, is not accurate. I am not sure he understood that, but I think it has real bearing on the debate.

Again, in reference to Coburn amendment No. 1089, which is the Atchafalaya Basin Project, Eagle Point and Fosse Point Visitors Center, it is to simply authorize a larger type, more robust center, if you would, so we can have a kind of interpretive visitors center and education to go on in this part of the State, teaching not only ourselves in our State and the region but the country about the benefits and really extraordinary value of the wetlands.

Madam President, 8,000 visitors a month visit this center, which is already established. Again, it is at no cost to the Federal Government. I will speak with Senator COBURN in an effort to see if he can withdraw his amendment. If not, we will continue this debate tomorrow.

I ask unanimous consent to have this document printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LOUISIANA ATCHAFALAYA BASIN PROGRAM
PROJECT PROFILES

The ultimate goal at Eagle Point Park is to enhance, promote, preserve and protect the ecosystem of the lake and the precious resources of the Atchafalaya Basin.

The development of Eagle Point Park will provide a sustainable recreation park facility designed to fulfill the needs of eco-tourism and become a welcomed regional and state amenity. The park's exceptional location near the Atchafalaya Basin will continue to remind visitors of what Louisiana once looked like in its pristine splendor of unbroken forests and swamps. Ultimately, Eagle Point Park will preserve the precious resources of the basin, recover the basin's majesty while managing the human impact, and enhance economic development to surrounding communities and the entire state.

The Corps of Engineers is developing a scope of work to produce Plans and Specifications for the Phase I analysis currently underway with the Team of the Corps of Engineers, URS, GSA, Wayne Labiche Engineering, and Sidney Bourgeouis Architects. After completion of this work the Parish will be in a position to advertise and award a construction contract(s) for the Phase I development.

Additionally, the U.S. Army Corps of Engineers is currently considering an aquatic restoration project in Lake Fausse Pointe. The lake has filled in to a depth of 1.5 feet in many places and the warm shallow water is not conducive to fish life. Plans are being considered for dredging a series of sink holes and using the dredge material to build small islands which will provide animal and bird habitat and should eventually provide shade along the banks.

Aside from the Educational Value of facilities: State and Federal Agencies would be housed at Morgan City Interpretive Center; LSD will put research lab at the Morgan City Facility; and discussion is ongoing with other agencies for location.

It is important to note that Morgan City was the host of a FEMA trailer site, but the site has been closed.

8,000 visitors visit the Atchafalaya Basin Floodway each month.

Ms. LANDRIEU. In addition, Madam President, I referred earlier to a Washington Post article, an article written by John Barry. It was an opinion piece in Saturday's paper, May 12. I referred to it, but I am not sure that I technically asked for it to be printed in the RECORD. At this point I ask unanimous consent it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Saturday, May 12, 2007.]

OUR COAST TO FIX—OR LOSE

(By John M. Barry)

There has been much debate in the past 20 months over protecting Louisiana from another lethal hurricane, but nearly all of it has been conducted without any real understanding of the geological context. Congress and the Bush administration need to recognize six facts that define the national interest.

Fact 1: The Gulf of Mexico once reached north to Cape Girardeau, Mo. But the Mississippi River carries such an enormous sediment load that, combined with a falling sea level, it deposited enough sediment to create 35,000 square miles of land from Cape Girardeau to the present mouth of the river.

This river-created land includes the entire coast, complete with barrier islands, stretching from Mississippi to Texas. But four human interventions have interfered with this natural process; three of them that benefit the rest of the country have dramatically increased the hurricane threat to the Gulf Coast.

Fact 2: Acres of riverbank at a time used to collapse into the river system providing a main source of sediment. To prevent this and to protect lives and property, engineers stopped such collapses by paving hundreds of miles of the river with riprap and even concrete, beginning more than 1,000 miles upriver—including on the Ohio, Missouri and other tributaries—from New Orleans. Reservoirs for flood protection also impound sediment. These and other actions deprive the Mississippi of 60 to 70 percent of its natural sediment load, starving the coast.

Fact 3: To stop sandbars from blocking shipping at the mouth of the Mississippi, engineers built jetties extending more than two miles out into the Gulf of Mexico. This engineering makes Tulsa, Kansas City, Minneapolis, Cincinnati, Pittsburgh and other cities into ports with direct access to the ocean, greatly enhancing the nation's economy. The river carries 20 percent of the nation's exports, including 60 percent of its grain exports, and the river at New Orleans is the busiest port in the world. But the jetties prevent any of the sediment remaining in the river from replenishing the Louisiana and Mississippi coasts and barrier islands; instead, the jetties drop the sediment off the continental shelf.

Fact 4: Levees that prevent river flooding in Louisiana and Mississippi interfere with the replenishment of the land locally as well.

Fact 5: Roughly 30 percent of the country's domestic oil and gas production comes from offshore Louisiana, and to service that production the industry created more than 10,000 miles of canals and pipelines through the marsh.

Every inch of those 10,000-plus miles lets saltwater penetrate, and eat away at, the coast. So energy production has enormously accelerated what was a slow degradation, transforming a long-term problem into an immediate crisis. The deprivation of sediment is like moving a block of ice from the freezer to the sink, where it begins to melt; the effect of the canals and pipelines is like attacking that ice with an ice pick, breaking it up.

As a result, 2,100 square miles of coastal land and barrier islands have melted into the Gulf of Mexico. This land once served as a buffer between the ocean and populated areas in Louisiana and part of Mississippi, protecting them during hurricanes. Each land mile over which a hurricane travels absorbs roughly a foot of storm surge.

The nation as a whole gets nearly all the benefits of engineering the river. Louisiana and some of coastal Mississippi get 100 percent of the costs. Eastern New Orleans (including the lower Ninth Ward) and St. Bernard Parish—nearly all of which, incidentally, is at or above sea level—exemplify this allocation of costs and benefits. Three manmade shipping canals pass through them, creating almost no jobs there but benefiting commerce throughout the country. Yet nearly all the 175,000 people living there saw their homes flooded not because of any natural vulnerability but because of levee breaks.

Fact 6: Without action, land loss will continue, and it will increasingly jeopardize populated areas, the port system and energy production. This would be catastrophic for America. Scientists say the problem can be solved, even with rising sea levels, but that we have only a decade to begin addressing it in a serious way or the damage may be irreversible.

Despite all this and President Bush's pledge from New Orleans in September 2005 that ''we will do what it takes'' to help people rebuild, a draft White House cuts its own recommendation of $2 billion for coastal restoration to $1 billion while calling for an increase in the state's contribution from the usual 35 percent to 50 percent. Generating benefits to the nation is what created the problem, and the nation needs to solve it. Put simply: Why should a cab driver in Pittsburgh or Tulsa pay to fix Louisiana's coast? Because he gets a stronger economy and lower energy costs from it, and because his benefits created the problem. The failure of Congress and the president to act aggressively to repair the coastline at the mouth of the Mississippi River could threaten the economic vitality of the nation. Louisiana, one of the poorest states, can no longer afford to underwrite benefits for the rest of the nation.

Ms. LANDRIEU. Finally, Madam President, I spoke earlier and read some items into the RECORD. I perhaps read the wrong list. So I am going to resubmit this so the RECORD is clear. The $3.3 billion in the underlying WRDA bill represents about 20 percent of the total bill. As I tried to explain to some of my constituents at home, if we were talking about a desert bill we would probably have zero money in this bill. But we are talking about a water bill, and Louisiana most certainly has a great deal of water—sometimes more than we need, more than we asked for, and more than we want. But this is Congress's major water development bill. Because we sit at the mouth of the greatest river system in the country, which is the mouth of the Mississippi River, and because we have some of the greatest and last coastal wetlands in the country, of course, this would have a great many projects for us.

We really appreciate, Senator VITTER and I, the cooperation of Republicans and Democrats in being particularly supportive of us as we struggle to get many of these protection projects in this bill authorized because, of course, of our recent tragic experiences with the storms.

The $3.3 billion in projects is significant, necessary, and essential to beginning to build a kind of barrier of protection that the people of south Louisiana, and I might add south Mississippi and part of south Texas, depend on to keep them safe.

We do not live right on the coast, as people do in Mississippi, Alabama, Florida, and actually in Texas. We are the only people actually moving from the coast. We are not moving to the beaches. There are no beaches to move to.

I ask unanimous consent the list be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WRDA 2007—SENATE FLOOR CONSIDERATION
(MAY 7–10, 2007)

GENERAL OVERVIEW OF WRDA

WRDA 2007 authorizes more than an estimated $13.9 billion of Corps projects.

In comparison—WRDA 2000 authorized $4.1 billion; WRDA 1999 authorized $2.5 billion.

The major authorization components of WRDA 2006 are:

Louisiana: **$3.336 billion**—24%

Florida Everglades: $1.73 billion—12%

Upper Mississippi River—Illinois Waterway: $3.77 billion—27%

All Other Authorizations: **$5.064 billion**—37%

Estimated Total: **$13.90 billion**—100%

LOUISIANA PROJECTS

Louisiana Coastal Area Ecosystem Restoration: $1.133 million

Louisiana Coastal Ecosystem next wave: $728 million

Morganza to the Gulf of Mexico Hurricane Protection: $886 million

Port of Iberia Navigation/Storm Surge Protection: $131 million

Jefferson Parish Consolidation: $100 million

Larose to Golden Meadow certification up to 100 year level: $90 million

MRGO Revolving Loan Fund for Private Facilities: $85 million

MRGO Relocation Assistance for Public Facilities: $75 million

Red River Waterway mitigation: $33 million

Southeast Louisiana development planning: $17 million

Calcasieu River and Pass Rock Bank Protection: $15 million

Various Louisiana Environmental Infrastructure: $13 million

Bayou Sorrel Lock: $10 million

MRGO de-authorization: $5 million

Total: $3.336 billion

BOLD Text represents changes from WRDA 2006

Ms. LANDRIEU. These are coastal wetlands. We are proud of that. It is a totally different environment and topography than exists in many other places. But we do have some very special and extraordinary needs, and I would be doing a great disservice to the people of our State if we didn't fight as hard as we could for the many projects in this bill—for the Louisiana Coastal Area Ecosystem Restoration; the Morganza to the Gulf of Mexico Hurricane Protection Project, which we literally have been working on for 20 years; the Port of Iberia Navigation and Vermilion Parish Hurricane Protection Project; Jefferson Parish consolidation; Larose to Golden Meadow, which is a little community down here in Lafourche Parish, but it was the only authorized Federal levee that did not collapse in the last hurricane. But it has been shrinking. This will help us to build it up, to strengthen it, and to keep that wonderful community safe and dry, as the next storms approach.

We understand people cannot live in some areas. They are prohibited from development. We are doing much more strict zoning and planning and community planning and design. In fact, some communities are picking up and moving north. Some communities are not building any more in flood zones. We are with the program when it comes to keeping our people safe.

We can do more in that regard and we will. But without these fundamental earthen barriers and levees and locks, this job will never get done. It is not going to get done overnight, but it will be done, to protect the 3.5 million people who live in the southern part of Louisiana, as well as about 1.5 million people who live in Mississippi.

As you can see, these are the great wetlands of Saint Bernard and Plaquemines Parish Project, Gulfport, and some parts of Pascagoula, and Pass Christian. The storms come from the west. It gives a tremendous buffer to Gulfport and Pascagoula. Of course, if the storms come more from the east, they are more vulnerable as they lay bare to those storm surges and high winds.

For these wetlands to stay and to be restored by the actions of this bill is incredibly important and actually essential to the preservation of this great metropolitan area. This is more than New Orleans, which is 450,000 people, or was before the storm. It is now down to about 200,000. Jefferson Parish, which is part of the metropolitan area, our suburban sister parish, is 450,000. That parish could have just as easily gone under 4 to 12 feet of water had the levees broken on the other side of the canal that sits about right here.

In addition, north of the lake—this is Lake Pontchartrain—we have 700,000 people ringing the north side of this lake, and hundreds of thousands of people who are living down in these ridges.

There is a tremendous amount of population that needs to be saved and protected and sustained. But as I said earlier, it is not just the people who

are there, it is the economy, the infrastructure of the economy we are protecting and supporting. Whether it is fisheries, transportation, navigation, 10,000 miles of pipeline, to keep the lights on and provide gas and electricity and fuel to the rest of this country—that comes from here, as do petrochemicals that help to make many of the products that we manufacture in this country better and safer for human use. That happens along the southern part of this great delta.

That is why we fought so hard for this bill. I want to end by saying I commend Senator BOXER, my colleague from California, for making this a priority. I thank our leader, HARRY REID. It has been 8 long years since WRDA has passed and Louisiana cannot wait another month, let alone another year.

There is a hurricane season literally right around the corner in June. This is the middle of May. People are still on pins and needles wondering whether the levees that we have reconstructed and fixed are going to hold for this next hurricane season. They are most certainly looking with great anticipation, and some anxieties, too, if this Congress will act.

I know there are some amendments that are going to be laid down complaining about some aspects of this bill, but I thank Senator BOXER, and I thank Senator INHOFE for his attention to the needs of Louisiana, and I thank this Congress for responding so generously and so quickly. Senator VITTER and I do have several amendments we would like to discuss later tomorrow, which would improve some things from our perspective. But we most certainly understand and appreciate the great work that has gone into this underlying bill.

This bill needs to pass now. It lays a foundation for the long-term recovery and restoration of this great delta. Some expense will be borne by the Federal Government, which is absolutely appropriate since the benefits go all over the Nation from the river systems and the other infrastructure, economic infrastructure that exists. And some of the costs will be borne, as it should be, by the people who call Louisiana home and call Calcasieu Parish or Cameron or Vermilion or Iberia, Orleans, Plaquemines, Saint Bernard, Saint Tammany, et cetera, home.

We are happy to make our own contributions to this effort. We love our home. We love where we live. We have to make it safer, and we have to be able to restore these wetlands and build better levees that do not fail and do not break in the middle of these storms.

We cannot stop the storms, but we most certainly can mitigate against the damage and use better science, better engineering, and, frankly, better leadership in this Congress to make sure the tragedies that happen in Katrina and Rita do not repeat themselves.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. 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. REID. Madam President, I ask unanimous consent that any cloture filed tomorrow on amendments 1097 and 1098 be considered as having been filed prior to the motion to proceed to S. 1348.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I ask unanimous consent that when the Senate resumes consideration of H.R. 1495 on Tuesday, May 15, the time until 11:45 a.m. be for debate with respect to the Coburn amendment No. 1099, with the time equally divided and controlled between Senators BOXER and COBURN or their designees; that at 11:45 a.m., the Senate vote in relation to the amendment, with no intervening amendment in order prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

NATIONAL MILITARY SPOUSES APPRECIATION DAY

• Mr. CRAPO. Madam President, Friday, May 11, 2007, was National Military Spouses Day. Oftentimes, those who are, as the saying goes, ''married to the military'' are not recognized for the support they provide and sacrifice they endure during the time of their spouses' active duty service. Certainly when a member is deployed, but throughout a military member's career, the strength and support of a wife or husband can make the difference between success or failure for that individual and that family. Military spouses endure the hardship of separation from loved ones, frequently take on the role of a single parent, and move more often than most civilians throughout the course of a military career. They receive no commendation medals and few accolades, save the gratitude of an exhausted spouse who comes home to a warm embrace and nurturing bond after a long deployment or simply another late night at work. Military spouses are truly war's unsung heroes. In addition to a job they may have outside the home, they are teacher, chief consoler, housekeeper, accountant, taxi driver, cook, referee and nurse. They encounter their own battles bravely, with efficiency, expertise and stubborn persistence supporting our Nation in their daily challenges every bit as valiantly as our military members do.

I commend the over 1,000 military spouses in or from Idaho and U.S. military spouses worldwide and thank them for their service to our Nation, sacrifice and patriotism. Our country, but most importantly their families, need their strength. We all depend on it.•

TRIBUTE TO CLAUD R. JUDD

• Mr. CRAPO. Madam President, on April 13, 2007, Idaho grieved at the passing of one of her great men, Claud R. Judd. Claud lived most all of his life in Fraser, ID, and left behind his wife Elvita, 2 sisters, 3 sons, 1 daughter, 12 grandchildren and 11 great-grandchildren. A lifelong farmer, Claud is perhaps best known to Idahoans for his many years of public service. From local cemetery, park, school, hospital and county fair boards to Clearwater County commissioner and member of the Idaho State Legislature in both houses, he exemplified public service. His legacy is a model of civic duty and commitment to family and community.

Claud found the time in his busy schedule to write a book about his family, and compile a scrapbook about the Clearwater County Extension and 4–H spanning seven decades. He was a hard, honest worker, and committed himself fully to whatever endeavor he undertook. I had the honor and privilege of serving in the Idaho State Legislature with Claud. Fellow lawmakers and staff could always count on him to be honest, kind and thorough. Claud was known as a consensus-builder who put the needs of his constituents first. He focused on results and was known to care little for the politics that cause party line divisions. He represented the Idahoans of Clearwater County with integrity and common sense, reflecting his deep Idaho agriculture roots.

My wife and I join other Idahoans in mourning this great loss to our State, and we offer our most sincere condolences to Elvita and the family.•

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2082. An act to authorize appropriations for fiscal year 2008 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 2206. An act making emergency supplemental appropriations and additional supplemental appropriations for agricultural

and other emergency assistance for the fiscal year ending September 30, 2007, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2082. An act to authorize appropriations for fiscal year 2008 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2206. An act making emergency supplemental appropriations and additional supplemental appropriations for agricultural and other emergency assistance for the fiscal year ending September 30, 2007, and for other purposes.

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–83. A joint resolution adopted by the House of Representatives of the Legislature of the State of Maine urging Congress to increase funding for Community Development Block Grants; to the Committee on Banking, Housing, and Urban Affairs.

JOINT RESOLUTION

Whereas, the primary objective of the Community Development Block Grant program is the development of viable communities by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low income and moderate income; and

Whereas, the State of Maine and the Maine entitlement communities receive direct allocations from the Community Development Block Grant program annually for a wide variety of community and economic development activities that principally benefit low-income and moderate-income persons, including the elderly, children and those who are at risk; and

Whereas, in Maine and in communities throughout the nation, 33 years of Community Development Block Grant program funding has developed a strong network of relationships among local governments, residents, businesses and nonprofit organizations; and

Whereas, the Community Development Block Grant program has been cut every year since fiscal year 2001, and President Bush has released his fiscal year 2008 federal budget to Congress proposing only $2,986,000,000 in formula funding for the Community Development Block Grant program, a reduction of $736,000,000 from last year that would present a severe hardship to Maine communities; now, therefore, be it

Resolved, That we, your Memorialists, on behalf of the people we represent, take this opportunity to indicate that this valuable program has made a tremendous contribution to the viability of the housing stock, infrastructure, public services and economic vitality of the State and that we respectfully urge and request that the President of the United States and the Congress of the United States recognize the outstanding work being done locally and nationally by the Community Development Block Grant program by supporting increased funding for the program in fiscal year 2008; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States, to the President of the Senate of the United States, to the Speaker of the House of Representatives of the United States and to each Member of the Maine Congressional Delegation.

POM–84. A resolution adopted by the House of Representatives of the State of Michigan expressing opposition to Norfolk Southern Corporation's proposed sale of its rail lines from Ypsilanti to Kalamazoo and Grand Rapids to Kalamazoo and continuing to the Indiana border; to the Committee on Commerce, Science, and Transportation.

HOUSE RESOLUTION NO. 56

Whereas, the Norfolk Southern Corporation is considering the sale of its Michigan lines from Grand Rapids to Kalamazoo and from Ypsilanti to Kalamazoo. The Ypsilanti to Kalamazoo line carries the state's busiest high-speed Amtrak train, the Wolverine, which travels from Detroit to Chicago. The Wolverine travels on the Norfolk Southern Railroad's rail corridor from Ypsilanti to Kalamazoo until it connects with Amtrak's own line. Ridership on this line increased six percent in 2006 to 142,185 passengers; and

Whereas, the Ypsilanti to Kalamazoo portion of the Norfolk Southern line is a vital link between Detroit and Chicago. Expanding the high-speed rail capacity on this line is vital to the future development of this area. New industry, including coal energy, bio-diesel, and ethanol fuel plants are proposed for Michigan and specifically along the I–94 corridor located near the Ypsilanti to Kalamazoo rail line. Continued operation of this line by Norfolk Southern is essential to expansion of new industry in this area. Over 150 railroad employees' jobs are associated with the rail traffic along this line; and

Whereas, Norfolk Southern is a Class One railroad operator, earning revenue in excess of $250 million annually. As a Class One operator, Norfolk Southern has the capacity to maintain and promote the use of these lines. The proposed sale of the Ypsilanti to Kalamazoo and Grand Rapids to Kalamazoo lines will almost certainly place the lines under the management of a Class Three operator, a rail company earning revenue of $20 million of less annually. A Class Three operator will be far less likely to have the means to maintain the lines, thus increasing the chance of accidents. Class Three operators also rely on federal grants for line and equipment maintenance, grants that are not always guaranteed; now, therefore, be it

Resolved by the House of Representatives, That we express opposition to Norfolk Southern's proposed sale of its rail lines from Ypsilanti to Kalamazoo and Grand Rapids to Kalamazoo and continuing to the Indiana border; 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 Representative; members of the Michigan congressional delegation; the United States Department of Transportation, Surface Transportation Board; the Norfolk Southern Corporation; AMTRAK; and the Michigan Department of Transportation.

POM–85. A resolution adopted by the Senate of the State of Michigan urging Congress to restore funding for the Weatherization Assistance Program in fiscal year 2008 and to consider increasing future funding for this important federal program; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 36

Whereas, the Federal Weatherization Assistance Program (WAP), created in 1976 during the nation's oil crisis and administered by the United States Department of Energy (DOE), provides funding to states to operate programs that pay for weatherization improvements for low-income homes. Weatherization refers to a wide variety of measures and technologies, such as weather stripping, caulking, insulation, and energy-efficient appliances that reduce a building's energy consumption. The WAP is the country's longest running and perhaps most successful energy-efficiency program. During the last 30 years, the WAP has provided weatherization services to more than 5.5 million low-income families; and

Whereas, the WAP is a proven and effective program that helps not only low-income households, but the nation as a whole. The WAP empowers low-income families by enabling them to reduce energy costs and take responsibility for their energy bills. Weatherization reduces heating bills by an average of 31 percent. Low-income families receiving WAP retrofits commonly save about $200 to $300 each year in energy costs. In addition to the direct benefits that low-income families receive, a recent study by Oak Ridge National Laboratory (ORNL) documents a multitude of indirect benefits to local economies, the nation's energy security, and the environment. These benefits include job creation, increased property values, reduced national energy consumption, and a reduction in carbon dioxide emissions by an average of one ton per weatherized house. The ORNL study concludes that for each $1 of investment in the WAP program, the nation receives $3.71 worth of benefits. Surely, no other program receives such bang for its buck; and

Whereas, the effectiveness of the WAP program is threatened by recent DOE funding decisions. The DOE recently cut the Fiscal Year 2007 budget for the WAP by about 16 percent or about $38 million less than it was a year ago. Local communities and state weatherization directors throughout the nation were dismayed by this decision; and

Whereas, under the Fiscal Year 2007 budget, Michigan is receiving almost $2 million less then it did a year ago, and it could not have come at a worse time. The state is suffering through disturbingly high unemployment rates and a weakened economy and is in the midst of its most devastating and prolonged economic downturn since the Great Depression. Losing about $1.9 million in WAP funds and the associated job stimulus that WAP generally provides is a hard pill for the state to swallow; and

Whereas, as the Fiscal Year 2008 federal budget is hammered out, the WAP program should be recognized and celebrated for its immense effectiveness rather than having its budget slashed. Clearly, it is fiscally wise to invest in the energy-saving WAP program; now, therefore, be it

Resolved by the Senate, That we urge the President of the United States, the United States Congress, and the United States Department of Energy to restore funding for

the Weatherization Assistance Program in Fiscal Year 2008 and to consider increasing future funding for this important federal program; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the Secretary of the United States Department of Energy.

POM–86. A joint resolution adopted by the Legislature of the State of Montana urging Congress to reauthorize the Secure Rural Schools and Community Self-Determination Act and work toward a permanent solution to compensate states and local governments for lost tax revenue on federal land within Montana; to the Committee on Energy and Natural Resources.

SENATE JOINT RESOLUTION NO. 4

Whereas, the stability of Montana's economy has historically been dependent on use of our abundant natural resources; and

Whereas, the natural resource harvest has historically contributed billions of dollars to Montana's economy by providing employment opportunities to members of our communities, supporting our business communities, and contributing to the health of our schools; and

Whereas, revenue from industries related to the natural resource harvest has produced taxes for the support of local and state governments; and

Whereas, the amount of money generated by national forests has dropped more than 85% between 1986 and 2005, creating a financial crisis for rural forest communities in Montana and around the country; and

Whereas, Congress passed the Secure Rural Schools and Community Self-Determination Act of 2000 to provide a safety net for these communities, and the purpose of the Act was to stabilize payments to states and counties to help support roads and schools, provide projects that enhance forest ecosystem health, provide employment opportunities, and improve cooperative relationships among federal land management agencies and those who use and care about the lands that the agencies manage; and

Whereas, counties in Montana received more than $14 million in the last year to maintain schools and roads; and

Whereas, the Secure Rural Schools and Community Self-Determination Act has expired; and

Whereas, if the Act is not reauthorized, many counties will suffer severe financial impacts resulting in significant reduction in services, including but not limited to public safety and education: Now, therefore, be it

Resolved, by the Senate and the House of Representatives of the State of Montana:

(1) That the Legislature of the State of Montana urge the U.S. Congress to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000 and work toward a permanent solution to compensate states and local governments for lost tax revenue on federal land within Montana.

