United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, TUESDAY, SEPTEMBER 4, 2007 No. 129

Senate

The Senate met at 12:01 p.m., and was called to order by the Honorable ROBERT P. CASEY, Jr., a Senator from the State of Pennsylvania.

PRAYER

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

Let us pray.

O God of us all, who is above all, yet in us all, make us ever sensitive to all the expressions of Your grace. Thank You for the glory of a sunrise and sunset, for the refreshment of the breezes that invigorate, and for the technicolor in trees, shrubs, sky, and sea. May the challenges of our times never blind us to life's wonders.

As we reconvene after our August recess, prepare our lawmakers for today's journey. May they strive to stay within the circle of Your will, as You guide their steps. Help them to be ready to solve problems, receiving inspiration from the creative power of Your love. Let business be done on Capitol Hill that will address itself to the real issues and not to games. May the work of our Senators become an expression of Your truth, righteousness, and justice.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROBERT P. CASEY, Jr., 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 assistant clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 4, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROBERT P. CASEY, Jr., a Senator from the State of Pennsylvania, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CASEY thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that the period for morning business extend for 60 minutes, equally divided and controlled between the two leaders or their designees, with Senators permitted to speak during that period of time, with the majority controlling the first 30 minutes and the majority time being equally divided between Senators BROWN and BAUCUS, and that the Republicans control the final 30 minutes; that the Senate proceed then to the Military Construction appropriations bill; further, that with respect to the debate time on the Nussle nomination, the time for the Chair and ranking member be equally divided and controlled between the chairs and ranking members of the Budget and Homeland Security Committees, with Senator SANDERS retaining the hour previously provided him, with all other provisions of the previous order governing the Nussle nomination remaining in effect.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that a speech I am going to give not be counted against leader time. That will give the morning business the full hour requested.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Mr. President, under the order that was entered, the Senate will conduct a period for morning business for 60 minutes, with the time controlled between the two sides as I read. Following this period for morning business, the Senate will proceed to the Military Construction and VA appropriations bill. This is a very critical, important message for our military and for our veterans. I hope we can consider this bill in a very expeditious manner.

At approximately 2:30 this afternoon, the Senate will proceed to executive session and consider the Nussle nomination for a period of 3 hours. The chairs and ranking members of the Budget and Homeland Security Committees will each be recognized as indicated in the matter I just read before the Senate. There will be 30 minutes, as indicated, on each side, with Senator SANDERS controlling 1 hour. A vote on the nomination is expected to occur about 5:30 this afternoon.

I spoke with the distinguished Republican leader this morning and indicated what we were going to accomplish before we leave for the Jewish holiday, which is 1 week from this Wednesday—1 week from tomorrow.

We are going to take up and complete the Nussle nomination this afternoon. Prior to that being completed, Senators JACK REED and KAY BAILEY HUTCHISON, who are the managers of the appropriations bill that will come

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

Printed on recycled paper.

before the Senate, will manage that bill. It is an extremely important piece of legislation. We are going to do our very best to complete that bill and then move to Foreign Operations. I don't know how anyone can object to the foreign operations matter because it is hundreds of millions of dollars under what the President requested. It is something that is extremely important. The President feels very strongly about this legislation, and we should move forward on it.

Following that legislation, we are going to move to the reconciliation matter which deals with education. I told my friend, the senior Senator from Kentucky, that we may have to work this weekend, or part of this weekend, the reason being, as I mentioned, we have two appropriations bills, and they should move quickly. We have a statutory time on the reconciliation matter dealing with education.

Next week, everyone should understand we are going to have votes Monday morning—Monday morning. It is a very short week, and we are going to take up next week the Transportation appropriations bill. In light of all the attention focused on the deteriorating infrastructure of this country, that is a very important piece of legislation, and we need to complete it.

The Jewish holiday starts sundown on Wednesday. It was originally my intent to work until sundown on Wednesday, but a number of my Jewish colleagues indicated they have to travel. Especially Senator LIEBERMAN needs to be in Connecticut prior to sundown. So we are going to complete our voting on Wednesday by 1 o'clock. We will work past that time on matters perhaps, if we can complete the Transportation appropriations bill by that time, but we are going to stop voting around 1 o'clock on Wednesday.