(2) That the Secretary of State send copies of this resolution to the President of the United States, the Secretary of State of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Western Governors' Association, and the Montana Congressional Delegation.

POM–87. A resolution adopted by the House of Representatives of the State of Michigan urging Congress to establish a ''Marshall Plan'' for the United States automotive industry; to the Committee on Environment and Public Works.

HOUSE RESOLUTION NO. 31

Whereas, at a time when our country's auto sector is facing untold, and often unfair, challenges, it is in our national interest to establish a ''Marshall Plan,'' similar to the plan instituted to jump-start the decimated post-WWII European economy, to help accelerate the domestic production of alternative fuel and advanced technology vehicles. Providing assistance to the automobile manufacturers and auto parts suppliers to dramatically accelerate the domestic production of alternative fuel and advanced technology (hybrid, clean diesel, and fuel cell) vehicles and their key components is of paramount importance to our entire economy; and

Whereas, only through action of the federal government could a comprehensive plan be developed to help retain and crate tens of thousands of jobs for American workers, and assure that American companies are producing the cars and trucks of the future right here in the United States. Providing the opportunity for the automotive sector to retool and expand existing facilities, and helping to make sure that there is a level playing field among all automotive companies with respect to corporate taxes and health care costs, will produce tremendous benefits for years to come; and

Whereas, indeed, a Marshall Plan would have any number of direct and indirect benefits. It would reduce our dependence on foreign oil, thereby reducing our dangerous reliance on foreign oil and increasing our energy security. It would also improve the environment by reducing global warming emissions. The plan would further generate additional revenue for federal, state, and local governments because of the jobs that would be created for American workers. Moreover, it would benefit consumers through lower costs for flex fuel and advanced technology vehicles, and lower overall fuel costs. Finally, the plan would help corporate profitability and help ensure that workers and retirees receive the health care and retirement benefits they have earned; now, therefore, be it

Resolved by the House of Representatives, That we hereby memorialize the Congress of the United States to establish a ''Marshall Plan'' for the United States automotive industry; 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–88. A resolution adopted by the House of Representatives of the State of Michigan urging Congress to reauthorize the State Children's Health Insurance Program for the State of Michigan; to the Committee on Finance.

HOUSE RESOLUTION NO. 50

Whereas, the House of Representatives regard the health of our children to be of paramount importance to families in our state. Poor child health is a threat to educational achievement as well as the social and psychological well-being of the children of our state; and

Whereas, the members of the Michigan Legislature consider protecting the health of our children to be essential to improving the lives of our youngest citizens and the quality of life in this state. The Michigan SCHIP program, which has enrolled uninsured children since its inception, is an integral part of the arrangements for health benefits for the children of the State of Michigan. We recognize the value of the Michigan SCHIP in preserving child wellness, preventing and treating childhood disease, and improving health outcomes, including overall health costs; and

Whereas, the federal funding available to the State of Michigan through SCHIP is an invaluable source of funding to provide health benefits for children of modest means. Furthermore, we encourage all components of state government to work with educators, health care providers, social workers, and parents to ensure that all available public and private assistance to provide health benefits for uninsured children be garnered and used to the maximum extent; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to ensure timely reauthorization of the State Children's Health Insurance Program (SCHIP) to assure federal funding for Michigan SCHIP; 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–89. A resolution adopted by the House of Representatives of the State of Georgia urging Congress to continue to press for strong measures to end the violence in Sudan and urging the Securities and Exchange Commission to provide guidance to public pension fund managers in order to avoid investments which may be supporting nations involved in the support of terrorism or human rights violations; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 273

Whereas, Sudan's government and southern rebels have come to an historic, long-awaited agreement that ends Africa's longest civil war and brings hope to millions of exiled Sudanese yearning to return home; and

Whereas, continued violence in the troubled region of Darfur, Sudan, previously described by the Bush administration as genocide, casts a shadow over the agreement that does not cover the Darfur conflict; and

Whereas, the government of Sudan appears to have sponsored a militia composed of a loose collection of fighters, apparently of Arab background, known as the ''Janjaweed''; and with the active support of the regular army, the Janjaweed have attacked villages and committed numerous human rights violations; and

Whereas, the humanitarian consequences of the situation in Darfur are grave, with an estimated over 100,000 innocent civilians brutally murdered; and according to the Office of the United Nations High Commissioner for Refugees 2004 statistics, 662,302 people have been internally displaced and 730,650 people have been forced from their homes to flee to neighboring countries; and

Whereas, the citizens of the State of Georgia abhor this violence and desire that their tax dollars neither directly nor indirectly support these human rights violations through investment in companies aiding the government of Sudan in these acts of terror; and

Whereas, the United States Congress established the Office of Global Security Risk in the Securities and Exchange Commission to provide information to United States investors, including public pension plans, to ascertain whether their funds are invested in corporations with ties to governments that support terrorism; and

Whereas, the National Conference of State Legislatures, the National Association of State Retirement Administrators, the National Association of State Auditors, Comptrollers and Treasurers, and the National

Council on Teacher Retirement have joined in urging the Securities and Exchange Commission to assist investors by requiring companies to disclose business conducted in states designated by the State Department as sponsoring terrorism: Now. therefore, be it

Resolved by the House of Representatives, That the President, the United States Congress, the United Nations, and the African Union are urged to continue to work with the international community to press the government of Sudan to halt these ongoing human rights violations; and be it further

Resolved, That the Securities and Exchange Commission is urged to issue guidance to public pension fund managers so that the state may be assured that its funds are not invested in companies that are not in compliance with relevant U.S. laws and are not contributing to terrorism; be it further

Resolved, That the Clerk of the House of Representatives is authorized and directed to transmit appropriate copies of this resolution to the Clerk of the House of Representatives of the United States, the Clerk of the Senate of the United States, each member of the Georgia delegation to the Congress of the United States, Christopher Cox, Chairman, Securities and Exchange Commission, the Secretary General of the United Nations, and the President of the African Union.

POM–90. A resolution adopted by the Senate of the State of Massachusetts commending Taiwan on its contributions to promote world health; to the Committee on Foreign Relations.

RESOLUTION

Whereas, good health is essential to every person and access to the highest standards of health information and services is necessary to improve public health, especially in view of such world health crises as HIV/AIDS, severe acute respiratory syndrome, Avarian flu, Tuberculosis and Malaria; and

Whereas, public health knows neither borders nor politics; and

Whereas, there is a genuine need to improve management and surveillance, foster communications and improve laboratory capabilities among nations; and

Whereas, the World Health Organization set forth, in the first chapter of its charter, the objective of attaining the highest possible level of health for all people; and

Whereas, Taiwan's achievements in the field of health are substantial including, having one of the highest life expectancy levels in Asia, maternal and infant mortality rates comparable to those of western countries, having eradicated diseases such as cholera, smallpox and the plague and being the first to eradicate polio and providing children with Hepatitis-B vaccinations; and

Whereas, Taiwan's population of 23.5 million is larger than that of three-quarters of the member states in the World Health Organization; and

Whereas, the great potential of cross-borderspread of diseases has made it crucial for all countries, including Taiwan, to have direct and unobstructed access to information and assistance from the World Health Organization in order to successfully limit the spread of various infectious diseases and achieve world health; and

Whereas, the United States Centers for Disease Control and Prevention and its Taiwanese counterpart have enjoyed close collaboration on a wide range of public health issues and concerns; and

Whereas, Taiwan has been eagerly and voluntarily assisting, financially and technically, in international health activities supported by the World Health Organization and donating generously to disaster areas; and

Whereas, in 2001, President George W. Bush and senior members of his administration vocalized support for Taiwan's participation in the World Health Organization; and

Whereas, in 2002, the European Parliament called on the World Health assembly to accept observer status for Taiwan, and its member states to support the application of Taiwan as an observer to the World Health Organization; and

Whereas, in 2002, the United States House of Representatives and Senate authorized the Secretary of State to endorse observer status for Taiwan at the World Health assembly; and

Whereas, in 2002, the United States House of Representatives passed H.R. 441, entitled ''WHO for Taiwan'', in support of Taiwan's participation as an observer in the World Health Organization; Now therefore be it

Resolved, That the Massachusetts General Court hereby commends the Republic of China, Taiwan, on its many contributions to promote world health and supports its application as an observer to the World Health Organization; and be it further

Resolved, That a copy of these resolutions be transmitted forthwith by the Clerk of the Senate to President George W. Bush, the Secretary of Health and Human Services, the Massachusetts Congressional Delegation, President Chen Shui-Bian on behalf of the 23 million citizens of Taiwan, the Director-General of the World Health Organization and Director-General Kuo-Tung Yang of the Taipei Economic and Cultural Office in Boston.

POM–91. A resolution adopted by the House of Representatives of the State of Pennsylvania designating April 24, 2007, as ''Pennsylvania's Day of Remembrance of the Armenian Genocide of 1915–1923''; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 25

Whereas, one and one-half million men, women and children of Armenian descent were victims of the brutal genocide perpetrated by the Turkish Ottoman Empire from 1915 to 1923; and

Whereas, the Armenian genocide and massacres of the Armenian people have been recognized as an attempt to eliminate all traces of a thriving and noble civilization more than 3,000 years old; and

Whereas, revisionists still inexplicably deny the existence of these horrific events; and

Whereas, modern Turkey continues to deny and distort the facts of the Armenian genocide and honors the perpetrators of that crime against humanity as national heroes; and

Whereas, before the implementation of the Holocaust of European Jews, in order to encourage his followers, Adolf Hitler asked, ''Who remembers the Armenians?''; and

Whereas, by consistently remembering and openly condemning the atrocities committed against the Armenians, Pennsylvanians affirm the need for constant vigilance to prevent similar atrocities in the future; and

Whereas, the Armenian people have not received reparations for their losses; and

Whereas, recognition of the 92nd anniversary of the Armenian genocide and education about past horrors is crucial to ensuring against future genocide; and

Whereas, Armenia is now a free and independent republic, having embraced democracy following nearly 70 years of oppressive Soviet domination; and

Whereas, Armenian Americans living in Pennsylvania have greatly enriched this Commonwealth through their leadership in business, agriculture, academia, government and the arts; Therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania designate April 24, 2007, as ''Pennsylvania's Day of Remembrance of the Armenian Genocide of 1915–1923''; and be it further

Resolved, That the Chief Clerk of the House of Representatives transmit copies of this resolution to the Pennsylvania congressional delegation and to the Armenian National Committee of Pennsylvania.

POM–92. A resolution adopted by the House of Representatives of the State of Pennsylvania urging the Citizens' Stamp Advisory Committee of the United States Postal Service to issue a commemorative stamp honoring coal miners; to the Committee on Homeland Security and Governmental Affairs.

HOUSE RESOLUTION NO. 197

Whereas, our entire nation owes our coal miners a great deal more than we could ever repay them for the difficult and dangerous job which they perform so that we can have the fuel we need to operate our industries and to heat our homes; and

Whereas, coal mining is as much a culture as it is an industry; and

Whereas, coal miners sacrifice life and limb for little recognition, and it would be proper and fitting for our nation to recognize our coal miners, past and present, for their contributions: Therefore be it

Resolved, That the General Assembly of the Commonwealth of Pennsylvania memorialize the Citizens' Stamp Advisory Committee of the United States Postal Service to issue a commemorative stamp honoring our coal miners and their contributions to our nation and its citizens; and be it further

Resolved, That copies of this resolution be delivered to the Citizens' Stamp Advisory Committee, c/o Stamp Development, United States Postal Service, 1735 North Lynn Street, Room 5013, Arlington, VA 22209–6432, to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM–93. A joint resolution adopted by the Legislature of the State of Montana opposing the relaxation of mail delivery standards under consideration by the President's Commission on the U.S. Postal Service; requesting that the U.S. Postal Service maintain current levels of service; and requesting that the U.S. Postal Service maintain current overnight delivery standards and not centralize Montana's mail sorting operations; to the Committee on Homeland Security and Governmental Affairs.

HOUSE JOINT RESOLUTION NO. 4

Whereas, the United States Postal Service, founded in 1775, provides dependable, affordable mail service to Montana communities; and

Whereas, the United States Postal Service remains an important part of the nation's economic infrastructure through which nearly $1 trillion of economic activity is conducted each year and in which 9 million people are employed; and

Whereas, many Montanans, especially in rural areas, do not have easy access to the Internet or to electronic banking and bill paying and are heavily dependent on the United States Postal Service for communication and conducting business transactions; and

Whereas, Americans currently enjoy the most extensive postal service at the lowest postage rates of any major industrialized nation in the world; and

Whereas, the President's Commission on the United States Postal Service has recommended changes to postal operations that could sever postal employees from federal employee health, retirement, and workers' compensation programs and has recommended repeal of laws that could pave the

way toward reducing rank-and-file wages and benefits while simultaneously eliminating the current salary cap on executive level postal positions; and

Whereas, the Commission has recommended a new Presidentially appointed, corporate-style board of directors and a new postal regulatory board and has proposed giving these new politically appointed governing bodies broad authority to set rates; and

Whereas, the Commission has proposed to refine the scope of the United States Postal Service's ''universal service'' obligation and uniform rate structure and change and restrict the scope of services currently protected under postal monopoly regulations; and

Whereas, the new board's broad authority could allow post offices to be closed and prices to be set with a complicated postage rate structure or could turn over postal operations to private, for-profit enterprises; and

Whereas, replacing the United States Postal Service's public service obligation with a profit-seeking mandate would undermine the United States Postal Service's historical ''universal service'' obligation and weaken its national infrastructure; and

Whereas, in the interim period prior to legislated postal reform, the United States Postal Service may move forward with initiatives to close postal facilities in Montana; and

Whereas, the United States Postal Service is requesting that the United States Postal Rate Commission investigate relaxation of overnight delivery standards; and

Whereas, the United States Postal Service could consolidate the processing of mail in Montana, including moving all Helena outgoing mail-sorting operatios to Great Falls; and

Whereas, this consolidation would not serve the public's best interest because of the decrease in productivity compared to the current processing of mail in Helena; and

Whereas, the consolidation could result in the elimination of the agency's current obligation to deliver local mail overnight and could relax other mail delivery standards across Montana; and

Whereas, the economy of the Helena area would be negatively impacted as a result of the relaxation of overnight delivery standards; and

Whereas, the public health and the public services provided by state agencies would be negatively impacted as a result of the relaxation of overnight delivery standards: Now, therefore, be it

Resolved, by the Senate and the House of Representatives of the State of Montana, That the Montana Legislature urges the President, the Congress of the United States, and the United States Postal Service to continue to maintain affordable, dependable mail service at current levels because of its social and economic importance to our nation; and Be it further

Resolved, That any recommendation from the President's Commission on the United States Postal Service or the United States Postal Rate Commission that curtails public services in the current postal service be rejected; and be it further

Resolved, That the Legislature of the State of Montana opposes any changes that would harm the public and workers of the United States Postal Service, including legislated or United States Postal Service initiatives to close or consolidate postal facilities, relax overnight delivery standards, centralize mail-sorting operations, take away or modify the collective bargaining system of postal workers, or change the current bargaining system for employee benefits; and 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, the Postmaster General of the United States Postal Service, the United States Postal Rate Commission, the President's Commission on the United States Postal Service, the Committee on Ways and Means, the Committee on Rules, and the Committee on the Budget of the United States House of Representatives, the Budget Committee of the United States Senate, and each member of the Montana Congressional Delegation.

POM–94. A resolution adopted by the Senate of the State of Michigan urging Congress to enact the Second Chance Act to help juvenile and adult ex-offenders to successfully reenter their communities; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 45

Whereas, the transition from confinement to release presents both great risks and opportunities for young ex-offenders and the communities in which they live. Unsuccessful transitions into the community can result in an alarmingly high recidivism rate for offenders. Effective reentry programs can reduce recidivism rates by providing the necessary support and resources to guide ex-offenders through a successful transition from confinement to community life; and

Whereas, comprehensive reentry programs are especially effective among young people. With their development still in progress, young ex-offenders are more amenable to effective behavior modification interventions, thus saving lives, anguish, and public tax dollars. An example of an effective program that reduces recidivism is Multidimensional Treatment Foster Care (MTFC). This program provides services to youth and their families to assist in the transition from confinement to reentry into the community. MTFC includes ongoing supervision, frequent contact, and coordination of services with the youth's probation officer, teachers, and other involved adults. Studies show that youths in MTFC were less likely to turn back to crime compared to ex-offenders in residential group homes; and

Whereas, research-based reentry programs such as MTFC not only reduce crime, but they are also cost effective. Currently, many young people are released unconditionally when they ''age-out'' of juvenile court jurisdiction and are not provided access to family reunification or aftercare services. Such unconditional releases increase the likelihood that ex-offenders will return to crime. MTFC and similar programs could save taxpayers thousands of dollars and could save innocent people the heartache of suffering from a criminal attack; and

Whereas, the Second Chance Act calls for an authorization of around $200 million over two years to assist ex-offenders in making a successful transition from confinement to release into the community. The United States Department of Justice would administer demonstration grants to states and local governments to provide and coordinate reentry programs for juvenile and adult offenders. This legislation includes family reunification services, job training, education, housing, and substance abuse and mental health services. This legislation would establish a federal interagency task force on offender reentry, provide research on reentry, and create a national resource center to collect and disseminate information on best practices in offender reentry: Now, therefore, be it

Resolved by the Senate, That we memorialize the United States Congress to enact the Second Chance Act to help juvenile and adult ex-offenders to successfully reenter their communities; 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.

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. BINGAMAN (for himself and Mr. THUNE):

S. 1376. A bill to amend the Public Health Service Act to revise and expand the drug discount program under section 340B of such Act to improve the provision of discounts on drug purchases for certain safety net provides; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for himself and Mr. ENSIGN):

S. 1377. A bill to direct the Secretary of the Interior to convey to the City of Henderson, Nevada, certain Federal land located in the City, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. MURRAY:

S. 1378. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the distribution of the drug dextromethorphan, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. BAUCUS, and Mr. TESTER):

S. 1379. A bill to amend chapter 35 of title 28, United States Code, to strike the exception to the residency requirements for United States attorneys; to the Committee on the Judiciary.

By Mr. SALAZAR (for himself and Mr. ALLARD):

S. 1380. A bill to designate as wilderness certain land within the Rocky Mountain National Park and to adjust the boundaries of the Indian Peaks Wilderness and the Arapaho National Recreation Area of the Arapaho National Forest in the State of Colorado; to the Committee on Energy and Natural Resources.

By Mrs. BOXER:

S. 1381. A bill to require the Federal Trade Commission to monitor and investigate gasoline prices under certain circumstances; to the Committee on Commerce, Science, and Transportation.

By Mr. REID:

S. 1382. A bill to amend the Public Health Service Act to provide the establishment of an Amyotrophic Lateral Sclerosis Registry; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SESSIONS (for himself, Mr. PRYOR, Mr. CORNYN, and Mr. SALAZAR):

S. 1383. A bill to reduce the disparity in punishment between crack and powder cocaine offenses, to more broadly focus the punishment for drug offenders on the seriousness of the offense and the culpability of the offender, and for other purposes; to the Committee on the Judiciary.

By Mr. AKAKA:

S. 1384. A bill to amend title 38, United States Code, to repeal authority for adjustments to per diem payments to homeless veterans service centers for receipt of other

sources of income, to extend authorities for certain programs to benefit homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NELSON of Florida:

S. 1385. A bill to designate the United States courthouse facility located at 301 North Miami Avenue, Miami, Florida, as the ''C. Clyde Atkins United States Courthouse''; to the Committee on Environment and Public Works.

By Mr. REED:

S. 1386. A bill to amend the Housing and Urban Development Act of 1968, to provide better assistance to low- and moderate-income families, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. KLOBUCHAR (for herself and Ms. SNOWE):

S. 1387. A bill to amend the Emergency Planning and Community Right-to-Know Act of 1986 to provide for greenhouse gases; to the Committee on Environment and Public Works.

By Ms. SNOWE (for herself and Ms. COLLINS):

S. 1388. A bill to establish a commercial truck highway safety demonstration program in the State of Maine, and for other purposes; to the Committee on Environment and Public Works.

By Mr. OBAMA (for himself, Ms. SNOWE, and Mr. BINGAMAN):

S. 1389. A bill to authorize the National Science Foundation to establish a Climate Change Education Program; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CRAPO (for himself and Mr. CRAIG):

S. Res. 196. A resolution commending Idaho on winning the bid to host the 2009 Special Olympics World Winter Games; to the Committee on Commerce, Science, and Transportation.

By Ms. MIKULSKI (for herself, Mr. COCHRAN, Mr. BAUCUS, Mr. BAYH, Mrs. BOXER, Mr. CASEY, Mrs. CLINTON, Mr. COLEMAN, Mr. DODD, Mr. DURBIN, Mr. FEINGOLD, Mr. KENNEDY, Mr. KERRY, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. LOTT, Mr. MCCAIN, Mr. MENENDEZ, Ms. MURKOWSKI, Mrs. MURRAY, Mr. OBAMA, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANDERS, Mr. SCHUMER, Mr. STEVENS, and Ms. STABENOW):

S. Res. 197. A resolution honoring the accomplishments of AmeriCorps; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRAHAM (for himself, Mr. BROWN, Mr. CHAMBLISS, Mr. FEINGOLD, Mr. KOHL, Mrs. MURRAY, Mr. SPECTER, Mrs. DOLE, Mr. CRAPO, and Mr. STEVENS):

S. Res. 198. A resolution designating May 15, 2007, as ''National MPS Awareness Day''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 21

At the request of Mr. REID, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 21, a bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce abortions, and improve access to women's health care.

S. 22

At the request of Mr. WEBB, the name of the Senator from New York (Mrs. CLINTON) 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. 160

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 160, a bill to provide for compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River.

S. 223

At the request of Mr. FEINGOLD, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 223, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 423

At the request of Mr. AKAKA, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 423, a bill to increase, effective as of December 1, 2007, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

S. 573

At the request of Ms. STABENOW, the names of the Senator from New Mexico (Mr. DOMENICI) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 573, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 579

At the request of Mr. REID, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 579, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

At the request of Mr. HATCH, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 579, supra.

S. 609

At the request of Mr. ROCKEFELLER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 609, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 673

At the request of Mr. SALAZAR, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 673, a bill to amend the Internal Revenue Code of 1986 to provide credits for the installation of wind energy property, including by rural homeowners, farmers, ranchers, and small businesses, and for other purposes.

S. 691

At the request of Mr. CONRAD, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 691, a bill to amend title XVIII of the Social Security Act to improve the benefits under the Medicare program for beneficiaries with kidney disease, and for other purposes.

S. 739

At the request of Mr. BINGAMAN, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Maine (Ms. COLLINS) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 739, a bill to provide disadvantaged children with access to dental services.

S. 746

At the request of Mr. ALLARD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 746, a bill to establish a competitive grant program to build capacity in veterinary medical education and expand the workforce of veterinarians engaged in public health practice and biomedical research.

S. 773

At the request of Mr. MENENDEZ, his name was added as a cosponsor 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. 823

At the request of Mr. OBAMA, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 823, a bill to amend the Public Health Service Act with respect to facilitating the development of microbicides for preventing transmission of HIV/AIDS and other diseases, and for other purposes.

S. 871

At the request of Mr. LIEBERMAN, the names of the Senator from Colorado (Mr. SALAZAR) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 871, a bill to establish and provide for the treatment of Individual Development Accounts, and for other purposes.

S. 881

At the request of Mr. SMITH, the name of the Senator from South Dakota (Mr. THUNE) 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. 941

At the request of Mr. SANDERS, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 941, a bill to increase Federal support for Community Health Centers and the National Health Service Corps in order to ensure access to health care for millions of Americans living in medically-underserved areas.

S. 969

At the request of Mr. DODD, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 969, a bill to amend the National Labor Relations Act to modify the definition of supervisor.

S. 971

At the request of Mr. BOND, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 971, a bill to establish the National Institute of Food and Agriculture, to provide funding for the support of fundamental agricultural research of the highest quality, and for other purposes.

S. 973

At the request of Mr. DORGAN, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 973, a bill to amend the Mandatory Victims' Restitution Act to improve restitution for victims of crime, and for other purposes.

S. 1026

At the request of Mr. CHAMBLISS, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 1026, a bill to designate the Department of Veterans Affairs Medical Center in Augusta, Georgia, as the ''Charlie Norwood Department of Veterans Affairs Medical Center''.

S. 1060

At the request of Mr. BIDEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1060, a bill to reauthorize the grant program for reentry of offenders into the community in the Omnibus Crime Control and Safe Streets Act of 1968, to improve reentry planning and implementation, and for other purposes.