Then, of course, we have other business to do. After that, we have to move to the matter dealing with Iraq. We have Defense authorization. I have spoken with my friend, the Republican leader, about different ways we could set up moving forward on that legislation. We don't have anything determined yet, but we are trying to do that. My wish and my desire is to move forward and have a number of votes set up so there are 50-vote margins. We will not ask for that now. I will give the distinguished Republican leader adequate time so we can have a UC dealing with that matter.

I will, during the course of the speech I am going to give today in a few minutes, Mr. President, ask unanimous consent that we can go to conference on SCHIP. I hope we can do that. I have again spoken with the Republican leader about that matter.

Before I get into my remarks, I ask through the Chair if my friend has anything he needs to know or maybe questions I can answer regarding the schedule.

The ACTING PRESIDENT pro tempore. The minority leader.

Mr. MCCONNELL. Mr. President, I appreciate the majority leader's call this morning. He basically covered the items he has gone over. We will be cooperating, to the maximum extent possible, to move forward with the work in the Senate. I, such as he, will have an opening statement as we begin this session shortly after the majority leader completes his statement.

TRIBUTE TO SENATOR JOHN WARNER

Mr. REID. Mr. President, I begin my remarks on this fall calendar in a position of wanting to get a lot of business done. But first I wish to make a few remarks about two of our most distinguished colleagues, Senator WARNER of Virginia and Senator KENNEDY of Massachusetts.

A few days ago, Senator WARNER announced he will not seek reelection when his term ends, which is in 2008. JOHN WARNER's career in public service began when he was 17 years of age when he enlisted in the U.S. Navy during World War II. He did not have to enlist. His father was a distinguished physician in Virginia. He did it because it was the right thing to do.

After an honorable discharge, he, again feeling the call of duty, interrupted his law school studies to join the Marine Corps during the Korean war. Keep in mind, both times, when he joined the Navy and then the Marines, we were at war. During the Korean war, he rose to the rank of captain.

JOHN WARNER is a patriot. If you look up ''patriot'' and ''patriotism'' in the dictionary, it says one who loves his country and supports its interests. That is JOHN WARNER by definition.

When JOHN WARNER returned home after the Korean war, he was appointed Under Secretary of the Navy and later became Secretary of the Navy before beginning his five terms in the Senate.

His work on the Armed Services Committee is certainly legend. His ability to work with Senator LEVIN has been something I have watched and admired and many times complimented both of them for—their ability to work together, many times on issues that were very difficult to work together on. They always worked together, always looked out for each other.

In addition to the work he did on the Armed Services Committee, I watched firsthand his brilliant work on the Intelligence Committee but very firsthand his work on the Environment and Public Works Committee. From the time I came to the Senate, I worked with JOHN WARNER on that committee. I was chairman of that committee on two separate occasions. During the period of time I worked with Senator WARNER, I was in the majority, and other times he was in the majority. To JOHN WARNER, it didn't matter.

I can remember the first big Transportation bill we did. We did one every 5 years. What a great example he set for everybody as one of the senior members of that committee. He worked with conservatives, he worked with liberals, he worked with Democrats, and he worked with Republicans.

To show his ability to do the right thing, one needs look no further than his own State of Virginia. There was a hotly contested race for the Senate for the State of Virginia. JOHN WARNER supported the Democratic candidate rather than the Republican candidate. That is the kind of person he is.

I have such great admiration for JOHN WARNER. He is, in my opinion, what a public servant should be. He is a gentleman and has served the people of Virginia and our Nation with distinction for 30 years or more. Senator WARNER's impact on this institution will not be forgotten. I will sorely miss his warmth and friendship. My wife Landra and his wife Jeanne are friends. They have been working together. Every year the Senate spouses have a First Lady's luncheon. Two years ago, my wife was chairperson of that. Last year, she was. They are good friends and we will miss them a lot. They are a wonderful couple. I have to say JOHN WARNER is top of the line. I have so much admiration for him.