S. 1113

At the request of Mr. BAYH, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of 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.

S. 1161

At the request of Mr. BINGAMAN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. 1161, a bill to amend title XVIII of the Social Security Act to authorize the expansion of medicare coverage of medical nutrition therapy services.

S. 1164

At the request of Mr. CARDIN, the names of the Senator from New Mexico (Mr. DOMENICI) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1164, a bill to amend title XVIII of the Social Security Act to improve patient access to, and utilization of, the colorectal cancer screening benefit under the Medicare Program.

S. 1239

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 1239, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2013, and for other purposes.

S. 1252

At the request of Mr. AKAKA, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 1252, a bill to amend title 10, United States Code, to provide for uniformity in the awarding of disability ratings for wounds or injuries incurred by members of the Armed Forces, and for other purposes.

S. 1257

At the request of Mr. LIEBERMAN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 1257, a bill to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

S. 1267

At the request of Mr. LUGAR, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1267, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 1277

At the request of Mr. NELSON of Nebraska, the names of the Senator from Maine (Ms. COLLINS), the Senator from North Dakota (Mr. CONRAD), the Senator from Minnesota (Mr. COLEMAN), the Senator from Washington (Ms. CANTWELL), the Senator from Hawaii (Mr. INOUYE) and the Senator from Colorado (Mr. SALAZAR) were added as cosponsors of S. 1277, a bill to amend title XVIII of the Social Security Act to clarify the treatment of payment under the Medicare program for clinical laboratory tests furnished by critical access hospitals.

S. 1287

At the request of Mr. SMITH, the names of the Senator from Colorado (Mr. SALAZAR) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1287, a bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for State judicial debts that are past-due.

S. 1299

At the request of Mr. SCHUMER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1299, a bill to establish on behalf of consumers a fiduciary duty and other standards of care for mortgage brokers and originators, and to establish standards to assess a consumer's ability to repay, and for other purposes.

S. 1313

At the request of Mr. FEINGOLD, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1313, a bill to amend the Servicemembers Civil Relief Act to provide relief for servicemembers with respect to contracts for cellular phone service, and for other purposes.

S. 1328

At the request of Mr. LEAHY, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 1328, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 1332

At the request of Mr. KENNEDY, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1332, a bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs.

S. 1346

At the request of Ms. MIKULSKI, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1346, a bill to amend conservation and biofuels programs of the Department of Agriculture to promote the compatible goals of economically viable agricultural production and reducing nutrient loads in the Chesapeake Bay and its tributaries by assisting agricultural producers to make beneficial, cost-effective changes to cropping systems, grazing management, and nutrient management associated with livestock and poultry production, crop production, bioenergy production, and other agricultural practices on agricultural land within the Chesapeake Bay watershed, and for other purposes.

S. 1354

At the request of Ms. MIKULSKI, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1354, a bill to amend the definition of a law enforcement officer under subchapter III of chapter 83 and chapter 84 of title 5, United States Code, respectively, to ensure the inclusion of certain positions.

S. 1355

At the request of Mr. MARTINEZ, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 1355, a bill to amend the Internal Revenue Code of 1986 to treat spaceports like airports under the exempt facility bond rules.

S. CON. RES. 3

At the request of Mr. SALAZAR, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. Con. Res. 3, a concurrent resolution expressing the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should provide from renewable resources not less than 25 percent of the total energy consumed in the United States and continue to produce safe, abundant, and affordable food, feed, and fiber.

S. RES. 171

At the request of Ms. COLLINS, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. Res. 171, a resolution memorializing fallen firefighters by lowering the United States flag to half-staff on the day of the National Fallen Firefighter Memorial Service in Emmitsburg, Maryland.

S. RES. 191

At the request of Mr. ROCKEFELLER, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. Res. 191, a resolution establishing a national goal for the universal deployment of next-generation broadband networks to access the Internet and for other uses by 2015, and calling upon Congress and the President to develop a strategy, enact legislation, and adopt policies to accomplish this objective.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN (for himself and Mr. THUNE):

S. 1376. A bill to amend the Public Health Service Act to revise and expand the drug discount program under section 340B of such Act to improve the provision of discounts on drug purchases for certain safety net providers; to the Committee on Health, Education, Labor, and Pensions.

Mr. BINGAMAN. Mr. President, I rise today to introduce legislation with my colleague from South Dakota, Senator THUNE, designed to address the growing burden faced by this Nation's health care safety net institutions in being able to provide adequate pharmaceutical care to the most vulnerable patient populations.

Communities across the country rely on public and nonprofit hospitals to serve as the health care ''safety net'' for low-income, uninsured, and underinsured patients. With the ever-increasing cost of pharmaceuticals, these institutions are struggling more and more to provide basic pharmaceutical care to those least able to afford it.

Fortunately, many safety net hospitals are currently able to participate in the Federal 340B Drug Discount Program, which enables them to purchase outpatient drugs for their patients at discounted prices. These hospitals, known as ''covered entities'' under the 340B statute, include high-Medicaid disproportionate share hospitals, DSH, large and small urban hospitals, and certain rural hospitals.

I am introducing legislation today, the 340B Program Improvement and Integrity Act of 2007, which would extend discounted drug prices currently mandated only for outpatient drugs to inpatient drugs purchased by covered entities under the 340B program. Although the Medicare Modernization Act, MMA, of 2003 permitted pharmaceutical manufacturers to offer 340B drug discounts to covered entities, this legislation did not include a mandate. Without a mandate we have seen very little willingness on the part of manufactures to offer 340B drug discounts for inpatient drugs. As the prices of pharmaceutical drugs continue to increase sharply, the need for these inpatient discounts grows more and more acute.

My legislation would also expand participation in the program to a subset of rural hospitals that, for a variety of reasons, cannot currently access 340B discounts. These newly eligible rural hospitals include critical access hospitals, sole community hospitals, and rural referral centers. In proposing this modest expansion to the program, we have struck an important balance between ensuring a close nexus with low-income and indigent care, ensured that a significant portion of savings is passed on to the Medicaid Program, and strengthened the integrity of the program.

Specifically, newly eligible rural hospitals would have to meet appropriate standards demonstrating their ''safety net'' status, as do all hospitals that currently participate in the program. For example, sole community hospitals and rural referral centers, all of which are paid under the prospective payment system, would be required under this legislation to serve a significant percentage of low-income and indigent patients, have public or nonprofit status, and, if privately owned and operated, to have a contract with State or local government to provide a significant level of indigent care. All standards are designed to reinforce the obligation of these covered entities to continue serving low-income and uninsured patients.

This legislation would also generate savings for the Medicaid Program by requiring participating hospitals to credit to their Medicaid agencies a significant percentage of their savings on inpatient drugs. It would address the overall efficiency and integrity of the 340B program through improved enforcement and compliance measures with respect to manufacturers and covered entities. This is designed to improve program administration and to prevent and remedy instances of program abuse.

In the end, this legislation would accomplish several important goals. It would help safety net providers stretch their already limited resources through increased access to discounted pharmaceuticals; it would enhance 340B program integrity by making sure participants are complying with program rules; and it would help to improve the care provided to this Nation's most vulnerable populations.

I urge my colleagues to cosponsor this important legislation.

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. 1376

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 ''340B Program Improvement and Integrity Act of 2007''.

SEC. 2. EXPANDED PARTICIPATION IN SECTION 340B PROGRAM.

(a) EXPANSION OF COVERED ENTITIES RECEIVING DISCOUNTED PRICES.—Section 340B(a)(4) of the Public Health Service Act (42 U.S.C. 256b(a)(4)) is amended by adding at the end the following:

''(M) A children's hospital excluded from the Medicare prospective payment system pursuant to section 1886(d)(1)(B)(iii) of the Social Security Act which would meet the requirements of subparagraph (L), including the disproportionate share adjustment percentage requirement under clause (ii) of such subparagraph, if the hospital were a subsection (d) hospital as defined by section 1886(d)(1)(B) of the Social Security Act.

''(N) An entity that is a critical access hospital (as determined under section 1820(c)(2) of the Social Security Act), and that meets the requirements of subparagraph (L)(i).

''(O) An entity that is a rural referral center, as defined by section 1886(d)(5)(C)(i) of the Social Security Act, or a sole community hospital, as defined by section 1886(d)(5)(C)(iii) of such Act, and that both meets the requirements of subparagraph (L)(i) and has a disproportionate share adjustment percentage equal to or greater than 8 percent.''.

(b) PROHIBITION ON GROUP PURCHASING ARRANGEMENTS.—Section 340B(a) of the Public Health Service Act (42 U.S.C. 256b(a)) is amended—

(1) in paragraph (4)(L), by striking clause (iii); and

(2) in paragraph (5)—

(A) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E); respectively; and

(B) by inserting after subparagraph (B), the following:

''(C) PROHIBITING THE USE OF GROUP PURCHASING ARRANGEMENTS.—

''(i) IN GENERAL.—A hospital described in subparagraphs (L), (M), (N), or (O) of paragraph (4) shall not obtain covered outpatient drugs through a group purchasing organization or other group purchasing arrangement, except as permitted or provided for pursuant to clauses (ii) or (iii).

''(ii) INPATIENT DRUGS.—Clause (i) shall not apply to drugs purchased for inpatient use.

''(iii) EXCEPTIONS.—The Secretary shall establish reasonable exceptions to clause (i)—

''(I) with respect to a covered outpatient drug that is unavailable to be purchased through the program under this section due to a drug shortage problem, manufacturer noncompliance, or any other circumstance beyond the hospital's control;

''(II) to facilitate generic substitution when a generic covered outpatient drug is available at a lower price; or

''(III) to reduce in other ways the administrative burdens of managing both inventories of drugs subject to this section and inventories of drugs that are not subject to this section, so long as the exceptions do not create a duplicate discount problem in violation of subparagraph (A) or a diversion problem in violation of subparagraph (B).''.

SEC. 3. EXTENSION OF DISCOUNTS TO INPATIENT DRUGS.

(a) DEFINITIONS.—

(1) IN GENERAL.—Section 340B(b) of the Public Health Service Act (42 U.S.C. 256b(b)) is amended—

(A) by striking ''In this section'' and inserting the following:

''(1) IN GENERAL.—In this section''; and

(B) adding at the end the following:

''(2) COVERED DRUG.—In this section, the term 'covered drug' means—

''(A) a 'covered outpatient drug' as defined in section 1927(k)(2) of the Social Security Act; and

''(B) notwithstanding the limiting definition set forth in section 1927(k)(3) of such Act, a drug used in connection with an inpatient or outpatient service provided by a hospital described in subparagraph (L), (M), (N), or (O) of subsection (a)(4), and enrolled to participate in the drug discount program under this section.''.

(2) CONFORMING AMENDMENTS.—Paragraphs (2)(A), (5)(B), (5)(D), (5)(E), (7)(B), (7)(C), and (9) of section 340B(a) of the Public Health Service Act (42 U.S.C. 256b(a)) are amended—

(A) by striking ''covered outpatient drug'' each place that such appears and inserting ''covered drug''; and

(B) by striking ''covered outpatient drugs'' each place that such appears and inserting ''covered drugs''.

(b) MEDICAID CREDITS ON INPATIENT DRUGS.—Section 340B of the Public Health Service Act (42 U.S.C. 256b) is amended by striking subsection (c) and inserting the following:

''(c) MEDICAID CREDITS ON INPATIENT DRUGS.—

''(1) IN GENERAL.—With respect to the cost reporting period covered by the most recently filed Medicare cost report, a hospital described in subparagraph (L), (M), (N), or (O) of subsection (a)(4) and enrolled to participate in the drug discount program under this section shall provide to each State with an approved State plan under title XIX of the Social Security Act—

''(A) a credit on the estimated annual costs to such hospital of single source and innovator multiple source drugs provided to Medicaid recipients for inpatient use; and

''(B) a credit on the estimated annual costs to such hospital of noninnovator multiple source drugs provided to Medicaid recipients for inpatient use.

''(2) CALCULATION OF CREDITS.—

''(A) SINGLE SOURCE AND INNOVATOR MULTIPLE SOURCE DRUGS.—For purposes of paragraph (1)(A)—

''(i) the credit under such paragraph shall be determined by multiplying—

''(I) the product of—

''(aa) the estimated annual costs of single source and innovator multiple source drugs provided by the hospital to Medicaid recipients for inpatient use; and

''(bb) the average manufacturer price adjustment; and

''(II) the minimum rebate percentage described in section 1927(c)(1)(B) of the Social Security Act;

''(ii) the estimated annual costs of single source drugs and innovator multiple source drugs provided by the hospital to Medicaid recipients for inpatient use under clause (i)(I)(aa) shall be determined by multiplying—

''(I) the product of—

''(aa) the hospital's actual acquisition costs of all drugs purchased during the cost reporting period for inpatient use; and

''(bb)(AA) the Medicaid inpatient drug charges as reported on the hospital's most recently filed Medicare cost report; divided by

''(BB) the total inpatient drug charges reported on the cost report; and

''(II) the percentage of the hospital's annual inpatient drug costs described in subclause (I) that arise out of the purchase of single source and innovator multiple source drugs;

''(iii) the average manufacturer price adjustment referred to in clause (i)(I)(bb) shall be determined annually by the Secretary for single source and innovator multiple source drugs by dividing on an aggregate basis—

''(I) the average manufacturer price as defined in section 1927(k)(1)(D) of the Social Security Act, averaged across all covered drugs reported to the Secretary pursuant to section 1927(b)(3) of such Act; by

''(II) the average ceiling price under this section for covered drugs calculated pursuant to subsection (a)(1); and

''(iv) the terms 'single source drug' and 'innovator multiple source drug' have the meanings given such terms in section 1927(k)(7) of the Social Security Act.

''(B) NONINNOVATOR MULTIPLE SOURCE DRUGS.—For purposes of subparagraph (1)(B)—

''(i) the credit under such paragraph shall be calculated by multiplying—

''(I) the product of—

''(aa) the estimated annual costs to the hospital of noninnovator multiple source drugs provided to Medicaid recipients for inpatient use; and

''(bb) the average manufacturer price adjustment; and

''(II) the applicable percentage as defined in section 1927(c)(3)(B) of the Social Security Act;

''(ii) the estimated annual costs to a hospital of noninnovator multiple source drugs provided to Medicaid recipients for inpatient use under clause (i)(I)(aa) shall be determined by multiplying—

''(I) the product of—

''(aa) the hospital's actual acquisition cost of all drugs purchased during the cost reporting period for inpatient use; and

''(bb)(AA) the Medicaid inpatient drug charges as reported on the hospital's most recently filed Medicare cost report; divided by

''(BB) total inpatient drug charges reported on the cost report; and

''(II) the percentage of the hospital's annual inpatient drug costs described in subclause (I) arising out of the purchase of noninnovator multiple source drugs;

''(iii) the average manufacturer price adjustment referred to in clause (i)(I)(bb) shall be determined annually by the Secretary for noninnovator multiple source drugs by dividing on an aggregate basis—

''(I) the average manufacturer price as defined in section 1927(k)(1)(D) of the Social Security Act, averaged across all covered drugs reported to the Secretary pursuant to section 1927(b)(3) of such Act; by

''(II) the average ceiling price under this section for covered drugs calculated pursuant to subsection (a)(1); and

''(iv) the term 'noninnovator multiple source drug' has the meaning given such term in section 1927(k)(7) of the Social Security Act.

''(3) PAYMENT DEADLINE.—The credits provided by a hospital under paragraph (1) shall be paid not later than 90 days after the date of the filing of the hospital's most recently filed Medicare cost report.

''(4) OPT-OUT.—A hospital shall not be required to provide the Medicaid credit required under this subsection if the hospital is able to demonstrate to the State that the credits would be less than or equal to the loss of reimbursement under the State plan resulting from the extension of discounts to inpatient drugs under subsection (b)(2), or if the hospital and State agree to an alternative arrangement. Any dispute between the hospital and the State regarding the applicability of this paragraph shall be adjudicated through the administrative dispute resolution process described in subsection (e)(3).

''(5) OFFSET AGAINST MEDICAL ASSISTANCE.—Amounts received by a State under this subsection in any quarter shall be considered to be a reduction in the amount expended under the State plan in the quarter for medical assistance for purposes of section 1903(a)(1) of the Social Security Act.

''(6) EFFECTIVENESS NOTWITHSTANDING OTHER PROVISIONS OF LAW.—Notwithstanding any other provision of law, all references to provisions of the Social Security Act in this section shall be deemed to be references to the Social Security Act as in effect on the date of enactment of the 340B Program Improvement and Integrity Act of 2007.''.

SEC. 4. IMPROVEMENTS TO 340B PROGRAM INTEGRITY.

(a) INTEGRITY IMPROVEMENTS.—Section 340B of the Public Health Service Act (42 U.S.C. 256b) is amended by adding at the end the following:

''(e) IMPROVEMENTS IN PROGRAM INTEGRITY.—

''(1) MANUFACTURER COMPLIANCE.—

''(A) IN GENERAL.—From amounts appropriated under paragraph (4), the Secretary shall carry out activities to provide for improvement in the compliance of manufacturers with the requirements of this section in order to prevent overcharges and other violations of the discounted pricing requirements specified in this section.

''(B) ACTIVITIES.—The activities described in subparagraph (A) shall include the following:

''(i) The development of a system to enable the Secretary to verify the accuracy of ceiling prices calculated by manufacturers under subsection (a)(1) and charged to covered entities, which shall include—

''(I) developing and publishing, through an appropriate policy or regulatory issuance, precisely defined standards and methodologies for the calculation of ceiling prices under subsection (a)(1);

''(II) comparing regularly the ceiling prices calculated by the Secretary with the quarterly pricing data that is reported by manufacturers to the Secretary;

''(III) performing spot checks of sales transactions by covered entities; and

''(IV) inquiring into the cause of any pricing discrepancies that may be identified and either taking, or requiring manufacturers to take, such corrective action as is appropriate in response to such price discrepancies.

''(ii) The establishment of procedures for manufacturers to issue refunds to covered entities in the event that there is an overcharge by the manufacturers, including—

''(I) providing the Secretary with an explanation of why and how the overcharge occurred, how the refunds will be calculated, and to whom the refunds will be issued; and

''(II) oversight by the Secretary to ensure that the refunds are issued accurately and within a reasonable period of time, both in routine instances of retroactive adjustment to relevant pricing data and exceptional circumstances such as erroneous or intentional overcharging for covered drugs.

''(iii) The provision of access, through the Internet website of the Department of Health and Human Services, to the applicable ceiling prices for covered drugs as calculated and verified by the Secretary in accordance with this section, in a manner (such as through the use of password protection) that limits such access to covered entities and adequately ensures security and the protection of privileged pricing data from unauthorized redisclosure.

''(iv) The development of a mechanism by which—

''(I) rebates and other discounts provided by manufacturers to other purchasers, subsequent to the sale of covered drugs to covered entities, are reported to the Secretary; and

''(II) appropriate credits and refunds are issued to covered entities if such credits and refunds have the effect of lowering the applicable ceiling price for the relevant quarter for the drugs involved.

''(v) Selective auditing of manufacturers and wholesalers to ensure the integrity of the drug discount program under this section.

''(vi) The imposition of sanctions in the form of civil monetary penalties, which—

''(I) shall be assessed according to standards established in regulations to be promulgated by the Secretary within 180 days of the date of enactment of this subsection;

''(II) shall not exceed $5,000 for each instance of overcharging a covered entity that may have occurred; and

''(III) shall apply to any manufacturer with an agreement under this section that knowingly and intentionally charges a covered entity a price for the purchase of a drug that exceeds the maximum applicable price under subsection (a)(1).

''(2) COVERED ENTITY COMPLIANCE.—

''(A) IN GENERAL.—From amounts appropriated under paragraph (4), the Secretary shall carry out activities to provide for improvement in compliance by covered entities with the requirements of this section in order to prevent diversion and other violations of the duplicate discount requirements specified under subsection (a)(5).

''(B) ACTIVITIES.—The activities described in subparagraph (A) shall include the following:

''(i) The development of procedures to enable and require covered entities to regularly update (at least annually) the information on the Internet website of the Department of Health and Human Services relating to this section.

''(ii) The development of a system for the Secretary to verify the accuracy of information regarding covered entities that is listed on the website described in clause (i).

''(iii) The development of more detailed guidance describing methodologies and options available to covered entities for billing covered drugs to State Medicaid agencies in a manner that avoids duplicate discounts pursuant to subsection (a)(5)(A).

''(iv) The establishment of a single, universal, and standardized identification system by which each covered entity site can be identified by manufacturers, distributors, covered entities and the Secretary for purposes of facilitating the ordering, purchasing, and delivery of covered drugs under this section, including the processing of chargebacks for such drugs.

''(v) The imposition of sanctions, as determined appropriate by the Secretary, in addition to the sanctions to which covered entities are subject to under subsection (a)(5)(D), through 1 or more of the following actions:

''(I) Where a covered entity knowingly and intentionally violates subsection (a)(5)(B), the covered entity shall be required to pay a monetary penalty to a manufacturer or manufacturers in the form of interest on sums for which the covered entity is found liable under subsection (a)(5)(E), and such interest to be compounded monthly and equal to the current short-term interest rate as determined by the Federal Reserve for the time period for which the covered entity is liable.

''(II) Where the Secretary determines that a violation of subsection (a)(5)(B) was systematic and egregious as well as knowing and intentional, removing the covered entity from the program under this section and disqualifying the entity from reentry into the program for a reasonable period of time to be determined by the Secretary.

''(III) Referring matters to appropriate Federal authorities within the Food and Drug Administration, the Office of Inspector General, or other Federal agencies for consideration of appropriate action under other Federal law, such as the Prescription Drug Marketing Act.

''(3) ADMINISTRATIVE DISPUTE RESOLUTION PROCESS.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall promulgate regulations to establish and implement an administrative process for the resolution of claims by covered entities that they have been overcharged for drugs purchased under this section, and claims by manufacturers, after the conduct of audits as authorized by subsection (a)(5)(D), of violations of subsections (a)(5)(A) or (a)(5)(B), including appropriate procedures for the provision of remedies and enforcement of determinations made pursuant to such process through mechanisms and sanctions described in paragraphs (1)(B) and (2)(B) of this subsection. Such regulations shall also establish an administrative process for resolution of disputes described in subsection (c)(4).

''(B) DEADLINES AND PROCEDURES.—Regulations promulgated by the Secretary under subparagraph (A) shall—

''(i) designate or establish a decisionmaking official or decisionmaking body within the Department of Health and Human Services to be responsible for reviewing and finally resolving claims by covered entities that they have been charged prices for covered drugs in excess of the ceiling price described in subsection (a)(1), and claims by manufacturers that violations of subsection (a)(5)(A) or (a)(5)(B) have occurred;

''(ii) establish such deadlines and procedures as may be necessary to ensure that claims shall be resolved fairly, efficiently, and expeditiously;

''(iii) establish procedures by which a covered entity may discover and obtain such information and documents from manufacturers and third parties as may be relevant to demonstrate the merits of a claim that charges for a manufacturer's product have exceeded the applicable ceiling price under this section, and may submit such documents and information to the administrative official or body responsible for adjudicating such claim;

''(iv) require that a manufacturer must conduct an audit of a covered entity pursuant to subsection (a)(5)(D) as a prerequisite to initiating administrative dispute resolution proceedings against a covered entity;

''(v) permit the official or body designated in clause (i), at the request of a manufacturer or manufacturers, to consolidate claims brought by more than 1 manufacturer against the same covered entity where, in the judgment of such official or body, consolidation is appropriate and consistent with the goals of fairness and economy of resources; and

''(vi) include provisions and procedures to permit multiple covered entities to jointly assert claims of overcharges by the same manufacturer for the same drug or drugs in one administrative proceeding, and permit such claims to be asserted on behalf of covered entities by associations or organizations representing the interests of such covered entities and of which the covered entities are members.

''(C) FINALITY OF ADMINISTRATIVE RESOLUTION.—The administrative resolution of a claim or claims under the regulations promulgated under subparagraph (A) shall be a final agency decision and shall be binding upon the parties involved, unless invalidated by an order of a court of competent jurisdiction.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection, such sums as may be necessary for fiscal year 2008, and each succeeding fiscal year.''.

(b) RELATED AMENDMENTS.—Section 340B(a)(1) of the Public Health Service Act (42 U.S.C. 256b(a)) is amended by adding at the end the following: ''Each such agreement shall require that the manufacturer furnish the Secretary with reports, on a quarterly basis, of the price for each covered drug subject to the agreement that, according to the manufacturer, represents the maximum price that covered entities may permissibly be required to pay for the drug (referred to in this section as the 'ceiling price'), and shall require that the manufacturer offer each covered entity covered drugs for purchase at or below the applicable ceiling price if such drug is made available to any other purchaser at any price.''.

SEC. 5. OTHER IMPROVEMENTS.

(a) GENERAL.—Section 340B of the Public Health Service Act (42 U.S.C. 256b), as amended by section 4, is further amended by adding at the end the following:

''(f) USE OF MULTIPLE CONTRACT PHARMACIES PERMITTED.—Nothing in this section shall be construed as prohibiting a covered entity from entering into contracts with more than 1 pharmacy for the provision of covered drugs, including a contract that supplements the use of an in-house pharmacy arrangement or requires the approval of the Secretary for entering into such a contract.

''(g) INTRAAGENCY COORDINATION.—The Secretary shall establish specific measures, policies, and procedures to ensure effective communication and coordination between the Centers for Medicare & Medicaid Services and the Health Resources and Services Administration with respect to all agency actions and all aspects of policy and administration affecting or pertaining to the drug discount program under this section and in which the functions and responsibilities of those agency components are interrelated or interdependent, including through the establishment of a permanent working group that is composed of representatives of both the Health Resources and Services Administration and the Centers for Medicare & Medicaid Services, to identify and oversee matters requiring such coordination.''.

(b) EFFECTIVE DATES.—

(1) AMENDMENT.—Section 340B(d) of the Public Health Service Act (42 U.S.C. 256b(d)) is amended by striking ''Veterans Health Care Act of 1992'' and inserting ''340B Program Improvement and Integrity Act of 2007''.

(2) APPLICATION OF ACT.—The amendments made by this Act shall apply to drugs purchased on or after January 1, 2008.

(c) EFFECTIVENESS NOTWITHSTANDING OTHER PROVISIONS OF LAW.—Notwithstanding any other provision of law, the

amendments made by this Act shall become effective on January 1, 2008, and shall be taken into account in determining whether a manufacturer is deemed to meet the requirements of section 340B(a) of the Public Health Service Act (42 U.S.C. 256b(a)), and the requirements of section 1927(a)(5) of the Social Security Act (42 U.S.C. 1396r–8(a)(5)).

SEC. 6. CONFORMING AMENDMENTS.

Section 1927 of the Social Security Act (42 U.S.C. 1396r–8) is amended—

(1) in subsection (a)(5)—

(A) in subparagraph (A), by striking ''covered outpatient'' and inserting ''covered'';

(B) by redesignating subparagraphs (C) through (E), as subparagraphs (D) through (F), respectively;

(C) by inserting after subparagraph (B) the following:

''(C) COVERED DRUG DEFINED.—In this subsection, the term 'covered drug' means a drug defined in section 340B(b)(2) of the Public Health Service Act.'';

(D) in subparagraph (E), as so redesignated, by striking ''title VI of the Veterans Health Care Act of 1992'' and inserting ''340B Program Improvement and Integrity Act of 2007.''; and

(E) in subparagraph (F), as so redesignated—

(i) by striking ''as in effect immediately after the enactment of this paragraph'' and inserting ''as in effect upon the effective date of the 340B Program Improvement and Integrity Act of 2007,''; and

(ii) by striking ''after the date of the enactment of this paragraph'' and inserting ''after the date of enactment of such Act.'';

(2) in subsection (c)(1)(C)(i)—

(A) by redesignating subclauses (II) through (IV) as subclauses (III) through (V), respectively; and

(B) by inserting after subclause (I) the following:

''(II) any prices charged for a covered drug as defined in section 340B(b)(2) of the Public Health Service Act;''; and

(3) in subsection (k)(1), by adding at the end the following:

''(D) CALCULATION FOR COVERED DRUGS.—Notwithstanding any other provision of this subsection, with respect to a covered drug as defined in section 340B(b)(2) of the Public Health Service Act, average manufacturer price means the average price paid to the manufacturer for the drug in the United States by wholesalers for drugs distributed to both the retail pharmacy and acute care classes of trade, after deducting customary prompt pay discounts.''.

By Mr. REID (for himself and Mr. ENSIGN):

S. 1377. A bill to direct the Secretary of the Interior to convey to the City of Henderson, Nevada, certain Federal land located in the City, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, I rise today for myself and Senator ENSIGN to introduce the Southern Nevada Limited Transition Area Act. This bill will allow one of Nevada's fastest growing communities to diversify its economy, to create space for important small businesses and parks, and to encourage appropriate development around an urban airport.

This legislation was first introduced in the 108th Congress. Its purpose is to convey approximately 502 acres of land from the Bureau of Land Management to the city of Henderson, NV, for the development of an employment and business center and urban green spaces. The parcels are located just west and south of the Henderson Executive Airport.

The Bureau of Land Management has designated these parcels for disposal because of the urban surroundings, which renders them difficult for the agency to manage.

This legislation will enhance the ability of a rapidly growing community to diversify its economy, gainfully employ its residents, and encourage proper land use. The parcels are located in a fast growing area of the city, but are impacted by aircraft noise and overflights from the nearby Henderson Executive Airport. This makes the property unsuitable for residential use. But rather than shying away from it because of the limitations on its use, the city of Henderson has put together a forward-looking plan that will turn the area into a bustling business center.

Once the Bureau of Land Management conveys the land to Henderson, the city would then sell, lease or otherwise convey subdivided lots at fair market value. Consistent with the Southern Nevada Public Land Management Act, 85 percent of the proceeds would then return to the BLM's Special Account for a variety of conservation purposes in Nevada, 10 percent will go towards community water developments, and 5 percent will support the State of Nevada's general education program.

The city of Henderson's leaders are dedicated to making the city a national model of logical development, diversified employment, and fiscal sustainability. This bill helps establish the conditions needed to realize that vision. In addition to productively diversifying the land use pattern in the Las Vegas Valley, the proposed development of this land will encourage a broad range of employment opportunities for the region, while also helping to pay for public infrastructure in nearby residential areas.

I greatly appreciated the hearing that the Energy and Natural Resources Committee had on this bill last Congress. At that hearing, the Department of the Interior and others expressed strong support for our legislation. A few minor revisions were requested by the administration, and I have incorporated those changes into the bill we are introducing today. I look forward to working with the committee to move this legislation in an expeditious manner during this Congress.

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. 1377

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 ''Southern Nevada Limited Transition Area Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) CITY.—The term ''City'' means the City of Henderson, Nevada.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) STATE.—The term ''State'' means the State of Nevada.

(4) TRANSITION AREA.—The term ''Transition Area'' means the approximately 502 acres of Federal land located in Henderson, Nevada, and identified as ''Limited Transition Area'' on the map entitled ''Southern Nevada Limited Transition Area Act'' and dated March 20, 2006.

SEC. 3. SOUTHERN NEVADA LIMITED TRANSITION AREA.

(a) CONVEYANCE.—Notwithstanding the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), on request of the City, the Secretary shall, without consideration and subject to all valid existing rights, convey to the City all right, title, and interest of the United States in and to the Transition Area.

(b) USE OF LAND FOR NONRESIDENTIAL DEVELOPMENT.—

(1) IN GENERAL.—After the conveyance to the City under subsection (a), the City may sell, lease, or otherwise convey any portion or portions of the Transition Area for purposes of nonresidential development.

(2) METHOD OF SALE.—

(A) IN GENERAL.—The sale, lease, or conveyance of land under paragraph (1) shall be through a competitive bidding process.

(B) FAIR MARKET VALUE.—Any land sold, leased, or otherwise conveyed under paragraph (1) shall be for not less than fair market value.

(3) COMPLIANCE WITH CHARTER.—Except as provided in paragraphs (2) and (4), the City may sell, lease, or otherwise convey parcels within the Transition Area only in accordance with the procedures for conveyances established in the City Charter.

(4) DISPOSITION OF PROCEEDS.—The gross proceeds from the sale of land under paragraph (1) shall be distributed in accordance with section 4(e) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345).

(c) USE OF LAND FOR RECREATION OR OTHER PUBLIC PURPOSES.—The City may elect to retain parcels in the Transition Area for public recreation or other public purposes consistent with the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (43 U.S.C. 869 et seq.) by providing to the Secretary written notice of the election.

(d) NOISE COMPATIBILITY REQUIREMENTS.—The City shall—

(1) plan and manage the Transition Area in accordance with section 47504 of title 49, United States Code (relating to airport noise compatibility planning), and regulations promulgated in accordance with that section; and

(2) agree that if any land in the Transition Area is sold, leased, or otherwise conveyed by the City, the sale, lease, or conveyance shall contain a limitation to require uses compatible with that airport noise compatibility planning.

(e) REVERSION.—

(1) IN GENERAL.—If any parcel of land in the Transition Area is not conveyed for nonresidential development under this Act or reserved for recreation or other public purposes under subsection (c) by the date that 20 years after the date of enactment of this Act, the parcel of land shall, at the discretion of the Secretary, revert to the United States.

(2) INCONSISTENT USE.—If the City uses any parcel of land within the Transition Area in a manner that is inconsistent with the uses specified in this section—

(A) at the discretion of the Secretary, the parcel shall revert to the United States; or

(B) if the Secretary does not make an election under paragraph (1), the City shall sell the parcel of land in accordance with this section.

By Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. BAUCUS, and Mr. TESTER):

S. 1379. A bill to amend chapter 35 of title 28, United States Code, to strike the exception to the residency requirements for United States attorneys; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the U.S. Attorney Local Residency Restoration Act along with Senators SCHUMER, BAUCUS, and TESTER.

Simply put, this legislation would eliminate the other language that the Department of Justice had inserted into the PATRIOT Act reauthorization dealing with U.S. attorneys.

The first provision added allowed the Attorney General to appoint interim U.S. attorneys to vacancies indefinitely without Senate confirmation, and I authored a bill to restore the law to require interim appointments by the Attorney General for only 120 days, and then the district courts can appoint the interim U.S. attorney if a permanent replacement has not been nominated and confirmed.

This bill has passed this body, and I hope will be signed into law soon.

Today, I am offering this legislation to restore the residency requirement for sitting U.S. attorneys.

Before the change, the law required that U.S. attorneys live within his district while serving. It seems logical that the U.S. attorney should live in the district that he is heading.

However, the Department of Justice added language in the PATRIOT Act reauthorization that allows a U.S. attorney to live outside of his district if the Attorney General assigns dual or additional responsibilities to him.

While U.S. attorneys in both Democratic and Republican administrations have served dual roles in the past, this administration has once again abused its new authority—this time by placing numerous U.S. attorneys in full-time positions throughout the Department of Justice, at times in a manner that allows the Department to avoid Senate confirmation.

In fact, Dennis Boyd, executive director of the National Association of Assistant U.S. Attorneys, which represents current Federal prosecutors, has said, ''I can't think of a time when there's been this many U.S. attorneys doing double duty at one time.''

Currently, there are several U.S. attorneys, that we know about, who are serving in a second full-time position here in Washington, while still retaining their responsibilities back in their districts. For example, Michael J. Sullivan, the U.S. attorney in Boston, has been serving as the Acting Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives in Washington for the past 6 months, a position that requires Senate confirmation;

Mary Beth Buchanan, U.S. attorney in Pittsburgh, is also the acting director of the Office of Violence Against Women, a position that requires Senate confirmation, and prior to that she served as Director of the Executive Office of U.S. Attorneys; and Kevin O'Connor, U.S. attorney in Connecticut, is also serving as an Associate Deputy Attorney General coordinating antigang policies.

Of course, the most well-known example is William Mercer, U.S. attorney in Montana. Mr. Mercer has been effectively absent for nearly 2 years from his State. First, serving as Principal Associate Deputy Attorney General, and now working as Acting Associate Attorney General, another position that requires Senate confirmation. In fact, through staff interviews we have learned that he is only in his State 3 or 4 days a month.

Moreover, his consistent absenteeism was having such a negative effect on the district that it led to the point where U.S. District Chief Judge Donald Molloy of Billings, MT, felt compelled to write to the Attorney General on October 20, 2005, to complain. In that letter, Chief Judge Molloy wrote that Mr. Mercer's dual roles have led to ''a lack of leadership'' in the Montana office and created ''untoward difficulties for the court'' and for career prosecutors. Chief Judge Molloy also wrote that Mr. Mercer was violating Federal law because he ''no longer resides in Montana'' and instead was living with his family in the Washington, DC, area.

These facts on their own are cause for alarm.

However, what is even more disconcerting is the way that Mr. Mercer and the Department of Justice have handled this situation.

We know that the Attorney General responded to Chief Judge Molloy in a letter on November 10, 2005, stating that Mr. Mercer ''is in compliance with the residency requirement'' under Federal law because he ''is domiciled in Montana, returns there on a regular basis, and will live there full-time as soon as his temporary assignment is completed.''

We also know through interviews of DOJ staff that Mr. Mercer worked with Will Moschella and Senate staff during November 2005 to insert the residency exemption language into the PATRIOT Act reauthorization.

In fact, according to the Washington Post, the response from the Attorney General to Chief Judge Molloy occurred on the very same day that DOJ asked for the language to be inserted into the PATRIOT Act.

All this resulted in a change in the law, thus eviscerating the conflict.

However, even beyond this turn of events, what is truly breathtaking about this administration's actions with regard to Mr. Mercer is that in trying to defend its actions to force numerous U.S. attorneys to resign from office, this same Justice Department criticized David Iglesias for being ''an absentee landlord.''

I firmly believe, what is sauce for the goose is sauce for the gander. You can't one day try to change the law to make it easier for U.S. attorneys to serve in 2 full-time jobs at the same time and then the next day fire someone for not being fully present in his job, especially when the absence is much more limited and based on service to the country in the naval reserves.

While there are times when U.S. attorneys may be relied upon to fill in temporarily, changing the law to ensure that they can hold two full-time jobs is unacceptable.

Serving as U.S. attorney is a full-time job, and each district throughout this country deserves to have the best qualified person in the district focused on the tasks at hand.

I am quite certain that there are many fine first assistant U.S. attorneys capable of stepping up to fill the shoes of an absent U.S. attorney; however, these are not the individuals the President has nominated and the Senate has confirmed to serve those positions.

These districts deserve nothing less than the undivided attention of their Senate-confirmed U.S. attorneys.

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. 1379

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 ''United States Attorney Local Residency Restoration Act of 2007''.

SEC. 2. REPEAL OF RESIDENCY EXCEPTION.

(a) IN GENERAL.—Section 545(a) of title 28, United States Code, is amended by striking the last sentence.

(b) EFFECTIVE DATE AND APPLICABILITY.—

(1) IN GENERAL.—The amendments made by this section shall—

(A) take effect on the date of enactment of this Act; and

(B) apply to any person serving as a United States attorney or an assistant United States attorney on or after such date of enactment.

(2) ORDERS.—Any order issued under section 545(a) of title 28, United States Code, as in effect on the day before the date of enactment of this Act, shall terminate on such date of enactment.

By Mr. SALAZAR (for himself and Mr. ALLARD):

S. 1380. A bill to designate as wilderness certain land within the Rocky Mountain National Park and to adjust the boundaries of the Indian Peaks Wilderness and the Arapaho National Recreation Area of the Arapaho National Forest in the State of Colorado; to the Committee on Energy and Natural Resources.

Mr. ALLARD. Mr. President, today I am proud to co-sponsor legislation that

will designate Rocky Mountain National Park as ''wilderness.''

This legislation will protect an area that was formed millions of years ago when massive glaciers carved an impressive landscape. The Rocky Mountain National Park Wilderness Act will ensure that it remains unchanged in years to come.

Today marks the beginning of a new chapter in the long history of the Park. As a fifth generation Coloradan and someone who grew up in the shadow of Rocky Mountain National Park, it is an honor to have worked on this bill. With the introduction of this legislation we continue to follow an important wilderness tradition in Colorado.

Colorado and its representatives have long played an important role in the development of Wilderness in our Nation. This dates back to the original Wilderness Act. Congressman Wayne Aspinall, who represented Colorado's 4th Congressional District and chaired the Committee on Interior and Insular Affairs, played a pivotal role in creating the Nation's wilderness system with the 1964 Wilderness Act. From the inception of the original Wilderness Act through the continued development of wilderness in Colorado one thing has remained the same: a commitment to working together to find compromise and solutions that work for everyone.

The principle of compromise has held true from the Colorado National Forest Wilderness Act of 1980 to the Spanish Peaks Wilderness Act in 2000, and it is now true with the Rocky Mountain National Park Wilderness Act. I am especially proud of the legislation that my colleagues and I have introduced because it will preserve the natural elements of the Park while protecting water, the West's most valuable resource.

In a time when wells are being shut down just east of the park, the protection of water is more important than ever, and it is vital to preserving the agricultural heritage of this area. I am extremely pleased that we have been able protect both wilderness and water.

I would like to thank everyone that has been involved in the development of this bill, my colleagues in the United States Congress, the local officials that communicated with our offices, and the private citizens that shared their thoughts with us on the creation of this bill. I would specifically like to recognize former Senators Bill Armstrong and Hank Brown, and former Representatives Joe Johnson and David Skaggs. We would not be introducing this legislation today without these efforts.

The Rocky Mountain National Park Wilderness Act will ensure that Americans, now and in the future, have the ability to enjoy the Park.

By Mr. REID:

S. 1382. A bill to amend the Public Health Service Act to provide the establishment of an Amyotrophic Lateral Sclerosis Registry; to the Committee on Health, Education, Labor, and Pensions.

Mr. REID. Mr. President, I rise to introduce the ALS Registry Act.

Lou Gehrig brought Amyotrophic Lateral Sclerosis, ALS, to the public's attention more than 65 years ago and his courage put a human face' on this terrible disease. Each of us has a Lou Gehrig back in our home State, someone who shows great tremendous courage and grace as they wrestle with ALS.

Over the years, I have worked closely with the Nevada ALS Association and have met with many Nevadans who have been touched by this devastating illness. One of these Nevadans was a man by the name of Steve Rigazio who was invited to testify before the Labor/HHS/Education Appropriations Subcommittee in May of 2000. Steve was at the height of his career when he was diagnosed with ALS. He worked through the ranks of the Nevada Power Company, the largest utility company in the State, for 16 years until he became president. He played semi-professional baseball. He also played and coached recreational hockey.

After his diagnosis, Steve continued to show up for work at 6 a.m. for as long as he could. Sadly just 20 months after he testified so movingly before Congress, Steve Rigazio died of ALS on December 27, 2001 at the age of 47. He left behind a family that included a wife, two children and hundreds of friends. The ALS Steve Rigazio Voice of Courage Award was named in his honor as a living testimony to the life of this special man.

Every year approximately 5,600 Americans will learn they have ALS. There is no cure for ALS and there is only one FDA approved drug to specifically treat ALS. That drug only works for 20 percent of patients, and even for them, it merely extends life for a few months.

ALS has proven particularly hard for scientists and doctors to tackle for a number of reasons. One of those reasons is there is not a centralized place where data on the disease is collected. Currently, there is only a patchwork of data about ALS that does not include the entire U.S. population and only includes limited data for specific purposes, such as to determine the relationship between military service and the disease. Perhaps the most obvious example of the limitations of current surveillance systems and registries is that we do not know with certainty how many people are living with ALS in the United States today. Over 136 years after the discovery of ALS, estimates on its prevalence still vary by as much as 100 percent, from a low of about 15,000 patients to as many as thirty 30,000.

The legislation I am introducing today would create an ALS registry at the Centers for Disease Control and Prevention, CDC, and will aid in the search for a cure to this devastating disease. The registry will collect data concerning: the incidence and prevalence of ALS in the U.S.; the environmental and occupational factors that may contribute to the disease; the age, race or ethnicity, gender and family history of individuals diagnosed; and other information essential to the study of ALS.

A national registry will help arm our Nation's researchers and clinicians with the tools and information they need to make progress in the fight against ALS. The data made available by a registry will potentially allow scientists to identify causes of the disease, and maybe even lead to the discovery of new treatment, a cure for ALS, or even a way to prevent the disease in the first place.

I first introduced this legislation in 2005. Since that time, we have appropriated funding to begin work on the development of a National ALS Registry at the CDC. As a result, the CDC has begun pilot proams that will: Develop and test strategies to efficiently identify ALS patients, and (2) determine how to obtain data from existing registries and databases. These pilot programs will help to expedite the development of the registry established by this legislation. This is especially important considering the life expectancy for a person with ALS is 2 to 5 years from the time of diagnosis.

The establishment of a registry will bring new hope to tens of thousands of patients and their families that ALS will no longer be a death sentence. No one wants to wait another 136 years before a cure is found. I urge my colleagues to support the swift passage of the ALS Registry Act.

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. 1382

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 ''ALS Registry Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Amyotrophic lateral sclerosis (referred to in this section as ''ALS'') is a fatal, progressive neurodegenerative disease that affects motor nerve cells in the brain and the spinal cord.

(2) The average life expectancy for a person with ALS is 2 to 5 years from the time of diagnosis.

(3) The cause of ALS is not well understood.

(4) There is only one drug currently approved by the Food and Drug Administration for the treatment of ALS, which has thus far shown only modest effects, prolonging life by just a few months.

(5) There is no known cure for ALS.

(6) More than 5,000 individuals in the United States are diagnosed with ALS annually and as many as 30,000 individuals may be living with ALS in the United States today.

(7) Studies have found relationships between ALS and environmental and genetic

factors, but those relationships are not well understood.

(8) Scientists believe that there are significant ties between ALS and other motor neuron diseases.

(9) Several ALS disease registries and databases exist in the United States and throughout the world, including the SOD1 database, the National Institute of Neurological Disorders and Stroke repository, and the Department of Veterans Affairs ALS Registry.

(10) A single national system to collect and store information on the prevalence and incidence of ALS in the United States does not exist.

(11) In each of fiscal years 2006 and 2007, Congress directed $887,000 to the Centers for Disease Control and Prevention to begin a nationwide ALS registry.

(12) The Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry has established three pilot projects, beginning in fiscal year 2006, to evaluate the science to guide the creation of a national ALS registry.

(13) The establishment of a national registry will help—

(A) to identify the incidence and prevalence of ALS in the United States;

(B) to collect data important to the study of ALS;

(C) to promote a better understanding of ALS;

(D) to collect information that is important for research into the genetic and environmental factors that cause ALS;

(E) to strengthen the ability of a clearinghouse—

(i) to collect and disseminate research findings on environmental, genetic and other causes of ALS and other motor neuron disorders that can be confused with ALS, misdiagnosed as ALS, and in some cases progress to ALS;

(ii) make available information to patients about research studies for which they may be eligible; and

(iii) maintain information about clinical specialists and clinical trials on therapies; and

(F) to enhance efforts to find treatments and a cure for ALS.

SEC. 3. AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

"SEC. 399R. AMYOTROPHIC LATERAL SCLEROSIS REGISTRY.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—Not later than 1 year after the receipt of the report described in subsection (b)(2)(A), the Secretary, acting through the Director of the Centers for Disease Control and Prevention and in consultation with a national voluntary health organization with experience serving the population of individuals with amyotrophic lateral sclerosis (referred to in this section as 'ALS'), shall—

''(A) develop a system to collect data on ALS and other motor neuron disorders that can be confused with ALS, misdiagnosed as ALS, and in some cases progress to ALS, including information with respect to the incidence and prevalence of the disease in the United States; and

''(B) establish a national registry for the collection and storage of such data to include a population-based registry of cases in the United States of ALS and other motor neuron disorders that can be confused with ALS, misdiagnosed as ALS, and in some cases progress to ALS.

''(2) PURPOSE.—It is the purpose of the registry established under paragraph (1)(B) to gather available data concerning—

''(A) ALS, including the incidence and prevalence of ALS in the United States;

''(B) the environmental and occupational factors that may be associated with the disease;

''(C) the age, race or ethnicity, gender, and family history of individuals who are diagnosed with the disease;

''(D) other motor neuron disorders that can be confused with ALS, misdiagnosed as ALS, and in some cases progress to ALS; and

''(E) other matters as recommended by the Advisory Committee established under subsection (b).

''(b) ADVISORY COMMITTEE.—

''(1) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this section, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall establish a committee to be known as the Advisory Committee on the National ALS Registry (referred to in this section as the 'Advisory Committee'). The Advisory Committee shall be composed of at least one member, to be appointed by the Secretary, acting through the Director of the Centers for Disease Control and Prevention, representing each of the following:

''(A) National voluntary health associations that focus solely on ALS and have demonstrated experience in ALS research, care, and patient services, as well as other voluntary associations focusing on neurodegenerative diseases that represent and advocate on behalf of patients with ALS and patients with other motor neuron disorders that can be confused with ALS, misdiagnosed as ALS, and in some cases progress to ALS.

''(B) The National Institutes of Health, to include, upon the recommendation of the Director of the National Institutes of Health, representatives from the National Institute of Neurological Disorders and Stroke and the National Institute of Environmental Health Sciences.

''(C) The Department of Veterans Affairs.

''(D) The Agency for Toxic Substances and Disease Registry.

''(E) The Centers for Disease Control and Prevention.

''(F) Patients with ALS or their family members.

''(G) Clinicians with expertise on ALS and related diseases.

''(H) Epidemiologists with experience in data registries.

''(I) Geneticists or experts in genetics who have experience with the genetics of ALS or other neurological diseases.

''(J) Statisticians.

''(K) Ethicists.

''(L) Attorneys.

''(M) Other individuals with an interest in developing and maintaining the National ALS Registry.