SENATOR KENNEDY'S 15,000TH VOTE

Mr. REID. I also want to say a few words about another one of the Senate's most distinguished and legendary Senators, and that is TED KENNEDY. The last day of our session was extremely frantic. We were trying to do certain things. Well, we had a lot we were trying to get finished, not the least of which was the domestic spying measure, which was so intense. So we had a lot of votes during that week, and that day we had votes, but in the rush to close the session a milestone occurred that went unremarked and it should not have. But that is the way things are here in the Senate sometimes. Senator KENNEDY cast his 15,000th vote—15,000 votes. He cast his 15,000th rollcall vote the day we adjourned for summer vacation.

There is very little I can say to fully honor Senator KENNEDY for his 45 years of Senate service. He has been someone whom I have followed so very long. And to think that I have the opportunity to serve with one of the Kennedys is very important to me. My office, right across the hall here, has a letter I received in 1961. Senator KENNEDY had not been inaugurated as yet, but he had been elected and he was working from where we have our Tuesday luncheons, the LBJ Room. That was his office before he became President. He sent me a letter. I was at Utah State University and I formed the first Young Democrats Club in the history of the State. It might not sound like much, but to me it was important at the time and President Kennedy recognized that by writing me a letter.

I am so grateful for the service of the Kennedys and what they have done for

our country. We have had two of Senator KENNEDY's brothers who have been assassinated. He had a brother who was killed during World War II. So Senator KENNEDY deserves more attention than I have given him here today, but I have so much admiration and respect for him for what he has done for me.

He has this great public persona, but for those of us who work with him, he is a man with a lot of humility. He is always willing to step back into the shadows and let others get the attention. His record of speaking for civil rights, education, working people, senior citizens, and people with disabilities is unparalleled. And as to his ability to work together, no one can testify to that more than the current President Bush in the White House. The legislation President Bush has been fortunate enough to pass has been landmark legislation with which Senator KENNEDY has helped him. So I value Senator KENNEDY's wisdom and leadership and, most of all, his friendship, and certainly recognize and congratulate him on his 15,000th rollcall vote.

PAST AND PRESENT CHALLENGES AND ACCOMPLISHMENTS

Mr. REID. Mr. President, August was a time for us to leave Washington for a while, spend time listening to and reconnecting with our friends, neighbors, and constituents back home. Someone this morning on the telephone asked me what I remember most about the August recess, and I said I think it is best represented in an extended conversation I had with someone on the telephone at my home in Searchlight. You can look out my windows and see for miles. There is a range of mountains called Timber Mountains. They do not match the Rockies or the Sierras, but to me they are important. During the summertime, there are storms there all the time. They do not last very long, but they are beautiful to see. I was telling my friend that is what I remember most, talking on the telephone and trying to explain to my friend what I saw out there. We call them cloudbursts. It rains so hard you can't see the mountains, and the lightning is coming frequently. It is beautiful to watch. It is what nature is all about, and that is what I remember most about my trip home this August.

But it certainly was a chance for me, and for all of us, to ignore the pundits and hear from the people of the State we represent. I traveled this past month to many places in Nevada, and the message I heard was very clear: Nevadans want us to do something about the high cost of energy and start reversing the damage that nonrenewable fuels are causing our environment. They want us to help them find affordable health care solutions so low-income kids can get regular checkups, so senior citizens can pay for their medicine, and everyone, rich or poor, can afford health insurance. We are pushing 50 million people with no health insurance. They want us to fight the skyrocketing cost of a college education.

Above all, Nevadans want us to finally bring the war in Iraq to a responsible end. They want us to take our brave troops out of another country's intractable civil war so we can rebuild and refocus our military on the grave and growing challenges we face throughout the world. These concerns are, of course, not unique to Nevada. I know my colleagues are hearing the same warnings in every corner of our country, the same concerns I have heard and more. I want to share with my friends in Nevada and all Americans that we hear you. We share your concerns and your sense of urgency, and we are working every day to reach these goals.

When this new Congress began in January, we knew the challenges ahead of us, but the expectations were even greater than the challenges. We started the year with an ambitious agenda for introducing 10 bills on the first day. Now, as we begin our busy fall calendar, we have made progress on almost every one of those. Coming into the previous work period, we have already sent to the President the first raise in the Federal minimum wage in more than 10 years; the recommendations of the 9/11 Commission, after having been pushed aside for years; the toughest ethics and lobbying reform in history, which today is on its way to the President. We passed a bill to give the hope of stem cell research to millions of Americans who suffer, and we will soon attempt once again to override the President's veto. We believe we are only one vote short of being able to override that veto.