''(2) DUTIES.—The Advisory Committee shall review information and make recommendations to the Secretary concerning—

''(A) the development and maintenance of the National ALS Registry;

''(B) the type of information to be collected and stored in the Registry;

''(C) the manner in which such data is to be collected;

''(D) the use and availability of such data including guidelines for such use; and

''(E) the collection of information about diseases and disorders that primarily affect motor neurons that are considered essential to furthering the study and cure of ALS.

''(3) REPORT.—Not later than 1 years after the date on which the Advisory Committee is established, the Advisory Committee shall submit a report concerning the review conducted under paragraph (2) that contains the recommendations of the Advisory Committee with respect to the results of such review.

''(c) GRANTS.—Notwithstanding the recommendations of the Advisory Committee under subsection (b), the Secretary, acting through the Director of the Centers for Disease Control and Prevention, may award grants to, and enter into contracts and cooperative agreements with, public or private nonprofit entities for the collection, analysis, and reporting of data on ALS and other motor neuron disorders that can be confused with ALS, misdiagnosed as ALS, and in some cases progress to ALS.

''(d) COORDINATION WITH STATE, LOCAL, AND FEDERAL REGISTRIES.—

''(1) IN GENERAL.—In establishing the National ALS Registry under subsection (a), the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall—

''(A) identify, build upon, expand, and coordinate among existing data and surveillance systems, surveys, registries, and other Federal public health and environmental infrastructure wherever possible, including—

''(i) the 3 ALS registry pilot projects initiated in fiscal year 2006 by the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry at the South Carolina Office of Research & Statistics; the Mayo Clinic in Rochester, Minnesota; and Emory University in Atlanta, Georgia;

''(ii) the Department of Veterans Affairs ALS Registry;

''(iii) the DNA and Cell Line Repository of the National Institute of Neurological Disorders and Stroke Human Genetics Resource Center;

''(iv) Agency for Toxic Substances and Disease Registry studies, including studies conducted in Illinois, Missouri, El Paso and San Antonio Texas, and Massachusetts;

''(v) State-based ALS registries, including the Massachusetts ALS Registry;

''(vi) the National Vital Statistics System; and

''(vii) any other existing or relevant databases that collect or maintain information on those motor neuron diseases recommended by the Advisory Committee established in subsection (b); and

''(B) provide for research access to ALS data as recommended by the Advisory Committee established in subsection (b) to the extent permitted by applicable statutes and regulations and in a manner that protects personal privacy consistent with applicable privacy statutes and regulations.

''(2) COORDINATION WITH NIH AND DEPARTMENT OF VETERANS AFFAIRS.—Notwithstanding the recommendations of the Advisory Committee established in subsection (b), and consistent with applicable privacy statutes and regulations, the Secretary shall ensure that epidemiological and other types of information obtained under subsection (a) is made available to the National Institutes of Health and the Department of Veterans Affairs.

''(e) DEFINITION.—For the purposes of this section, the term 'national voluntary health association' means a national non-profit organization with chapters or other affiliated organizations in States throughout the United States.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $25,000,000 for fiscal year 2008, and such sums as may be necessary for each of fiscal years 2009 through 2012.''.

By Mr. AKAKA:

S. 1384. A bill to amend title 38, United States Code, to repeal authority for adjustments to per diem payments

to homeless veterans service centers for receipt of other sources of income, to extend authorities for certain programs to benefit homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, today I introduce legislation that would enhance and improve services for homeless veterans administered by the Department of Veterans Affairs. This bill addresses a number of areas related to care and benefits for homeless veterans. It would modify the funding mechanism for community-based services to homeless veterans, expand capacity of services for women veterans, and improve outreach to servicemembers who are at risk of becoming homeless.

First, this legislation would lift a number of restrictions on VA's grant and per diem program. This program compensates community shelters for the services they provide to homeless veterans. VA currently pays $27 per day to community shelters for each veteran served. However, $27 is barely sufficient to cover existing costs, and rising energy prices are stretching resources even more.

To meet the needs of their clients, many shelters seek additional sources of funding, but their per diem payments from VA are in turn offset by the amount of this additional funding. By eliminating this offset, the bill would enable providers to expand their services to veterans, and to receive funding from other sources to accomplish these expansions.

This legislation would also address the gap in domiciliary care for homeless women veterans. Women veterans are a growing proportion of the active duty force and overall veteran population. Homelessness among female veterans is a serious problem, and many facilities do not yet have the capacity to meet this demand. Domiciliary care is an essential component of treatment and rehabilitation, especially for mental health and substance abuse conditions which afflict many homeless veterans.

This bill would require the Secretary of Veterans Affairs to ensure that domiciliary programs have the capacity to accommodate women veterans, and that their specific safety and security concerns are addressed. As women become a larger proportion of the homeless veteran population, VA must have the capacity to meet their needs.

Finally, this legislation would increase efforts to identify and assist servicemembers who are at risk of becoming homeless. It would make permanent an already established and successful program to aid incarcerated veterans in their transition back to civilian life. The program identifies at risk individuals and refers them to counseling and services, including health care, job training and placement, and housing.

Building on the success of that program, the bill would also create a similar program to identify and support at risk individuals in their transition from military to civilian life. It has been proven through smaller scale efforts that this process can reduce the incidence of homelessness and other problems among new veterans who are being separated from military service.

Over 1 million servicemembers have served in Iraq and Afghanistan, and as they transition from military service to civilian life some will be at risk of homelessness. Any effort VA can make to assist these servicemembers will improve lives and reduce the demand for VA homeless services in the years to come. We have all heard the sad and shocking statistic that one out of every three homeless persons on the street at any given time is a veteran. This bill is another step in attempting to address and solve this shameful problem.

I believe that this bill adjusts existing programs to take full advantage of existing resources and effective initiatives. I urge all of my colleagues to support this legislation.

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. 1384

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

SECTION 1. REPEAL OF AUTHORITY FOR ADJUSTMENTS TO PER DIEM PAYMENTS TO HOMELESS VETERANS SERVICE CENTERS FOR RECEIPT OF OTHER SOURCES OF INCOME.

Section 2012(a)(2) of title 38, United States Code, is amended—

(1) by striking subparagraphs (B), (C), and (D); and

(2) in subparagraph (A)—

(A) by striking ''The rate'' and inserting ''Except as provided in subparagraph (B), the rate'';

(B) by striking ''adjusted by the Secretary under subparagraph (B)''; and

(C) by designating the second sentence as subparagraph (B) and indenting the margin of such subparagraph, as so designated, two ems from the left margin.

SEC. 2. DEMONSTRATION PROGRAM ON PREVENTING VETERANS AT-RISK OF HOMELESSNESS FROM BECOMING HOMELESS.

(a) DEMONSTRATION PROGRAM.—The Secretary of Veterans Affairs shall carry out (subject to the availability of appropriations) a demonstration program for the purpose of—

(1) identifying members of the Armed Forces on active duty who are at risk of becoming homeless after they are discharged or released from active duty; and

(2) providing referral, counseling, and supportive services, as appropriate, to help prevent such members, upon becoming veterans, from becoming homeless.

(b) PROGRAM LOCATIONS.—The Secretary shall carry out the demonstration program in at least three locations.

(c) IDENTIFICATION CRITERIA.—In developing and implementing the criteria to identify members of the Armed Forces, who upon becoming veterans, are at-risk of becoming homeless, the Secretary of Veterans Affairs shall consult with the Secretary of Defense and such other officials and experts as the Secretary considers appropriate.

(d) CONTRACTS.—The Secretary of Veterans Affairs may enter into contracts to provide the referral, counseling, and supportive services required under the demonstration program with entities or organizations that meet such requirements as the Secretary may establish.

(e) SUNSET.—The authority of the Secretary under subsection (a) shall expire on September 30, 2011.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $2,000,000 for the purpose of carrying out the provisions of this section.

SEC. 3. EXPANSION AND EXTENSION OF AUTHORITY FOR PROGRAM OF REFERRAL AND COUNSELING SERVICES FOR AT-RISK VETERANS TRANSITIONING FROM CERTAIN INSTITUTIONS.

(a) PROGRAM AUTHORITY.—Subsection (a) of section 2023 of title 38, United States Code, is amended by striking ''a demonstration program for the purpose of determining the costs and benefits of providing'' and inserting ''a program of''.

(b) SCOPE OF PROGRAM.—Subsection (b) of such section is amended—

(1) by striking ''DEMONSTRATION'' in the subsection heading;

(2) by striking ''demonstration''; and

(3) by striking ''in at least six locations'' and inserting ''in at least 12 locations''.

(c) EXTENSION OF AUTHORITY.—Subsection (d) of such section is amended by striking ''shall cease'' and all that follows and inserting ''shall cease on September 30, 2011.''.

(d) CONFORMING AMENDMENTS.—

(1) Subsection (c)(1) of such section is amended by striking ''demonstration''.

(2) The heading of such section is amended to read as follows:

''§ 2023. Referral and counseling services: veterans at risk of homelessness who are transitioning from certain institutions''.

(3) Section 2022(f)(2)(C) of such title is amended by striking ''demonstration''.

(e) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 20 of such title is amended by striking the item relating to section 2023 and inserting the following:

''2023. Referral and counseling services: veterans at risk of homelessness who are transitioning from certain institutions.''.

SEC. 4. AVAILABILITY OF GRANT FUNDS TO SERVICE CENTERS FOR PERSONNEL.

Section 2011 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(i) AVAILABILITY OF GRANT FUNDS FOR SERVICE CENTER PERSONNEL.—A grant under this section for a service center for homeless veterans may be used to provide funding for staff as necessary in order for the center to meet the service availability requirements of subsection (g)(1).''.

SEC. 5. PERMANENT AUTHORITY FOR DOMICILIARY SERVICES FOR HOMELESS VETERANS AND ENHANCEMENT OF CAPACITY OF DOMICILIARY CARE PROGRAMS FOR FEMALE VETERANS.

Subsection (b) of section 2043 of title 38, United States Code, is amended to read as follows:

''(b) ENHANCEMENT OF CAPACITY OF DOMICILIARY CARE PROGRAMS FOR FEMALE VETERANS.—The Secretary shall take appropriate actions to ensure that the domiciliary care programs of the Department are adequate, with respect to capacity and with respect to safety, to meet the needs of veterans who are women.''.

By Mr. NELSON of Florida:

S. 1385. A bill to designate the United States courthouse facility located at 301 North Miami Avenue, Miami, Florida, as the ''C. Clyde Atkins United States Courthouse''; to the Committee on Environment and Public Works.

Mr. NELSON of Florida. Mr. President, I have introduced a bill that will honor one of Florida's great jurists, the Honorable C. Clyde Atkins, by naming the Federal building at 301 North Miami Avenue in Miami, FL, the ''C. Clyde Atkins United States Courthouse.'' This is a fitting tribute to Judge Atkins. His public service provides a model for members of the legal profession, indeed, for all Americans, who respect the rule of law and believe in equal justice under law.

Before becoming a judge, Judge Atkins, who earned his law degree at the University of Florida, already had distinguished himself in private practice. He served as the president of both the Florida bar and the Dade County Bar Association. In 1966, President Johnson appointed Judge Atkins to serve on the U.S. District Court for the Southern District of Florida. He served until his death in 1999 at the age of 84. From 1977 until 1982, Judge Atkins was the chief judge for the Southern District, and his leadership ensured that the court remained effective through a period when Miami confronted serious problems involving refugees, violence, and drug smuggling.

Judge Atkins rendered important decisions in the areas of civil rights and civil liberties. By the luck of the draw, he was assigned to many controversial cases, earning him the nickname ''Hard Luck Clyde,'' and it was for those rulings, often involving important civil rights and civil liberties issues, that he will be best remembered.

For example, in a decision involving Miami's homeless population, he ordered the creation of ''safe zones'' where the homeless could congregate without fear of arrest. This important decision had a ripple effect, helping to give rise to efforts throughout the Nation to rehabilitate the homeless through training and the creation of shelters. He also ruled in support of Cuban and Haitian refugees who were held at Guantanamo Bay, Cuba, and against the government's repatriation policy. And finally, he presided over the desegregation of Dade County's public schools for more than 20 years.

Judge Atkins was a person of faith. He was the first Catholic appointed to the bench in the Southern District, and Pope Benedict VI named him a Knight of St. Gregory. Judge Atkins also earned recognition from the National Conference of Christians and Jews, the Anti-Defamation League, and the American Judicature Society, to name a few.

The proposal to name the courthouse in Miami after Judge Atkins has been supported by leaders of the bar in the Southern District, including the Dade County Bar Association. Passage of my bill will ensure that the C. Clyde Atkins Courthouse will stand as an enduring tribute to an admired and respected Federal judge and the principles for which he stood for generations to come.

By Mr. REED:

S. 1386. A bill to amend the Housing and Urban Development Act of 1968, to provide better assistance to low- and moderate-income families, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I introduce the Homeownership Protection and Enhancement Act of 2007, HOPE Act. This legislation would reauthorize and amend Section 106 of the Housing and Urban Development Act of 1968, so that we can improve on Federal efforts to support and sustain homeownership.

As we all know, during the past several years, housing prices in cities and States around the country have far outpaced any increase in wages. Families have been stretching themselves financially to get into homeownership, and many families have started using alternative or exotic mortgages loan products to purchase their homes.

According to First American Loan Performance, in 2006, in my own State of Rhode Island, nearly 16 percent of all home-purchase loans were ''interest only.'' However, as home prices have declined, many people who took out these exotic loans are now finding they owe more than the value of their property.

The Center for Responsible Lending estimates that nationally one in five subprime loans originated during the prior 2 years will end in foreclosure, costing homeowners $164 billion, mostly in lost equity.

'It appears that we are just at the beginning of what could be a perfect storm, as many credit-stressed borrowers still face resets of these exotic adjustable-rate and payment option loans. There were 1.2 million foreclosures reported nationwide last year, up 42 percent from 2005, according to RealtyTrac, a database of foreclosed properties. RealtyTrac also reports 430,000 foreclosure filings in the first quarter of 2007, a 35 percent jump over the same period in 2006.

The increasing rate of foreclosures across the country is troubling. Not only are individual families losing their homes and their financial nest eggs, but there is a negative ripple effect across communities and the economy. That is why I am introducing the Homeownership Protection and Enhancement Act, or HOPE Act.

This bill seeks to help States establish and enhance outreach programs to proactively find homeowners at risk of losing their homes and help them avoid foreclosure. States will be rewarded for having set up effective programs to help curtail foreclosures with additional funding and resources. An incentive is provided for more States to follow suit and reach out to delinquent borrowers, offer them access to financial counseling, and, when appropriate, help them negotiate a plan to restructure their debt.

In particular, the HOPE Act provides $50 million for the creation and operation of State Homeownership Protection Centers. The centers can serve as a one-stop resource, offering consumers a broad range of services and assistance, such as financial assessments, counseling, or referrals to families in need. It authorizes $260 million in competitive grants to States who operate State Homeownership Protection Centers for revolving loan funds to offer one-time grants or subsidized loans to qualified families. It increases funding to $300 million for effective HUD-approved counseling agencies. Finally, it sets aside $5 million for the creation of a Federal database on defaults and foreclosures to improve oversight of public and private efforts to sustain homeownership.

In addition, to help prevent future borrowers from taking on unsustainable mortgages and falling into foreclosure, the HOPE Act would create an affirmative duty for lenders and servicers to engage in reasonable loss mitigation prior to foreclosure. It would also require notifications by lenders and servicers to borrowers regarding the full array of counseling services available in their State at every critical step, at application, at closing, and upon delinquency. Finally, if a State has a State Homeownership Protection Center, lenders and servicers would be required to refer borrowers who are 60 days or more delinquent to the center so that it can proactively attempt to reach distressed borrowers.

I am introducing the HOPE Act because when homes get foreclosed on, it is not just the borrowers and lenders who pay the price, whole neighborhoods suffer. Housing industry experts estimate that for every foreclosure within an eighth of a mile of a house, two and a half city blocks in every direction, the property value of surrounding homes drops by about 1 percent. I believe that the Federal Government has a responsibility to step in and ensure that millions of Americans, including neighbors who never took out a risky loan and have scrimped and saved to pay their bills on time, are not adversely affected by the subprime foreclosure crisis.

This legislation is targeted relief that will help more families keep their homes and save communities nationwide millions of dollars. We need to act swiftly before personal financial tragedies turn into a full blown national financial crisis.

The HOPE Act will set us on the path to meeting an important national goal, creating sustainable homeownership. I hope my colleagues will join me in supporting this bill and other foreclosure prevention efforts.

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. 1386

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 ''Homeownership Protection and Enhancement Act of 2007''.

SEC. 2. REFORM OF SECTION 106 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968.

Section 106 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x) is amended—

(1) in subsection (c)—

(A) in paragraph (3)—

(i) in subparagraph (A)(ii), by striking ''; and'' and inserting ''; or''; and

(ii) in subparagraph (A)(iii), by striking ''involving principal'' and all that follows through ''the appraised'' and inserting ''in which a homeowner has total equity equal to less than 3 percent of the appraised'';

(B) in paragraph (4)—

(i) in subparagraph (C)—

(I) in clause (i), by striking ''; or'' and inserting a semicolon;

(II) in clause (ii), by striking the period at the end and inserting a semicolon;

(III) by adding at the end the following:

''(iii) a significant reduction in the income of the household due to divorce or death; or

''(iv) a significant increase in basic expenses of the homeowner or an immediate family member of the homeowner (including the spouse, child, or parent for whom the homeowner provides substantial care or financial assistance) due to—

''(I) an unexpected or significant increase in medical expenses;

''(II) a divorce;

''(III) unexpected and significant damage to the property, the repair of which will not be covered by private or public insurance;

''(IV) a large property-tax increase; or

''(V) a large increase in condominium or cooperative fees, dues, or assessments; or''; and

(ii) by adding at the end the following:

''(D) the Secretary of Housing and Urban Development determines that the annual income of the homeowner is no greater than the annual income established by the Secretary as being of low- or moderate-income.'';

(C) in paragraph (5)—

(i) by striking subparagraph (A) and inserting a new subparagraph (A) as follows:

''(A) NOTIFICATION OF AVAILABILITY OF PRE-PURCHASE HOMEOWNERSHIP COUNSELING, HOMEOWNERSHIP COUNSELING, AND HOMEOWNERSHIP PROTECTION CENTER SERVICES.—

''(i) NOTIFICATION TO MORTGAGE APPLICANTS AT TIME OF MORTGAGE APPLICATION.—

''(I) IN GENERAL.—A proposed mortgagee shall provide notice to any applicant for a mortgage described in paragraph (4).

''(II) CONTENT OF NOTICE.—The notice required under subclause (I) shall—

''(aa) if provided to an eligible mortgage applicant, state that completion of a counseling program is required for insurance pursuant to section 203 of the National Housing Act (12 U.S.C.1709);

''(bb) notify the mortgage applicant of the availability of homeownership counseling provided by non-profit organizations approved by the Secretary and experienced in the provision of pre-purchase homeownership counseling, or provide the toll-free telephone number established by the Secretary under subparagraph (D)(i); and

''(cc) notify the mortgage applicant or homeowner by a statement or notice, written in plain English by the Secretary of Housing and Urban Development, in consultation with the Secretary of Defense and the Secretary of the Treasury, explaining the mortgage and foreclosure rights of servicemembers, and the dependents of such servicemembers, under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.), including the toll-free military one source number to call if servicemembers, or the dependents of such servicemembers, require further assistance.

''(ii) NOTIFICATION AT TIME OF CLOSING OF AVAILABILITY OF COUNSELING UPON DELINQUENCY AND SERVICES OF STATE HOMEOWNERSHIP PROTECTION CENTERS.—

''(I) IN GENERAL.—At the time of closing, and together with the final signed loan documents, a mortgagee shall provide to the homeowner a plain language statement in conspicuous 16-point type or larger which shall include the following:

''(aa) COUNSELING STATEMENT.—A counseling statement that reads as follows:

''If you are more than 30 days late on your mortgage payments, your lender or loan servicer is required by law to notify you of agencies approved by the United States Department of Housing and Urban Development (HUD) that may be able to assist you, including the contact information for your State Homeownership Protection Center if there is one operating in your State. Before you miss another mortgage payment, you are strongly encouraged to contact your lender or loan servicer or one of the agencies on the approved list for assistance. If you are more than 60 days late on your mortgage payments, your lender or loan servicer is required by law to send you a second notification containing this information. In addition, if you are more than 60 days late on your mortgage payment and you are registered with a State Homeownership Protection Center, your lender or loan servicer also will be required to notify the Center, so that the Center can contact you regarding any assistance it may be able to provide.

''(bb) COUNSELING AGENCY LISTING.—A listing of at least 5 housing counseling agencies approved by the Department of Housing and Urban Development, at least 1 of which is located in the State in which the property to be mortgaged is located.

''(cc) TOLL-FREE NUMBER.—The listing of the toll-free telephone number established by the Secretary under subparagraph (D)(i).

''(dd) CONTACT INFORMATION FOR STATE HOMEOWNERSHIP PROTECTION CENTER.—The contact information, including telephone number, email address, and physical address of the State Homeownership Protection Center, if such a Center is operating in the State in which the property to be mortgaged is located.

''(ee) NOTICE TO SERVICEMEMBERS OR DEPENDENTS OF SERVICEMEMBERS.—A statement, written in plain English, drafted by the Secretary of Housing and Urban Development, in consultation with the Secretary of Defense and the Secretary of the Treasury, explaining the mortgage and foreclosure rights of servicemembers, and the dependents of such servicemembers, under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.), including the toll-free military one source number to call if servicemembers, or the dependents of such servicemembers, require further assistance.

''(ff) SUMMARY OF DUTY TO ENGAGE IN LOSS MITIGATION.—A brief summary of the obligation of the mortgagee to engage in reasonable loss mitigation activities for the purpose of providing an alternative to foreclosure, including language informing the homeowner that the mortgagee's failure to comply with such loss mitigation requirements constitutes a defense to the foreclosure.

''(II) MANNER OF DISCLOSURE.—

''(aa) 1 DOCUMENT.—At the discretion of the mortgagee, the mortgagee may provide all the information required under clause (I) in one single document.

''(bb) REQUIRED DESCRIPTION OF DOCUMENT AT CLOSING.—A mortgagee shall briefly describe the document in item (aa) to the homeowner during closing.

''(III) OTHER REQUIREMENTS AT TIME OF CLOSING FOR MORTGAGEES OPERATING IN A STATE WHERE A STATE HOMEOWNERSHIP PROTECTION CENTER IS LOCATED.—

''(aa) REGISTRATION WITH STATE HOMEOWNERSHIP PROTECTION CENTERS.—In addition to the required documents described in subclauses (I) and (II), at the time of closing the mortgagee shall explain in writing and verbally that the homeowner's name and contact information will be registered with a State Homeownership Protection Center so that the Center can attempt to reach the homeowner if the homeowner is 60 days or more late in making any mortgage payment.

''(bb) BROCHURES.—The mortgagee shall distribute to a homeowner any brochure, pamphlet, or other brief document prepared by the State Homeownership Protection Center that describes the services provided by the Center.

''(cc) DUTY OF MORTGAGEE TO FORWARD INFORMATION.—The mortgagee shall forward to the State Homeownership Protection Center the contact information of the mortgage applicant and shall agree to notify the Center if the mortgage payment of the homeowner is or becomes more than 60 days late so that the Center can attempt to reach the homeowner.

''(dd) REQUIRED DISCLOSURES TO THE HOMEOWNER.—Each homeowner shall be informed that being registered with a State Homeownership Protection Center under this subclause may provide easier access to assistance in case of financial difficulty and that no information that would make it possible to identify the homeowner will be given to any other entity for any reason without the prior approval of the homeowner.

''(ee) ADDITIONAL RESPONSIBILITIES OF MORTGAGEES.—The mortgagee shall note registration with the State Homeownership Protection Center with the loan information of the homeowner, however such information is stored, and shall ensure that any entity which purchases the loan of the homeowner is aware of where they are registered and the requirement that the State Homeownership Protection Center be notified if the homeowner is or becomes more than 60 days late on any mortgage payment.

''(iii) NOTICE UPON DELINQUENCY OF HOMEOWNER.—

''(I) IN GENERAL.—Except as provided in subparagraph (C)—

''(aa) if a homeowner becomes 30 or more days late on any mortgage payment, the mortgagee shall provide notice in the manner described in clause (iv) to any eligible homeowner who fails to pay any amount within 30 days of the date the amount is due under a home loan;

''(bb) if a homeowner becomes 60 or more days late on any mortgage payment, the mortgagee shall provide notice to the homeowner a second time in the manner described in clause (iv) to any eligible homeowner who fails to pay any amount within 60 days of the date the amount is due under a home loan; and

''(cc) if a homeowner becomes 60 or more days late on any mortgage payment, and such homeowner is registered with a State Homeownership Protection Center, the mortgagee shall provide notice to that State Homeownership Protection Center.

''(II) FAILURE TO PROVIDE NOTICE.—Failure to provide notice to a homeowner or to a State Homeownership Protection Center required under this subsection constitutes a defense to foreclosure.

''(iv) CONTENT OF NOTICE UPON DELINQUENCY OF HOMEOWNER.—

''(I) REGISTERED HOMEOWNERS.—The notice required under clause (iii) for a homeowner registered with a State Homeownership Protection Center shall—

''(aa) notify the homeowner of the availability of any homeownership counseling provided by the mortgagee;

''(bb) provide the homeowner a current copy of the statement described in clause (ii)(I) provided to the homeowner at closing; and

''(cc) when the homeowner becomes 60 or more days late on any mortgage payment—

''(AA) notify the State Homeownership Protection Center with whom the homeowner is registered; and

''(BB) provide the Center with the contact information of the homeowner.

''(II) NON-REGISTERED HOMEOWNERS.—The notice required under clause (iii) for a homeowner not registered with a State Homeownership Protection Center shall—

''(aa) notify the homeowner of the availability of any homeownership counseling provided by the mortgagee; and

''(bb) provide the homeowner a current copy of the statement described in clause (ii)(I) provided to the homeowner at closing.

''(III) MAILINGS.—When the notice required under clause (iii) is sent, the outside of the mailing envelope shall state that such mailing contains federally required information on Federal Government-approved financial counseling agencies.'';

(ii) by striking subparagraph (B) and inserting a new subparagraph (B) as follows:

''(B) DEADLINE FOR NOTIFICATION.—The notification required in subparagraph (A) shall be made in a manner approved by the Secretary.'';

(iii) in subparagraph (D)(i)(I), by inserting ''post-purchase'' before ''homeownership counseling''; and

(iv) by adding at the end the following:

''(F) NATIONWIDE AVAILABILITY.—The Secretary shall ensure that each State is served by at least one local, regional, or national agency with an office in the State that provides the services described in this paragraph.'';

(D) in paragraph (6)(D), by inserting ''for a primary residence'' before the period;

(2) by striking subsection (d) and inserting the following:

''(d) GRANTS TO STATES FOR STATE HOMEOWNERSHIP PROTECTION CENTERS.—

''(1) IN GENERAL.—The Secretary shall award grants, on a competitive basis, to State housing finance agencies or any other designated State agency, to enable such agencies to establish and operate State Homeownership Protection Centers.

''(2) NOTIFICATION OF FUNDING AVAILABILITY.—The Secretary shall release a Notification of Funding Availability for grants awarded under this subsection for a fiscal year not later than 3 months after the date of enactment of the appropriate Act making appropriations for the Department of Housing and Urban Development for the fiscal year.

''(3) APPLICATION.—

''(A) SUBMISSION TO THE SECRETARY.—To be eligible to receive a grant under this subsection, a State housing finance agency or any other designated State agency shall submit an application to the Secretary, at such time and in such manner as the Secretary may require, and containing such information as the Secretary determines necessary—

''(i) to determine the ability of such agency to operate a Center; and

''(ii) to establish priorities for funding based on need.

''(B) ANNOUNCEMENT OF AWARDS.—The Secretary shall announce, within 4 months after the last date for the submission of applications described in subparagraph (A) for a fiscal year, the grants conditionally awarded under this subsection for that fiscal year.

''(4) PURPOSE.—The purpose of any State Homeownership Protection Center established under paragraph (1) shall be—

''(A) to provide a centralized location for information on, and referral to, public services available to assist a homeowner who is in default on their home loan;

''(B) to provide a homeowner with referrals to counseling agencies approved by the Department of Housing and Urban Development that may be able to assist that homeowner, if that homeowner is in default on their home loan; and

''(C) to attempt to contact each homeowner who is registered with the Center who is more than 60 days late on any mortgage payment with the goal of—

''(i) determining—

''(I) if such homeowner needs assistance in avoiding foreclosure on their home; and

''(II) what kind of assistance is needed by such homeowner to avoid foreclosure on their home; and

''(ii) providing referrals to any appropriate programs or entities that may be able to provide any such assistance.

''(5) HOMEOWNERSHIP PROTECTION CENTERS.—

''(A) USE OF FUNDS.—Each State housing finance agency or any other designated State agency, who is a recipient of a grant under paragraph (1) may only use such grant amounts to establish and operate State Homeownership Protection Centers in that State.

''(B) REQUIRED ACTIVITIES.—Each State Homeownership Protection Center established under this section shall, at a minimum—

''(i) provide a toll-free number through which any homeowner in financial distress can receive—

''(I) information on—

''(aa) the Center and its services; and

''(bb) public programs that provide assistance to homeowners; and

''(II) a listing of counseling agencies approved by the Department of Housing and Urban Development;

''(ii) provide information to homeowners on available community resources relating to homeownership, including—

''(I) public assistance or benefits programs;

''(II) mortgage assistance programs;

''(III) home repair assistance programs;

''(IV) legal assistance programs;

''(V) utility assistance programs;

''(VI) food assistance programs; and

''(VII) other Federal, State, or local government funded social service;

''(iii) provide staff who—

''(I) are able to conduct a brief assessment of the situation of a homeowner; and

''(II) based on such assessment can—

''(aa) make appropriate referrals to, and provide application information regarding, programs that can provide assistance to such homeowner; and

''(bb) provide a listing of counseling agencies approved by the Department of Housing and Urban Development; and

''(iv) provide to any homeowner in financial distress access to applications for public assistance or benefits program which may be of assistance to such homeowner.

''(C) ADDITIONAL ACTIVITIES.—In addition to the services required under subparagraph (B), each State Homeownership Protection Center shall—

''(i) be technologically capable of—

''(I) accepting and recording in a secure database the contact information of any homeowner forwarded to the Center by a mortgagee pursuant to subsection (c)(5)(A)(ii)(III); and

''(II) accessing the contact information described in subclause (I), if the Center is notified by a mortgagee pursuant to subsection (c)(5)(A)(ii)(III) that the homeowner is 60 or more days late in paying any amount due under the home loan of such homeowner;

''(ii) if notified by a mortgagee pursuant to subsection (c)(5)(A)(ii)(III) that a homeowner who is registered with the Center is 60 or more days late in paying any amount due under the home loan of such homeowner, attempt to contact such homeowner to provide assistance or suggest public programs or counseling agencies that may provide assistance to the homeowner; and

''(iii) not release to the public or to any third party the name of any homeowner who is registered with the Center, or of any person who visits the Center for assistance, or any other information that would make it possible to identify such a person, without the prior written consent of such homeowner or person.

''(6) GRANTS TO STATES WITH HOMEOWNERSHIP PROTECTION CENTERS TO ASSIST HOMEOWNERS IN DEFAULT.—

''(A) GRANT AUTHORITY.—The Secretary shall award competitive grants to State housing finance agencies, or to any other designated State agency, located in a State with a State Homeownership Protection Center established under paragraph (1), to enable such agencies in partnership with State Homeownership Protection Centers to provide 1-time emergency grants or subsidized loans to eligible homeowners to assist such homeowners in satisfying any amounts past due on their home loans.

''(B) NOTIFICATION OF FUNDING AVAILABILITY.—The Secretary shall release a Notification of Funding Availability for grants awarded under this paragraph for a fiscal year not later than 3 months after the date of enactment of the appropriate Act making appropriations for the Department of Housing and Urban Development for the fiscal year.

''(C) APPLICATION.—

''(i) SUBMISSION TO THE SECRETARY.—To be eligible to receive a grant under this paragraph a State housing finance agency or any other designated State agency located in a State where a State Homeownership Protection Center is located, shall submit an application to the Secretary at such time and in such manner as the Secretary may require, and containing such information as the Secretary determines necessary—

''(I) to determine compliance with the requirements and criteria under this paragraph; and

''(II) to establish priorities for funding based on need.

''(ii) ANNOUNCEMENT OF AWARDS.—The Secretary shall announce, within 4 months after the last date for the submission of applications described in this paragraph for a fiscal year, the grants conditionally awarded under this paragraph for that fiscal year.

''(D) OTHER REQUIREMENTS.—

''(i) SEPARATE ACCOUNTS.—To be eligible to receive any amounts awarded under this paragraph and prior to providing any emergency grants or subsidized loans, a State housing finance agency or any other designated State agency shall establish a separate account in which such amounts are to be held.

''(ii) LIMITED USE.—Any amounts made available for purposes of this paragraph in

any appropriations Act shall be used only to provide 1-time emergency grants or subsidized loans to eligible homeowners to assist such homeowners in satisfying any amounts past due on their home loan as authorized under subparagraph (A).

''(iii) REPAYMENT OF LOANS.—Any amounts repaid on a subsidized loan made under this paragraph shall be deposited back into the separate account established under clause (i) from which the loan funds originated.

''(iv) OTHER FUNDING.—Amounts donated or otherwise directed to be used for purposes of this paragraph may be deposited in any separate account established under clause (i) to help capitalize such account.

''(E) PROGRAM REQUIREMENTS.—

''(i) IN GENERAL.—Each State housing finance agency or any other designated State agency that is a recipient of a grant to assist homeowners in default under this paragraph, in cooperation with the State Homeownership Protection Centers in such State, shall develop program requirements for eligible homeowners seeking a 1-time emergency grant or subsidized loan under this paragraph.

''(ii) REQUIRED CONTENT.—The program requirements developed under clause (i) shall, at a minimum, include the following:

''(I) That any loan or grant under this paragraph may be provided for up to a four-family owner-occupied residence, including one-family units in a condominium project or a membership interest and occupancy agreement in a cooperative housing project, that is used as the principal residence of the applicant seeking such grant or loan.

''(II) That each applicant for a loan or grant shall be a permanent resident of the State in which the principal residence of such applicant is located.

''(III) That each applicant—

''(aa) provide documentation that such applicant either—

''(AA) is suffering from financial hardship which is unexpected or due to circumstances beyond the control of the applicant; or

''(BB) is eligible for homeownership counseling under subsection (c)(4); and

''(bb) offer proof that such applicant is unable, without financial assistance—

''(AA) to correct any delinquency on any amounts past due on the home loan of such applicant within a reasonable time; and

''(BB) to make full payment on any home loan payment due within the next 30 days.

''(IV) That a State Homeownership Protection Center, State housing finance agency, or any other designated State agency, or its designee, has determined, in its discretion, that there is a reasonable prospect that any applicant for a grant or loan under this paragraph will be able to resume full payments on the home loan of such applicant not later than 12 months after the date on which such applicant will first receive any grant or loan amounts under this paragraph.

''(V) That the applicant has not, at any point prior, and with respect to the same real property, previously received a grant or loan under this paragraph.

''(F) LOAN REQUIREMENTS.—

''(i) RATE OF INTEREST.—Any loan under this section shall carry a simple annual percentage rate of interest which shall not exceed the prime rate of interest, as such prime rate is determined from time to time by at least 75 percent of the 30 largest depository institutions in the Nation.

''(ii) NO COMPOUNDING.—Interest on the outstanding principal balance of any loan under this section shall not compound.

''(iii) BALANCE DUE.—

''(I) IN GENERAL.—The principal of any loan made under this paragraph, including any interest accrued on such principal, shall not be due and payable unless—

''(aa) the real property securing such loan is sold or transferred; or

''(bb) the last surviving homeowner of such real property dies.

''(II) DEPOSIT OF BALANCE DUE.—If either event described in subclause (I) occurs, the principal of any loan made under this paragraph, including any interest accrued on such principal, shall immediately become due and payable to the State entity from which the loan originated.

''(iv) NO PENALTY FOR PREPAYMENT.—Any homeowner who receives a loan under this paragraph may repay the loan in full, without penalty, by lump sum or by installment payments, at any time prior to the loan becoming due and payable.

''(v) CAP ON LOAN AMOUNT.—The amount of any loan to any 1 homeowner under this section shall not exceed 20 percent of the original mortgage amount borrowed by the homeowner.

''(vi) SUBORDINATION PERMITTED.—Any loan made under this paragraph will be subordinated to any refinancing of the first mortgage, any preexisting subordinate financing, any purchase money mortgage, or subordinated for any other reason, as determined by the State.

''(G) EXISTING LOAN FUNDS.—Any State or State housing finance agency with a previously existing fund established to make loans to assist homeowners in satisfying any amounts past due on their home loan may use funds appropriated for purposes of this section for that existing loan fund, even if the eligibility, application, program, or use requirements for that loan program differ from the eligibility, application, program, and use requirements of this paragraph, unless such use is expressly determined by the Secretary to be inappropriate.'';

(3) in subsection (f)(2)(A), by striking ''and rental counselors.'' and inserting ''counselors in both pre-purchase and post-purchase counseling and in training rental counselors.''; and

(4) by adding at the end the following:

''(g) DUTY TO ENGAGE IN LOSS MITIGATION.—

''(1) IN GENERAL.—Upon default of any federally related mortgage, as defined in section 3(1)(B) of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2202(1)(B)), a mortgagee shall engage in reasonable loss mitigation activities for the purpose of providing an alternative to foreclosure.

''(2) DEFENSE TO FORECLOSURE.—A mortgagee's failure to comply with the requirements of paragraph (1) constitutes a defense to the foreclosure.

''(3) NO FORECLOSURE IF NOTICE OF APPLICATION FOR HOME PRESERVATION LOAN.—A mortgagee shall not initiate or continue a foreclosure—

''(A) upon receipt of a written confirmation that the homeowner has applied for a home preservation loan under subsection (d)(6); and

''(B) for the period of 1 month after receipt of such written confirmation or until the mortgagee is informed, in writing, that the homeowner is not eligible for a home preservation loan, whichever occurs first.

''(4) DEFINITION OF LOSS MITIGATION ACTIVITIES.—

''(A) IN GENERAL.—As used in this subsection, the term 'loss mitigation activities' means activities that minimize the potential losses to a homeowner or investor that may result from—

''(i) a homeowner's inability to pay the mortgage payments due on a home loan; and

''(ii) any subsequent foreclosure action.

''(B) ALTERNATIVE TO FORECLOSURE.—Loss mitigation activities provide alternatives to foreclosure whenever possible and reasonably ensure the long-term affordability of any mortgage retained pursuant to such activities.

''(C) PROCESS OF MITIGATION.—

''(i) IN GENERAL.—Loss mitigation activities involve reasonably analyzing the borrower's financial situation, evaluating the property value of the property to be mortgaged, and assessing the feasibility of measures including—

''(I) waiver of any late payment charge or, if applicable, penalty interest;

''(II) forbearance pursuant to a written agreement between the borrower and the servicer providing for a temporary reduction in monthly payments followed by a reamortization and new repayment schedule including the arrearage;

''(III) waiver, modification, or variation of any term of a mortgage, including modifications that change the mortgage rate, forgive the payment of principal or interest, extend the final maturity date of such mortgage, or begin to include an escrow for taxes and insurance;

''(IV) acceptance of payment from the homeowner of an amount less than the stated principal balance in final satisfaction of such mortgage;

''(V) assumption;

''(VI) pre-foreclosure sale; and

''(VII) deed in lieu of foreclosure.

''(ii) PRIORITY.—Activities described in subclauses (V), (VI), and (VII) shall only be pursued after a reasonable evaluation of the feasibility of activities described in subclause (I), (II), (III), and (IV), based upon the homeowner's circumstances.

''(h) OVERSIGHT OF PUBLIC AND PRIVATE EFFORTS TO REDUCE MORTGAGE DEFAULTS AND FORECLOSURES.—

''(1) MONITORING OF HOME LOANS.—The Secretary, in consultation with the Department of Housing and Urban Development, the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, and the Office of Thrift Supervision, shall develop and implement a plan to monitor—

''(A) conditions and trends in the mortgage industry in order to predict, as best as possible, likely future trends in foreclosures; and

''(B) the effectiveness of public efforts to reduce mortgage defaults and foreclosures.

''(2) ANNUAL REPORT TO CONGRESS ON MONITORING OF HOME LOANS.—Not later than 1 year after the development of the plan under paragraph (1), and every year thereafter, the Secretary shall submit a report to Congress that—

''(A) summarizes and describes the findings of the monitoring required under that subparagraph; and

''(B) includes recommendations or proposals for legislative or administrative action—

''(i) to increase the authority of the Secretary to levy penalties against any mortgagee, or other person or entity, who fails to comply with the requirements described in this section; and

''(ii) to improve coordination between various public and private initiatives to reduce the overall rate of mortgage defaults and foreclosures.

''(3) COMPLIANCE PLAN AND REPORT.—The Secretary, in consultation with the Department of Housing and Urban Development, the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, and the Office of Thrift Supervision, shall—

''(A) develop a plan to monitor the compliance with the requirements established in

this section by mortgagees and other persons or entities; and

''(B) report such plan to Congress.

''(4) DEVELOPMENT OF A NATIONAL DATABASE ON DEFAULTS AND FORECLOSURES.—

''(A) IN GENERAL.—The Secretary, in consultation with the Department of Housing and Urban Development, the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, and the Office of Thrift Supervision, shall develop recommendations for a national database on mortgage defaults and foreclosures.

''(B) GOALS OF NATIONAL DATABASE.—In developing the recommendations under subparagraph (A), the Secretary shall consider the goals of such a national database, which are as follows:

''(i) To provide Federal regulatory agencies with information on—

''(I) mortgagees that generate home loans which go into default or foreclosure at a rate significantly higher than the national average for such mortgagees; and

''(II) the various factors associated with those higher rates.

''(ii) To provide information to the Federal Government on loans, defaults, foreclosures, and sheriff sales—

''(I) which is not otherwise readily available;

''(II) which would allow for a better understanding of local, regional, and national trends in delinquencies, defaults, and foreclosures; and

''(III) so that public policies to reduce defaults and foreclosures may be improved.

''(C) REPORT ON OUTCOMES OF HOME LOANS.—

''(i) IN GENERAL.—In order to satisfy the requirement set forth in this paragraph and paragraph (1), the Secretary shall promulgate rules within 18 months of the date of enactment of the Homeownership Protection and Enhancement Act of 2007 requiring each lender who has originated 100 or more loans in the previous calendar year on behalf of itself or another person or entity, or each person or entity that has serviced 100 or more loans in the previous calendar year on behalf of itself or another entity, to report to the Secretary, on an annual basis, whatever data the Secretary, in consultation with the Department of Housing and Urban Development, the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, and the Office of Thrift Supervision, deems sufficient to meet the requirements set forth in subparagraph (B).

''(ii) CONTENT OF REPORT.—At a minimum, each report required under clause (i) shall include data—

''(I) using the same identification requirements for each loan for which information is submitted as are established under the Home Mortgage Disclosure Act (12 U.S.C. 2801 et seq.) for data reporting, namely—

''(aa) year of origination;

''(bb) agency code of originator;

''(cc) respondent identification number of originator; and

''(dd) the identifying number for the loan;

''(II) regarding the characteristics of each home loan originated in the preceding 12 months by the lender, person, or entity, including—

''(aa) loan-to-value ratio at the time of origination for each mortgage on the property;

''(bb) whether or not there is an escrow account for taxes and insurance;

''(cc) the type of mortgage, such as a fixed-rate or adjustable-rate mortgage; and

''(dd) any other loan or loan underwriting characteristics determined by the Secretary, and the regulators with whom the Secretary consults under the terms of subparagraph (C)(i), to be necessary in order to meet the requirements of subparagraph (B) and that are not already available to the Secretary through a national mortgage database;

''(III) regarding the performance outcomes of each home loan originated in the preceding 12 months by the lender, person, or entity, including—

''(aa) if such home loan was in delinquency at any point in such 12-month period; and

''(bb) if any foreclosure proceeding was initiated on such home loan during such 12-month period;

''(IV) sufficient to establish for each home loan that at any point during the preceding 12 months had become 60 or more days delinquent with respect to a payment on any amount due under the home loan, or for which a foreclosure proceeding was initiated, the interest rate on such home loan at the time of such delinquency or foreclosure;

''(V) regarding foreclosures, including—

''(aa) the date of all foreclosures initiated by the lender, person, or entity; and

''(bb) the combined loan-to-value ratio of all mortgages on a home at the time foreclosure proceedings were initiated; and

''(VI) indicating each home loan for which a foreclosure proceeding was completed in the preceding 12 months, including—

''(aa) foreclosure proceedings initiated in such 12-month period; and

''(bb) the date of the foreclosure completion.

''(D) REQUIREMENT OF FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL TO CREATE A CONSOLIDATED DATABASE.—The Federal Financial Institutions Examination Council shall create a consolidated database that establishes a connection between the data provided under the Home Mortgage Disclosure Act (12 U.S.C. 2801 et seq.) and the data provided under this subsection.

''(E) REPORT TO CONGRESS ON NATIONAL DATABASE.—Not later than 12 months after the date of enactment of the Homeownership Protection and Enhancement Act of 2007, the Secretary shall report to Congress the recommendations required under subparagraph (A).

''(i) RULE OF CONSTRUCTION REGARDING MORTGAGEES.—As used in this section—

''(1) the term 'mortgagee'—

''(A) means the original lender under a mortgage; and

''(B) includes—

''(i) any servicers, affiliates, agents, subsidiaries, successors, or assignees of such lender; and

''(ii) any subsequent purchaser, trustee, or transferee of any mortgage or credit instrument issued by such lender; and

''(2) the term 'servicer' means any person who collects on a home loan, whether they are the owner, the holder, the assignee, the nominee for the loan, or the beneficiary of a trust, or any person acting on behalf of such person.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $615,000,000 for fiscal year 2008, of which—

''(A) $300,000,000 shall be for grants to counseling organizations under subsection (c);

''(B) $260,000,000 shall be for competitive grants to States to establish revolving loan funds under subsection (d)(6);

''(C) $50,000,000 shall be for grants to establish and operate State Homeownership Protection Centers under subsection (d)(1); and

''(D) $5,000,000 shall be to create the Federal database under subsection (h)(4);

''(2) $635,000,000 for fiscal year 2009; and

''(3) such sums as necessary for each of fiscal years 2010 through 2012.''.

By Ms. SNOWE (for herself and Ms. COLLINS):

S. 1388. A bill establish a commercial truck highway safety demonstration program in the State of Maine, and for other purposes; to the Committee on Environment and Public Works.

Ms. SNOWE. Mr. President, I rise today to join my colleague, Senator COLLINS, to introduce legislation that will rectify an impediment to international commerce flowing through Maine, but more importantly, will offer a measure of protection that many of my constituents in Maine do not currently possess.

As many of our colleagues know, expanding upon the current Federal truck weight limitation of 80,000 pounds is often looked upon as dangerous, flaunting the safety of drivers who may be faced with a truck weighing as much as 143,000 pounds, the limit on Interstates in Massachusetts and New York. While I certainly concur that safety of drivers is very important, and I have the record to prove it, I ask you do not overlook the safety of pedestrians as well.

In Maine, where we currently have a limited exemption along the Maine Turnpike, many trucks traveling to or from the Canadian border or into upstate Maine are not able to travel on our Interstates as a result of the 80,000 pound weight limit. This forces many of them onto secondary roads, many of which are two-lane roads running through small towns and villages in Maine. Tanker trucks carrying fuel are passing elementary schools, libraries, and weaving through traffic to reach our Air National Guard station. Not only is this an inefficient method of bringing necessary fuel guardsmen that provide our national security, but imagine if you will one of those tanker trucks rupturing on Main Street, potentially causing serious damage to property, causing traffic chaos, and most importantly, killing or injuring drivers and pedestrians.

This is not a far-fetched scenario. In fact, two pedestrians were killed in the past year in Maine as a result of overweight trucks on local roadways, one tragic instance occurring within sight of the nearby Interstate.

What is the result of such traffic? According to study conducted by the Maine Department of Transportation, traffic fatalities involving trucks weighing 100,000 pounds are 10 times greater on secondary roads in Maine than on the exempted interstates. Serious injuries are seven times more likely. Not to mention the exorbitant cost of maintaining these secondary roads, forced to handle these massive trucks. These roads were not designed to handle this kind of traffic. Our interstates were, yet these trucks are consistently prevented from traveling on them.

The argument against such trucks is that it is a ''slippery slope'' that if you allow one State to have such an exemption, pretty soon you'll have to give every State such an exemption. Well, I would like to remind the opponents of this amendment that we are halfway there already. A total of 27 States already have some type of exemption, and 47 States allow trucks weighing over 80,000 pounds on some roads within their State. To offer a clear picture of this, if you are driving a truck weighing 100,000 pounds, you can leave Gary, IN, just outside of Chicago, and can operate that vehicle all the way to Portland, ME. There, of course, they have to unload the additional weight to continue on the Interstate, or travel the remainder of the way through the State on these local roads, endangering the populace and other drivers.

Conversely, you can operate a truck weighing 90,000 pounds from Kansas City, MO, and travel to Seattle, WA. So I ask you, is this truly a legitimate reason for opposition while my constituents are taking their lives in their hands when merely crossing Main Street?

I would especially like to thank Senator COLLINS for her steadfast effort as, side-by-side, we continue to seek a resolution to this issue.

Ms. COLLINS. Mr. President, I rise to join with my senior colleague from Maine in sponsoring the Commercial Truck Highway Safety Demonstration Program Act, an important bill that addresses a significant safety problem in our State.

Under current law, trucks weighing 100,000 pounds are allowed to travel on the portion of Interstate 95 designated as the Maine Turnpike, which runs from Maine's border with New Hampshire to Augusta, our capital city. At Augusta, the turnpike designation ends, but I–95 proceeds another 200 miles north to Houlton. At Augusta, however, heavy trucks must exit the modern four-lane, limited-access highway and are forced onto smaller, two-lane secondary roads that pass through cities, towns, and villages.

Trucks weighing up to 100,000 pounds are permitted on interstate highways in New Hampshire, Massachusetts, and New York as well as the Canadian Provinces of New Brunswick and Quebec. The weight limit disparity on various segments of Maine's Interstate Highway System is a significant impediment to commerce, increases wear-and-tear on our secondary roads, and, most important, puts our people needlessly at risk.

Senator SNOWE and I have introduced this legislation several times in recent years. We do so this year with a renewed sense of urgency, and in sorrow. Just last week, Susan Abraham, a bright and talented 17-year-old high school student from Hampden, ME, lost her life when her car was struck by a heavy truck on Route 9. The truck driver could not see Susan's small car turning onto that two-lane road as he rounded a corner. It was an accident but one that would have been avoided had the truck remained on the interstate highway. Interstate 95 runs less than three-quarters of a mile away, but Federal law prevented the truck from using that modern, divided highway, a highway that was designed to provide ample views of the road ahead.

That preventable tragedy took place almost 1 year to the day after Lena Gray, an 80-year-old resident of Bangor, was struck and killed by a tractor-trailer as she was crossing a downtown street. Again, that accident would not have occurred had that truck been allowed to use I–95, which runs directly through Bangor.

The problem Maine faces due to the disparity in truck weight limits affects many communities, but it is clearly evident in the eastern Maine cites of Bangor and Brewer. In this region, a 2-mile stretch of Interstate 395 connects two major state highways that carry significant truck traffic across Maine. I–395 affords direct and safe access between these major corridors, but because of the existing Federal truck weight limit, many heavy trucks are prohibited from using this multilane, limited access highway.

Instead, these trucks, which sometimes carry hazardous materials, are required to maneuver through the downtown portions of Bangor and Brewer on two-lane roadways. Truckers are faced with two options; the first is a 3.5 mile diversion through downtown Bangor that requires several very difficult and dangerous turns. The second route is a 7.5 mile diversion that includes 20 traffic lights and requires travel through portions of downtown Bangor as well. Congestion is a significant issue, and safety is seriously compromised as a result of these required diversions.

In June 2004, Wilbur Smiths Associates, a nationally recognized transportation consulting firm, completed a study to examine the impact a Federal weight exemption on nonexempt portions of Maine's Interstate Highway System would have on safety, pavement, and bridges. The study found that extending the current truck weight exemption on the Maine Turnpike to all interstate highways in Maine would result in a decrease of 3.2 fatal crashes per year. A uniform truck weight limit of 100,000 pounds on Maine's interstate highways would reduce highway miles, as well as the travel times necessary to transport freight through Maine, resulting in safety, economic, and environmental benefits. Moreover, Maine's extensive network of local roads would be better preserved without the wear and tear of heavy truck traffic.

Most important, however, a uniform truck weight limit will keep trucks on the interstate where they belong, rather than on roads and highways that pass through Maine's cities, towns, and neighborhoods.

In addition to the safety of motorists and pedestrians, there is a homeland security aspect to this as well. An accident or attack involving a heavy truck carrying explosive fuel or a hazardous chemical on a congested city street would have devastating consequences. That risk can be alleviated substantially by allowing those trucks to stay on the open highway.

The legislation that Senator SNOWE and I are introducing addresses the safety issues we face in Maine because of the disparities in truck weight limits. The legislation directs the Secretary of Transportation to establish a commercial truck safety pilot program in Maine. Under the pilot program, the truck weight limit on all Maine highways that are part of the interstate highway system would be set at 100,000 pounds for three years. During the waiver period, the Secretary would study the impact of the pilot program on safety and would receive the input of a panel on which State officials, and representatives from safety organizations, municipalities, and the commercial trucking industry would serve. The waiver would become permanent if the panel determined that motorists were safer as a result of a uniform truck weight limit on Maine's Interstate Highway System.

Maine's citizens and motorists are needlessly at risk because too many heavy trucks are forced off the interstate and onto local roads. The legislation Senator SNOWE and I are introducing is a commonsense approach to a significant safety problem in my State. Our efforts are widely supported by public officials throughout Maine, including the Governor, the Maine Department of Transportation, the Maine Secretary of State, and the Maine State Police. I urge my colleagues to support this important legislation.

By Mr. OBAMA (for himself, Ms. SNOWE, and Mr. BINGAMAN):

S. 1389. A bill to authorize the National Science Foundation to establish a Climate Change Education Program; to the Committee on Health, Education, Labor, and Pensions.

Mr. OBAMA. Mr. President, I rise today to introduce legislation, cosponsored by Ms. SNOWE and Mr. BINGAMAN, to better educate Americans about climate change. We are today introducing the Climate Change Education Act, to broaden Americans' understanding of global warming.

There may still be disputes about exactly how much humans contribute to the warming of our atmosphere. But there is near certainty that the air we breathe is being changed by ever increased levels of greenhouse gases, with effects on climate, resources, and habitats.

Last week, I attended a hearing of the Foreign Relations Committee, where the issue of climate change was shown to also affect our national security. A report issued by a panel of distinguished military leaders concluded that climate change will be globally

destabilizing, leading to diminished access to fresh water, reduced food production as India and sub-Saharan Africa become hotter and drier, increased health crises as vector-borne diseases spread, and displacement of large populations as sea levels rise and coastal lands flood. As scarcities increase, conflicts over diminishing resources will also increase. Governments in resource-stressed countries may collapse. Environmental stresses may lead to human migration and refugees.

I mention this to emphasize that climate change has surprising ramifications, and that there is still much that we can all learn about this issue, with effects that go well beyond traditional environmental concerns. It is important that we all become better informed, that we analyze the information about climate change, so that we can learn how to more rationally respond.

We believe it is important to educate our Nation about the causes and effects of climate change and about how we might effectively respond. Reaching a solution to the challenge of climate change will require changes in both national policy and in our use of energy and resources. All of this will require a thoughtful understanding of the issue.

The Climate Change Education Act would create a program at the National Science Foundation, which would provide opportunities for students and citizens to learn more about global warming. The program would include a national information campaign to promote new approaches to addressing climate change and would also establish a competitive program to provide grants to develop education materials. Earlier this month, the House of Representatives passed the campanion, H.R. 1728, to this bill.

I urge my colleagues to support this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 196—COMMENDING IDAHO ON WINNING THE BID TO HOST THE 2009 SPECIAL OLYMPICS WORLD WINTER GAMES

Mr. CRAPO (for himself and Mr. CRAIG) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 196

Whereas Special Olympics is an international nonprofit organization that promotes personal development through sports training and competition;

Whereas Special Olympics advances the understanding of intellectual disabilities in the community and the Nation through participation and fellowship;

Whereas Special Olympics serves more than 2,500,000 individuals with intellectual disabilities;

Whereas Special Olympics offers more than 200 programs in over 160 countries;

Whereas Special Olympics offers 30 Olympic-type summer and winter sports to both children and adults with intellectual disabilities;

Whereas Boise, Idaho won the international bid to host the 2009 Special Olympics World Winter Games to be held February 6 through 13, 2009;

Whereas thousands of athletes are expected to compete in the 2009 Special Olympics World Winter Games; and

Whereas the 2009 Special Olympics World Winter Games will be the largest multi-sport event ever held in the State of Idaho: Now, therefore, be it

Resolved, That the Senate—

(1) applauds the goals and principles of Special Olympics;

(2) salutes the athletes, coaches, family members, friends, and volunteers that make Special Olympics possible; and

(3) congratulates the State of Idaho on its selection as the host for the 2009 Special Olympics World Winter Games.

SENATE RESOLUTION 197—HONORING THE ACCOMPLISHMENTS OF AMERICORPS

Ms. MIKULSKI (for herself, Mr. COCHRAN, Mr. BAUCUS, Mr. BAYH, Mrs. BOXER, Mr. CASEY, Mrs. CLINTON, Mr. COLEMAN, Mr. DODD, Mr. DURBIN, Mr. FEINGOLD, Mr. KENNEDY, Mr. KERRY, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. LOTT, Mr. MCCAIN, Mr. MENENDEZ, Ms. MURKOWSKI, Mrs. MURRAY, Mr. OBAMA, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANDERS, Mr. SCHUMER, Mr. STEVENS, and Ms. STABENOW) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 197

Whereas the AmeriCorps national service program, since its inception in 1994, has proven to be a highly effective way to engage Americans in meeting a wide range of local needs and to promote the ethic of service and volunteering;

Whereas the AmeriCorps program, working closely with its nationwide network of Governor-appointed State service commissions, has strengthened America's nonprofit sector by investing more than $3,000,000,000 in the efforts of community nonprofit groups in every State in our Nation;

Whereas that investment has leveraged hundreds of millions of dollars of additional funds and in-kind donations from other sources;

Whereas each year AmeriCorps provides opportunities for 75,000 citizens across the Nation to give back in an intensive way to our districts, our States, and our country;

Whereas since 1994 a total of 500,000 citizens across the nation have taken the AmeriCorps pledge to ''get things done for America'' by becoming AmeriCorps members;

Whereas those same individuals have served a total of more than 630,000,000 hours nationwide, helping to improve the lives of our Nation's most vulnerable citizens, protect our environment, contribute to our public safety, respond to disasters, and strengthen our educational system;

Whereas AmeriCorps members last year recruited and supervised more than 1,400,000 community volunteers, demonstrating AmeriCorps's value as a powerful volunteer catalyst and force multiplier;

Whereas AmeriCorps members nationwide, in return for their service, have earned nearly $1,300,000,000 to use to further their own educational advancement at our Nation's colleges and universities;

Whereas AmeriCorps members, after their terms of service end, remain engaged in our communities as volunteers, teachers, and nonprofit professionals in disproportionately high levels; and

Whereas the inaugural National AmeriCorps Week, May 13-20, 2007, is an opportune time for the people of the United States to salute current and former AmeriCorps members for their powerful impact, thank all of AmeriCorps' community partners in our Nation who make the program possible, and bring more Americans into service: Now, therefore, be it

Resolved, That the Senate—

(1) encourages all citizens to join in a national effort to salute AmeriCorps members and alumni and raise awareness about the importance of national and community service;

(2) acknowledges the significant accomplishments of AmeriCorps members, alumni, and community partners;

(3) recognizes the important contribution to the lives of our citizens made by AmeriCorps members; and

(4) encourages citizens of all ages to consider opportunities to serve in AmeriCorps.

Ms. MIKULSKI. Mr. President, I rise to introduce the AmeriCorps Week Resolution, which designates May 13–20, 2007, as a time to salute AmeriCorps members for their work, thank community partners who make the program possible, and encourage more people to join. I want to first say thank you to all the volunteers and service workers everywhere. They take time out of their lives to help their fellow Americans in their time of need, and they do it out of the goodness of their hearts. I love AmeriCorps. I love what they do for communities, I love what they do for America.

AmeriCorps is stronger than ever. Since its creation in 1994, 500,000 people nationwide have joined the program and taken the AmeriCorps pledge to ''get things done for America.'' AmeriCorps members have served more than 630 million hours nationwide. To date, 9,310 Maryland residents have earned education awards totaling over $30 million. These awards help volunteers pay for college, graduate school, vocational training, or to pay back student loans. The NCCC program, which has a campus in Perry Point, MD, is a full-time residential program for 18- to 24-year-olds designed to strengthen communities and develop leaders through team-based service projects. Each year, approximately 1,100 participants reside in its 5 campuses nationwide. The Perry Point campus houses 200 AmeriCorps members every year, and since 1994 its residents have logged more than 400,000 service hours.

AmeriCorps is the embodiment of the spirit of volunteerism and service to our country. They tackle the toughest problems in our communities: tutoring teens, starting neighborhood crime watches, turning vacant lots into neighborhoods, and helping communities clean up and rebuild after natural disasters. AmeriCorps volunteers are unflagging, unflinching and determined to make a difference. I know how important AmeriCorps is to communities across the country and to the

young people who want to serve. We are so grateful for all the hard work that they do.

I fought to create AmeriCorps and I will continue to fight to strengthen AmeriCorps so it can continue to help local communities meet local needs. Today's Federal investment, like these fine volunteers, are needed now more than ever.

SENATE RESOLUTION 198—DESIGNATING MAY 15, 2007, AS ''NATIONAL MPS AWARENESS DAY''

Mr. GRAHAM (for himself, Mr. BROWN, Mr. CHAMBLISS, Mr. FEINGOLD, Mr. KOHL, Mrs. MURRAY, Mr. SPECTER, Mrs. DOLE, Mr. CRAPO, and Mr. STEVENS) submitted the following resolution; which was considered and agreed to:

S. RES. 198

Whereas mucopolysaccharidosis (referred to in this resolution as ''MPS'') is a genetically determined lysosomal storage disorder that renders the human body incapable of producing certain enzymes needed to break down complex carbohydrates;

Whereas complex carbohydrates are then stored in almost every cell in the body and progressively cause damage to those cells;

Whereas the cell damage adversely affects the human body by damaging the heart, respiratory system, bones, internal organs, and central nervous system;

Whereas the cellular damage caused by MPS often results in mental retardation, short stature, corneal damage, joint stiffness, loss of mobility, speech and hearing impairment, heart disease, hyperactivity, chronic respiratory problems, and, most importantly, a drastically shortened life span;

Whereas the nature of the disorder is usually not apparent at birth;

Whereas, without treatment, the life expectancy of an individual afflicted with MPS begins to decrease at a very early stage in the life of the individual;

Whereas recent research developments have resulted in the creation of limited treatments for some MPS disorders;

Whereas promising advancements in the pursuit of treatments for additional MPS disorders are underway;

Whereas, despite the creation of newly developed remedies, the blood brain barrier continues to be a significant impediment to effectively treating the brain, thereby preventing the treatment of many of the symptoms of MPS;

Whereas treatments for MPS will be greatly enhanced with continued public funding;

Whereas the quality of life for individuals afflicted with MPS, and the treatments available to them, will be enhanced through the development of early detection techniques and early intervention;

Whereas treatments and research advancements for MPS are limited by a lack of awareness about MPS disorders;

Whereas the lack of awareness about MPS disorders extends to those within the medical community;

Whereas the damage that is caused by MPS makes it a model for study of many other degenerative genetic disorders;

Whereas the development of effective therapies and a potential cure for MPS disorders can be accomplished by increased awareness, research, data collection, and information distribution;

Whereas the Senate is an institution than can raise public awareness about MPS; and

Whereas the Senate is also an institution that can assist in encouraging and facilitating increased public and private sector research for early diagnosis and treatments of MPS disorders: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 15, 2007, as ''National MPS Awareness Day''; and

(2) supports the goals and ideals of ''National MPS Awareness Day''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1092. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table.

SA 1093. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1094. Mr. KERRY (for himself, Mr. FEINGOLD, Ms. COLLINS, Mr. SANDERS, Mr. CARPER, Mr. REED, Mr. BIDEN, Mr. WHITEHOUSE, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1095. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1096. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1097. Mr. REID (for Mr. LEVIN (for himself and Mr. REID)) proposed an amendment to the bill H.R. 1495, supra.

SA 1098. Mr. REID (for Mr. FEINGOLD (for himself, Mr. REID, Mr. DODD, Mr. WHITEHOUSE, Mr. KERRY, Mr. SANDERS, and Mr. LEAHY)) proposed an amendment to amendment SA 1097 proposed by Mr. REID (for Mr. LEVIN (for himself and Mr. REID)) to the bill H.R. 1495, supra.

SA 1099. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1100. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCHUS, and Mr. ISAKSON) to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1101. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1102. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1103. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1104. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1105. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1106. Mr. LEVIN (for himself, Ms. STABENOW, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1107. Mr. LEVIN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1108. Mr. LEVIN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1109. Mr. LEVIN (for himself, Ms. STABENOW, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1110. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1111. Mrs. HUTCHISON (for herself and Mr. CORNYN) submitted an amendment intended to be proposed by her to the bill H.R. 1495, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1092. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

SEC. 5_____. COST SHARING PROVISIONS FOR THE TERRITORIES.

Section 1156 of the Water Resources Development Act of 1986 (33 U.S.C. 2310) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(a) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(b) USE OF FEDERAL FUNDS BY NON-FEDERAL INTERESTS.—A non-Federal interest may use Federal funds to provide the non-Federal share of the costs of a study or project carried out at a location referred to in subsection (a).''.

SA 1093. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

SEC. 5_____. SERVICES PROVIDED SUBSTANTIALLY PURSUANT TO CONTRACTS WITH PRIVATE SECTOR.

Section 211 of the Water Resources Development Act of 2000 (31 U.S.C. 6505 note; 114

Stat. 2592) is amended by adding at the end the following:

''(f) SERVICES PROVIDED SUBSTANTIALLY PURSUANT TO CONTRACTS WITH PRIVATE SECTOR.—

''(1) IN GENERAL.—The Corps of Engineers may provide services to a State or local government pursuant to section 6505 of title 31, United States Code, in carrying out a contract with the private sector (including necessary contract supervision and administration associated with such a contract).

''(2) NONAPPLICABILITY OF CERTAIN PROVISIONS.—Subsections (c)(2) and (d) shall not apply to the Corps of Engineers in carrying out this subsection.''.

SA 1094. Mr. KERRY (for himself, Mr. FEINGOLD, Ms. COLLINS, Mr. SANDERS, Mr. CARPER, Mr. REED, Mr. BIDEN, Mr. WHITEHOUSE, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. 2 _____. GLOBAL CLIMATE CHANGE.

(a) PLANNING CONSIDERATIONS.—To account for the potential long- and short-term effects of global climate change, the Secretary shall ensure that each feasibility study or general reevaluation report prepared by the Corps of Engineers—

(1) takes into consideration, and accounts for, the impacts of global climate change on flood, storm, and drought risks in the United States;

(2) takes into consideration, and accounts for, potential future impacts of global climate change-related weather events, such as increased hurricane activity, intensity, storm surge, sea level rise, and associated flooding;

(3) uses the best-available climate science in assessing flood and storm risks;

(4) employs, to the maximum extent practicable, nonstructural approaches and design modifications to avoid or prevent impacts to streams, wetlands, and floodplains that provide natural flood and storm buffers, improve water quality, serve as recharge areas for aquifers, reduce floods and erosion, and provide valuable plant, fish, and wildlife habitat;

(5) in projecting the benefits and costs of any water resources project that requires a benefit-cost analysis, quantifies and, to the maximum extent practicable, accounts for—

(A) the costs associated with damage or loss to wetlands, floodplains, and other natural systems (including the habitat, water quality, flood protection, and recreational values associated with the systems); and

(B) the benefits associated with protection of those systems; and

(6) takes into consideration, as applicable, the impacts of global climate change on emergency preparedness projects for ports.

(b) ADDITIONAL CONSIDERATIONS FOR FLOOD DAMAGE REDUCTION PROJECTS.—For purposes of planning and implementing flood damage reduction projects in accordance with this section and section 73 of the Water Resources Development Act of 1974 (33 U.S.C. 701b–11), the term ''nonstructural approaches and design modifications'' includes measures to manage flooding through—

(1) wetland, stream, and river restoration;

(2) avoiding development or increased development in frequently-flooded areas;

(3) adopting flood-tolerant land uses in frequently-flooded areas; or

(4) acquiring from willing sellers floodplain land for use for—

(A) flood protection uses;

(B) recreational uses;

(C) fish and wildlife uses; or

(D) other public benefits.

SA 1095. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

SEC. 3_____. ALAMOSA, COLORADO.

The project for flood damage reduction, Alamosa, Colorado, authorized by section 101(5) of the Water Resources Development Act of 1992 (106 Stat. 4802), is modified to direct the Secretary—

(1) to include, as part of the total project costs, the cost of construction activities carried out by the non-Federal interest to provide additional erosion protection to the levees; and

(2) to reimburse the appropriate local interests for the Federal share of the cost of those activities.

SA 1096. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title IV, insert the following:

SEC. 4_____. MOHAWK RIVER, ONEIDA COUNTY, NEW YORK.

(a) IN GENERAL.—The Secretary shall conduct a watershed study of the Mohawk River watershed, Oneida County, New York, with a particular emphasis on improving water quality and the environment.

(b) RECOMMENDATIONS.—In conducting the study under subsection (a), the Secretary shall take into consideration impacts on the Sauquoit Creek Watershed and the economy.

SA 1097. Mr. REID (for Mr. LEVIN (for himself and Mr. REID)) proposed an amendment to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

SEC. 1. MILITARY READINESS—MISSION CAPABLE UNITS.

(a) Congress finds that it is Defense Department policy that units should not be deployed for combat unless they are rated ''fully mission capable''.

(b) None of the funds appropriated or otherwise made available in this or any other Act may be used to deploy any unit of the Armed Forces to Iraq unless the chief of the military department concerned has certified in writing to the Committees on Appropriations and the Committees on Armed Services at least 15 days in advance of the deployment that the unit is fully mission capable.

(c) For purposes of subsection (b), the term ''fully mission capable'' means capable of performing assigned mission essential tasks to prescribed standards under the conditions expected in the theater of operations, consistent with the guidelines set forth in the Department of Defense readiness reporting system.

(d) The President may waive the limitation prescribed in subsection (b) on a unit-by-unit basis by certifying in writing to the Committees on Appropriations and the Committees on Armed Services that he has authorized the deployment to Iraq of a unit that is not assessed fully mission capable and by submitting along with the certification a report in classified and unclassified form detailing the particular reason or reasons why the unit's deployment is necessary despite the chief of the military department's assessment that the unit is not fully mission capable,

SEC. 2. MILITARY READINESS—DURATION OF TOURS OF DUTY IN IRAQ.

(a) Congress finds that it is Defense Department policy that Army, Army Reserve, and National Guard units should not be deployed for combat beyond 365 days or that Marine Corps and Marine Corps Reserve units should not be deployed for combat beyond 210 days.

(b) None of the funds appropriated or otherwise made available in this or any other Act may be obligated or expended to initiate the development of, continue the development of, or execute any order that has the effect of extending the deployment for Operation Iraqi Freedom of—

(1) any unit of the Army, Army Reserve or Army National Guard beyond 365 days; or

(2) any unit of the Marine Corps or Marine Corps Reserve beyond 210 days.

(c) The President may waive the limitations prescribed in subsection (b) on a unit-by-unit basis by certifying in writing to the Committees on Appropriations and the Committees on Armed Services that he has authorized the extension of a unit's deployment in Iraq beyond the periods specified in subsection (b) and by submitting along with the certification a report in classified and unclassified form detailing the particular reason or reasons why the unit's extended deployment is necessary.

SEC. 3. MILITARY READINESS—MULTIPLE DEPLOYMENTS.

(a) Congress finds that it is Defense Department policy that Army, Army Reserve, and National Guard units should not be redeployed for combat if the unit has been deployed within the previous 365 consecutive days or that Marine Corps and Marine Corps Reserve units should not be redeployed for combat if the unit has been deployed within the previous 210 days.

(b) None of the funds appropriated or otherwise made available in this or any other Act may be obligated or expended to initiate the development of, continue the development of, or execute any order that has the effect of deploying for Operation Iraqi Freedom of—

(1) any unit of the Army, Army Reserve or Army National Guard if such unit has been deployed within the previous 365 consecutive days; or

(2) any unit of the Marine Corps or Marine Corps Reserve if such unit has been deployed within the previous 210 consecutive days.

(c) The President may waive the limitations prescribed in subsection (b) on a unit-

by-unit basis by certifying in writing to the Committees on Appropriations and the Committees on Armed Services that he has authorized the redeployment of a unit to Iraq in advance of the periods specified in subsection (b) and by submitting along with the certification a report in classified and unclassified form detailing the particular reason or reasons why the unit's deployment is necessary.

SEC. 4. BENCHMARKS.

(a) Beginning on July 15, 2007, and every 30 days thereafter, the Secretary of Defense and the Secretary of State, after consultation with the U.S. Ambassador to Iraq, Commander U.S. Central Command, and Commander, Multi-National Forces Iraq, shall jointly submit to Congress a report describing and assessing in detail the progress made by the Government of Iraq in meeting each of the benchmarks set forth in subsection (1), the security objectives set forth in the President's revised strategy of January 10, 2007, and answering the questions posed in subsections (2) and (3).

(1) whether the Government of Iraq has:

(I) enacted a broadly accepted hydro-carbon law that equitably shares oil revenues among all Iraqis;

(ii) adopted legislation necessary for the conduct of provincial and local elections including setting a schedule to conduct provincial and local elections;

(iii) reformed current laws governing the de-Baathification process to allow for more equitable treatment of individuals affected by such laws;

(iv) amended the Constitution of Iraq consistent with the principles contained in Article 140 of such constitution, including, at a minimum, the submission of such amendments to the Iraqi Parliament for the protection of minority rights; and

(v) allocated and expended $10,000,000,000 in Iraqi revenues for reconstruction projects, including delivery of essential services, on an equitable basis.

(2) whether the Government of Iraq and United States Armed Forces has made substantial progress in reducing the level of sectarian violence in Iraq; and

(3) whether each battalion of the security forces of Iraq has achieved a level of combat proficiency such that it can conduct independent combat operations without support from Coalition forces in Iraq.

(b) Notwithstanding any other provision of law, 75 percent of the funds appropriated by this Act or any other act for assistance for Iraq under the headings ''Economic Support Fund'' and ''International Narcotics and Law Enforcement'' shall be withheld from obligation until the President certifies to the Committees on Appropriations, Armed Services and Foreign Relations of the Senate and the Committees on Appropriations, Armed Services and Foreign Affairs of the House of Representatives that the Government of Iraq is making substantial progress towards meeting each of the benchmarks set forth in subsection (a)(1).

(c) The requirement to withhold funds from obligation pursuant to subsection (b) shall not apply with respect to funds made available under the heading ''Economic Support Fund'' for continued support for the Community Action Program and the Community Stabilization Program in Iraq administered by the United States Agency for International Development, or for programs and activities to promote democracy and human rights in Iraq.

SEC. 5 REDUCTION OF FORCES.

(a) Subject to the waiver authority provided for in subsection (e), the Secretary of Defense shall commence the reduction of the number of United States Armed Forces in Iraq not later than October 1, 2007, with a goal of completing such reduction within 180 days. The goal of completing such reduction shall be accelerated if the President is unable to report that the Government of Iraq is making substantial progress towards meeting each of the benchmarks set forth in subsection (a)(1) of Section 4 by October 15, 2007.

(b) Notwithstanding any other provision of law, funds appropriated or otherwise made available in this or any other Act are available for obligation and expenditure to plan and execute a safe and orderly reduction of the Armed Forces in Iraq.

(c) The reduction of forces required by this section shall be implemented as part of a comprehensive diplomatic, political, and economic strategy that includes sustained engagement with Iraq's neighbors and the international community for the purpose of working collectively to bring stability to Iraq.

(d) After the conclusion of the reduction required by this section, the Secretary of Defense may not deploy or maintain members of the Armed Forces in Iraq for any purpose other than the following:

(1) Protecting American diplomatic facilities and American citizens, including members of the U.S. armed forces;

(2) Serving in roles consistent with customary diplomatic positions;

(3) Engaging in targeted actions against members of al-Qaeda and allied parties and other terrorist organizations with global reach; and

(4) Training and equipping members of the Iraqi Security Forces.

(e) Waiver Authority

(1) IN GENERAL.—The President may waive the reduction of forces requirements of this section if he submits to Congress a written certification setting forth a detailed justification for the waiver, which shall include a detailed report describing the actions being taken by the United States to bring about the meeting of the benchmarks set forth in subsections (a)(1) of section ____ by the Iraqis. The certification shall be submitted in unclassified form, but may include a classified annex.

(2) DURATION.—The Waiver under paragraph (1) shall be effective for 90 days beginning on the date of the submittal of the certification under that paragraph.

(3) RENEWAL.—A waiver under paragraph (1) may be renewed if, before the—end of the expiration of the waiver under paragraph (2), the President submits to Congress before the end of the effective period of the waiver under paragraph (2) a certification meeting the requirements of this subsection. Any waiver so renewed may be further renewed as provided in this paragraph.

SA 1098. Mr. REID (for Mr. FEINGOLD (for himself, Mr. REID, Mr. DODD, Mr. WHITEHOUSE, Mr. KERRY, Mr. SANDERS, and Mr. LEAHY)) proposed an amendment to amendment SA 1097 proposed by Mr. REID (for Mr. LEVIN (for himself and Mr. REID)) to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

(a) TRANSITION OF MISSION.—The President shall promptly transition the mission of United States forces in Iraq to the limited purposes set forth in subsection (d).

(b) COMMENCEMENT OF SAFE, PHASED REDEPLOYMENT FROM IRAQ.—The President shall commence the Iraq that are not essential to the limited purposes set forth in subsection (d). Such redeployment shall begin not later than 120 days after the date of the enactment of this Act.

(c) PROHIBITION ON USE OF FUNDS.—No funds appropriated or otherwise made available under any provision of law may be obligated or expended to continue the deployment in Iraq of members of the United States Armed Forces after March 31, 2008.

(d) EXCEPTION FOR LIMITED PURPOSES.—The prohibition under subsection (c) shall not apply to the obligation or expenditure of funds for the limited purposes as follows:

(1) To conduct targeted operations, limited in duration and scope, against members of al Qaeda and other international terrorist organizations.

(2) To provide security for United States infrastructure and personnel.

(3) To train and equip Iraqi security services.

SA 1099. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike subsections (s) and (t) of section 1003 (relating to Louisiana coastal area ecosystem restoration) and insert the following:

(s) MISSISSIPPI RIVER GULF OUTLET.—

(1) DEAUTHORIZATION.—

(A) IN GENERAL.—Effective beginning on the date of submission of the plan required under subparagraph (C), the navigation channel portion of the project for navigation, Mississippi River Gulf outlet, authorized by the Act of March 29, 1956 (70 Stat. 65, chapter 112;100 Stat. 4177; 110 Stat. 3717), which extends from the Gulf of Mexico to Mile 60 at the southern bank of the Gulf Intracoastal Waterway, is not authorized.

(B) SCOPE.—Nothing in this paragraph modifies or deauthorizes the Inner Harbor navigation canal replacement project authorized by that Act.

(C) CLOSURE AND RESTORATION PLAN.—

(i) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a final report on the deauthorization of the Mississippi River Gulf outlet, as described under the heading ''INVESTIGATIONS'' under chapter 3 of title II of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 453).

(ii) INCLUSIONS.—At a minimum, the report under subparagraph (A) shall include—

(I) a comprehensive plan to deauthorize deep draft navigation on the Mississippi River Gulf outlet;

(II) a plan to physically modify the Mississippi River Gulf outlet and restore the areas affected by the navigation channel;

(III) a plan to restore natural features of the ecosystem that will reduce or prevent damage from storm surge, including through—

(aa) use of native vegetation; and

(bb) diversions of fresh water to restore the Lake Borgne ecosystem;

(IV) a plan to prevent the intrusion of saltwater into the waterway;

(V) efforts to integrate the recommendations of this report with the program authorized under subsection (a) and the analysis and design authorized by title I of the Energy and Water Develop Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2247).

(D) CONSTRUCTION.—The Secretary shall carry out a plan to close the Mississippi River Gulf outlet and restore and protect the ecosystem substantially in accordance with the plan required under subparagraph (C), if the Secretary determines that the project is cost-effective, environmentally acceptable, and technically feasible.

(t) HURRICANE AND STORM DAMAGE REDUCTION.—

(1) DEFINITION OF LOUISIANA COASTAL PROTECTION AND RESTORATION REPORT.—In this subsection, the term ''Louisiana Coastal Protection and Restoration Report'' means the analysis and design of comprehensive hurricane protection authorized by title I of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2247).

(2) CONSTRUCTION OF MOST URGENT PROJECTS.—Without preparing a feasibility report, the Secretary is authorized to construct the most urgently needed, technically developed, most protective, and environmentally acceptable projects identified in the Louisiana Coastal Protection and Restoration Report, if the projects are not otherwise authorized by this or any other Act.

(3) REPORTING OF REMAINING PROJECTS.—With respect to the projects identified in the Louisiana Coastal Protection and Restoration Report that are not described in paragraph (2), the Secretary shall—

(A) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

(i) specific project recommendations in any report developed under the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2247); and

(ii) subsequent additional specific project recommendations, if applicable—

(I) as soon as practicable; and

(II) as often as the Secretary determines to be necessary;

(B) on submission of the specific project recommendations under subparagraph (A)(i), subject to subparagraph (C)(ii), begin preparation of a feasibility study relating to the specific project; and

(C) ensure that—

(i) each specific project recommendation submitted to Congress is accompanied by a budget estimate, to be provided by the Chief of Engineers, of funding requirements for the project for each fiscal year; and

(ii) each feasibility study for a project included in a report under subparagraph (A) is completed by not later than 3 years after the date of enactment of this Act.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated carry out paragraph (2) $500,000,000.

SA 1100. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

SEC. 3_____. HOUMA NAVIGATION CANAL, LOUISIANA.

The Secretary is authorized to carry out the project for navigation, Houma Navigation Canal, Louisiana, at a total cost of $200,000,000, with and estimated Federal cost of $180,000,000 and an estimated non-Federal cost of $20,000,000, substantially in accordance with the plans, and subject to the conditions, recommended in a final report of the Chief of Engineers relating to the project if a favorable report of the Chief is completed not later than December 31, 2008.

SA 1101. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

SEC. 5_____. INNER HARBOR NAVIGATION CANAL LOCK PROJECT.

Not later than July 1, 2008, the Secretary shall—

(1) issue a final environmental impact statement relating to the Inner Harbor Navigation Canal Lock project; and

(2) develop and maintain a transportation mitigation program relating to that project in coordination with—

(A) St. Bernard Parish;

(B) Orleans Parish;

(C) the Old Arabi Neighborhood Association; and

(D) other interested parties.

SA 1102. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 57, between lines 23 and 24, insert the following:

(4) CREDIT.—The Secretary shall credit to the non-Federal share of the cost of the project under this subsection any amount otherwise eligible to be credited under section 221 of the Flood Control Act of 970 (42 U.S.C. 1962d–5b) (as amended by section 2001).

SA 1103. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 129, between lines 4 and 5, insert the following:

(f) EFFECT OF SECTION.—Nothing in this section adversely effects the generation of hydroelectric power or any ratepayer in the State of Louisiana.

SA 1104. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

SEC. 3_____. ATCHAFALAYA RIVER, BAYOUS CHENE, BOEUF, AND BLACK, LOUISIANA.

The project for navigation, Atchafalaya River, Bayous Chene, Boeuf, and Black, Louisiana, authorized by section 101 of the River and Harbor Act of 1968 (82 Stat. 731), is modified to authorize the Secretary to deepen a section of not more than 1,000 feet of the area on the Gulf Intracoastal Waterway located west of the Bayou Boeuf Lock and east of the intersection of the Atchafalaya River at a cost of not more than $200,000 during the 10-year period beginning on the date of enactment of this Act to provide for ingress and egress to the Port of Morgan City, consistent with the channel depth.

SA 1105. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

SEC. 3_____. AMITE RIVER AND TRIBUTARIES, LOUISIANA, EAST BATON ROUGE PARISH WATERSHED.

The project for flood damage reduction and recreation, Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed, authorized by section 101(a)(21) of the Water Resources Development Act of 1999 (113 Stat. 277) and modified by section 116 of division D of Public Law 108–7 (117 Stat. 140), is further modified—

(1) to direct the Secretary to carry out the project with the cost sharing for the project determined in accordance with section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a)), as in effect on October 11, 1996;

(2) to authorize the Secretary to construct the project at a total cost of $187,000,000; and

(3) to direct the Secretary to credit toward the non-Federal share of the cost of the

project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SA 1106. Mr. LEVIN (for himself, Ms. STABENOW, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

SEC. _____. CRITERIA AND DATA RELATING TO HARBOR DREDGING PROJECTS.

In budgeting and requesting appropriations for operation and maintenance of harbor dredging projects, the Secretary—

(1) shall base budgets and requests on criteria used for those projects for fiscal year 2004;

(2) shall use all available data relating to public safety and economic impacts; and

(3) shall not use a budget standard for those projects based solely on the tonnage handled by a harbor.

SA 1107. Mr. LEVIN (for himself and Ms. STABENOW), submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

SEC. 3_____. DETROIT RIVER GREENWAY, MICHIGAN.

(a) IN GENERAL.—The Secretary, in cooperation with the Detroit Riverfront Conservancy, shall design and construct the project for shore protection, environmental restoration, and recreation, Detroit River Greenway, Michigan, authorized by section 568 of the Water Resources Development Act of 1999 (113 Stat. 368), substantially in accordance with the East Riverfront Detroit RiverWalk Schematic Plan and the West Riverfront Plan prepared for the Detroit Riverfront Conservancy.

(b) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—In carrying out this section, the Secretary may enter into a cooperative agreement with the Detroit Riverfront Conservancy or any other non-Federal interest associated with the Detroit River Greenway project.

(2) NONPROFIT ORGANIZATIONS.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for purposes of paragraph (1), a non-Federal interest may include a nonprofit organization.

(c) COST SHARING.—

(1) IN GENERAL.—The Federal share of the cost of the project under this section—

(A) shall be 65 percent; and

(B) may be in the form of credits or reimbursements.

(2) LAND, EASEMENTS, AND RIGHTS-OF-WAY.—The non-Federal interest shall—

(A) provide any land, easement, right-of-way, relocation, or dredged material disposal area necessary for construction of the project under this section; and

(B) be provided a credit toward the non-Federal share of the project for the cost of any land, easement, right-of-way, relocation, or dredged material disposal area so provided.

(3) IN-KIND SERVICES.—

(A) IN GENERAL.—The non-Federal interest may provide up to 100 percent of the non-Federal share in the form of design and construction services, materials, supplies or other in-kind contributions.

(B) LIMITATION.—The non-Federal interest shall not be provided reimbursement for the cost of any in-kind services provided under subparagraph (A) in excess of the non-Federal share of the cost of the project.

(4) OPERATION, MAINTENANCE, REPAIR, REHABILITATION, AND REPLACEMENT.—The operation, maintenance, repair, rehabilitation, and replacement of the project under this section shall be a non-Federal responsibility.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 for each fiscal year to carry out this section.

SA 1108. Mr. LEVIN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

SEC. 3_____. ECORSE CREEK, WAYNE COUNTY, MICHIGAN.

(a) IN GENERAL.—The project for flood control, Ecorse Creek, Wayne County, Michigan, authorized by section 101(a)(14) of the Water Resources Development Act of 1990 (104 Stat. 4607), is modified—

(1) to direct the Secretary to prepare and submit to Congress a limited reevaluation report regarding the project that contains an analysis of planning and design activities to determine whether the flood damage reduction project recommended by Wayne County, or any element of the project, is—

(A) technically sound;

(B) economically feasible; and

(C) environmentally acceptable; and

(2) if the Secretary determines under paragraph (1) that the recommended project or any element of the project is in the interest of the United States, to authorize the Secretary to construct the project or element at a total estimated cost of $220,000,000, with an estimated Federal cost of $143,000,000 and an estimated non-Federal cost of $77,000,000.

(b) CREDIT.—The Secretary shall provide to the non-Federal interest of the project described in subsection (a) credit towards the non-Federal share of the cost of the project in an amount equal to the cost of any activity carried out under the project by the non-Federal interest before the date on which the non-Federal interest enters into a design agreement or project cooperation agreement regarding the project, if the Secretary determines that the activity is integral to the project.

SA 1109. Mr. LEVIN (for himself, Ms. STABENOW, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

SEC. 5_____. GREAT LAKES NAVIGATION.

(a) DEFINITION OF GREAT LAKES AND CONNECTING CHANNELS.—In this section, the term ''Great Lakes and connecting channels'' includes—

(1) Lakes Superior, Huron, Michigan, Erie, and Ontario;

(2) any connecting water between or among those lakes that is used for navigation;

(3) any navigation feature in those lakes or water the operation or maintenance of which is a Federal responsibility; and

(4) any area of the Saint Lawrence River that is operated or maintained by the Federal Government for navigation.

(b) NAVIGATION.—Using available funds, the Secretary shall expedite the operation and maintenance, including dredging to authorized project depths, of the navigation features of the Great Lakes and connecting channels for the purpose of supporting navigation.

SA 1110. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3003 and insert the following:

SEC. 3003. BLACK WARRIOR–TOMBIGBEE RIVERS, ALABAMA.

Section 111 of title I of division C of the Consolidated Appropriations Act, 2005 (118 Stat. 2944), is amended by striking subsections (a) and (b) and inserting the following:

''(a) CONSTRUCTION OF NEW FACILITIES.—

''(1) DEFINITIONS.—In this subsection:

''(A) EXISTING FACILITY.—The term 'existing facility' means the administrative and maintenance facility for the project for Black Warrior-Tombigbee Rivers, Alabama, in existence on the date of enactment of the Water Resources Development Act of 2007.

''(B) PARCEL.—The term 'Parcel' means the land owned by the Federal Government in the City of Tuscaloosa, Alabama, as in existence on the date of enactment of the Water Resources Development Act of 2007.

''(2) AUTHORIZATION.—In carrying out the project for Black Warrior-Tombigbee Rivers, Alabama, the Secretary is authorized—

''(A) to purchase land on which the Secretary may construct a new maintenance facility, to be located—

''(i) at a different location from the existing facility; and

''(ii) in the vicinity of the City of Tuscaloosa, Alabama;

''(B) at any time during or after the completion of, and relocation to, the new maintenance facility—

''(i) to demolish the existing facility; and

''(ii) to carry out any necessary environmental clean-up of the Parcel, all at full Federal expense; and

''(C) to construct on the Parcel a new administrative facility.

''(b) ACQUISITION AND DISPOSITION OF PROPERTY.—The Secretary—

''(1) may acquire any real property necessary for the construction of the new maintenance facility under subsection (a)(2)(A); and

''(2) shall convey to the City of Tuscaloosa fee simple title in and to any portion of the Parcel not required for construction of the new administrative facility under subsection (a)(2)(C) through—

''(A) sale at fair market value;

''(B) exchange of other Federal land on an acre-for-acre basis; or

''(C) another form of transfer.''.

SA 1111. Mrs. HUTCHISON (for herself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 1001, insert the following after paragraph (41):

(42) SABINE-NECHES WATERWAY, TEXAS.—

(A) IN GENERAL.—The project for navigation and other related purposes, Sabine-Neches Waterway, Texas, provided a favorable Report is issued by the Chief of Engineers, at a total cost of $900,000,000, with an estimated Federal cost of $675,000,000 and estimated non-Federal cost of $225,000,000.

(B) PROVISION OF NON-FEDERAL SHARE.—The non-Federal share of the cost of the project under this paragraph may be provided in the form of services, materials, supplies, or other in-kind contributions.

(C) NAVIGATIONAL SERVITUDE.—In carrying out construction and maintenance of the project under this paragraph, the Secretary shall fully enforce and enjoy the rights of the Secretary under Federal navigational servitude in the Sabine-Neches Waterway, including, at the sole expense of the owner of the facility, the removal or relocation of any facility obstructing the project.

NOTICE OF HEARING

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. FEINSTEIN. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, June 13, 2007, at 10 a.m. to conduct a hearing on Nominations to the Federal Election Commission.

For further information regarding this hearing, please contact Howard Gantman at the Rules and Administration Committee, 224–6352.

COMPREHENSIVE IMMIGRATION REFORM ACT OF 2007—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. I move to proceed to calendar No. 144, S. 1348 and 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 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, hereby move to bring to a close debate on the motion to proceed to Calendar No. 144, S. 1348, Comprehensive Immigration Reform.

Barbara Boxer, Harry Reid, Patrick Leahy, Carl Levin, Jack Reed, Dick Durbin, Daniel K. Inouye, B.A. Mikulski, Robert Menendez, Amy Klobuchar, Daniel K. Akaka, Maria Cantwell, Jeff Bingaman, Ken Salazar, Dianne Feinstein, Christopher Dodd, Edward Kennedy.

Mr. REID. Madam President, I ask unanimous consent that the vote on the cloture motion occur on Wednesday, May 16, at a time determined by the majority leader, following consultation with the Republican leader, and that the mandatory quorum required under rule XXII be waived, and I now withdraw the motion to proceed.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL NURSES WEEK

Mr. REID. Madam President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 192.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 192) recognizing National Nurses Week on May 6 through May 12, 2007.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table, and any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 192) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 192

Whereas, since 2003, National Nurses Week is celebrated annually from May 6, also known as National Nurses Day, through May 12, the birthday of Florence Nightingale, the founder of modern nursing;

Whereas National Nurses Week is the time each year when nurses are recognized for the critical role they play in providing safe, high quality, and preventative health care;

Whereas nurses are the cornerstone of the Nation's complex health care system, representing the largest single component of the health care profession, with an estimated 2,900,000 registered nurses in the United States;

Whereas, according to a study published in the New England Journal of Medicine in May 2002, a higher proportion of nursing care provided by registered nurses and a greater number of hours of care by registered nurses per day are associated with better outcomes for hospitalized patients;

Whereas nurses are experienced researchers and their work encompasses a wide scope of scientific inquiry including clinical research, health systems and outcomes research, and nursing education research;

Whereas nurses are currently serving the Nation admirably in the conflicts in Iraq and Afghanistan;

Whereas nurses help inform and educate the public to improve the practice of all nurses and, more importantly, the health and safety of the patients they care for;

Whereas our Nation continues to face a nursing shortage unprecedented in its depth and duration, with a projected 1,200,000 new and replacement nurses needed by 2014;

Whereas the nationwide nursing shortage has caused dedicated nurses to work longer hours and care for more acutely ill patients;

Whereas nurses are strong allies to Congress as they help inform, educate, and work closely with legislators to improve the education, retention, recruitment, and practice of all nurses and, more importantly, the health and safety of the patients they care for; and

Whereas nurses are an integral part of the health care delivery team and provide quality care, support, and education to patients and their families, conduct essential research, and serve as strong patient advocates: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the significant contributions of nurses to the health care system of the United States;

(2) supports the goals and ideals of National Nurses Week, as founded by the American Nurses Association; and

(3) encourages the people of the United States to observe National Nurses Week with appropriate recognition, ceremonies, activities, and programs to demonstrate the importance of nurses to the everyday lives of patients.

NATIONAL MPS AWARENESS DAY

Mr. REID. I ask unanimous consent the Senate now proceed to S. Res. 198.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 198) designating May 15, 2007, as ''National MPS Awareness Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 198) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 198

Whereas mucopolysaccharidosis (referred to in this resolution as ''MPS'') is a genetically determined lysosomal storage disorder that renders the human body incapable of producing certain enzymes needed to break down complex carbohydrates;

Whereas complex carbohydrates are then stored in almost every cell in the body and progressively cause damage to those cells;

Whereas the cell damage adversely affects the human body by damaging the heart, respiratory system, bones, internal organs, and central nervous system;

Whereas the cellular damage caused by MPS often results in mental retardation, short stature, corneal damage, joint stiffness, loss of mobility, speech and hearing impairment, heart disease, hyperactivity, chronic respiratory problems, and, most importantly, a drastically shortened life span;

Whereas the nature of the disorder is usually not apparent at birth;

Whereas, without treatment, the life expectancy of an individual afflicted with MPS begins to decrease at a very early stage in the life of the individual;

Whereas recent research developments have resulted in the creation of limited treatments for some MPS disorders;

Whereas promising advancements in the pursuit of treatments for additional MPS disorders are underway;

Whereas, despite the creation of newly developed remedies, the blood brain barrier continues to be a significant impediment to effectively treating the brain, thereby preventing the treatment of many of the symptoms of MPS;

Whereas treatments for MPS will be greatly enhanced with continued public funding;

Whereas the quality of life for individuals afflicted with MPS, and the treatments available to them, will be enhanced through the development of early detection techniques and early intervention;

Whereas treatments and research advancements for MPS are limited by a lack of awareness about MPS disorders;

Whereas the lack of awareness about MPS disorders extends to those within the medical community;

Whereas the damage that is caused by MPS makes it a model for study of many other degenerative genetic disorders;

Whereas the development of effective therapies and a potential cure for MPS disorders can be accomplished by increased awareness, research, data collection, and information distribution;

Whereas the Senate is an institution than can raise public awareness about MPS; and

Whereas the Senate is also an institution that can assist in encouraging and facilitating increased public and private sector research for early diagnosis and treatments of MPS disorders: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 15, 2007, as ''National MPS Awareness Day''; and

(2) supports the goals and ideals of ''National MPS Awareness Day''.

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

Mr. REID. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate proceed to H. Con. Res. 71.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A 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.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Madam President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 71) was agreed to.

The preamble was agreed to.

ORDERS FOR TUESDAY, MAY 15, 2007

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Tuesday, May 15; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders 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 majority controlling the first half and the Republicans controlling the final portion; that at the close of morning business, the Senate resume consideration of H.R. 1495, as provided for under a previous order; that on Tuesday, the Senate stand in recess from 12:30 to 2:15 p.m. in order to accommodate the respective party conference meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Madam President, we have so much to do the next 2 weeks. As indicated with what is going on here today, we have to do our very best to complete WRDA. We have the most important supplemental to take care of the funding of the operations in Iraq and other things. Senator MCCONNELL and I have spoken today about how to get from here to there. We do not have that totally resolved yet, but we have moved the ball down the road. We also have a budget conference to complete. That has not been done yet. And we have immigration.

So, Madam President, I want this to be the first notice—and we have done very well. We have not had to work many Fridays; certainly in the afternoons we have not had to. We have had a number of free Mondays, and we have had only one Saturday we have worked all year. But everyone should be on notice the next two weekends and the next few days and certainly next week, including Monday, people should understand—and people, if they have arrangements they have made, if they have things to do for which they cannot be here until later Monday, change that because we have to have votes—unless something comes up we do not understand—Monday morning. We have too much to do. We must complete the items I have talked about before we leave for our Memorial Day recess or we will have to delay that recess.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate today, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 5:30 p.m., adjourned until Tuesday, May 15, 2007, at 10 a.m.