We passed disaster relief for the gulf coast, western wildfires, and farmers who have suffered drought and other disasters. We provided funds for our troops and National Guard with the equipment they need, for example, the Mine Resistant Combat Vehicles, to do their jobs more safely. We passed a bill to finally hold the administration accountable on Iraq with real benchmarks for progress.

We have been able to do a number of important things dealing with Iraq, even with Senator JOHNSON ill. We were sometimes in a minority. One of our colleagues, who is one of the most loyal Democrats we have and have ever had, our nominee for Vice President, the distinguished Senator from Connecticut, Senator LIEBERMAN, votes with the President on the Iraq matters most every time, even though he votes with us on everything else. We were many times in the hole 49 to 50. So what we were able to do was certainly very good. I applaud the few Republicans who helped us. We were able to pass a bill to send to the President that he had to veto.

We also passed a balanced budget which restores fiscal discipline and cuts taxes for working people. Of course, we wish we could have done more in Iraq, but we did the best we could, with a pay raise and better health care for our troops, who are being asked to shoulder a larger burden than ever before.

This past work period we added to that list other accomplishments: passing the Energy bill, which included, among other things, raising CAFE standards, fuel efficiency, for the first time in 25 years. We haven't sent that to the President yet because we need to work out our differences with the House.

We reauthorized the Higher Education Act to give Americans the largest expansion of student financial aid since the GI bill. As I indicated in my opening statement, we are going to finish that this week and send it on to the House.

Beginning debate on the Defense authorization bill on September 17, we will make critical investments to address troop readiness problems in the military caused by what we believe is mismanagement of our Armed Forces.

These legislative accomplishments will make a real difference for working families, students, senior citizens, and those who protect us at home and abroad. Our progress makes one thing clear: when you put partisanship aside, we can do great things for the American people. But when partisanship divides us, our work suffers.

For all our success so far this year, we have done more than people ever expected. Now, we could have done a lot more than that, but Republicans have sought to block our progress, it seems sometimes at all costs. We could have reduced the cost of prescription drugs, but Republicans filibustered that. We could have passed comprehensive immigration reform, but we only got 12 Republican votes. We could have ensured our troops received sufficient rest and time home between deployments—that was the Webb amendment—but once again we were blocked by most of the Republicans.

The minority has forced 42 cloture votes already this year, many on legislation that wasn't even controversial. I hope the delay and stalling is in the past, and that the minority has proven they can make us go to cloture but it hasn't accomplished anything. I hope we can move forward in a less burdensome manner.

Our progress has been in spite of those efforts. When we have worked together across the aisle, the record speaks for itself. We know it can be done because we have done it already. Today, I reach out to my Republican colleagues on every piece of legislation. I hope and expect the minority will reciprocate so we can move beyond hyperpartisanship and obstruction to keep making the kind of progress the American people deserve. We must do this because the issues we now confront deserve nothing less.

The Senate Appropriations Committee has reported 11 of the 12 annual appropriations bills. We plan to devote

considerable time this work period to these bills. I have indicated we are going to do three before we take our break for the Jewish holidays. We have already done Homeland Security appropriations. If we do that, we would wind up doing a third of all the bills we need to do, which is progress.

So in the next 2 weeks, it is my hope we can complete the bills I have talked about. Each of these bills was reported out of the committee unanimously, or nearly unanimously, and I hope bipartisan cooperation continues on the floor.

We must move forward on a number of other issues. The Children's Health Insurance Program is a bill that received wide bipartisan support in the Senate. I hope we can complete that. It is important that we do that. I know just a few people can cause a lot of trouble here. Both the distinguished Republican leader and I realize that.

UNANIMOUS CONSENT REQUEST—H.R. 976

Mr. President, I ask unanimous consent that when the Senate receives a message from the House on H.R. 976, the CHIP legislation, the Senate disagree to the House amendment, if appropriate, and insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint conferees on the part of the Senate.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MCCONNELL. Reserving the right to object.

The ACTING PRESIDENT pro tempore. The minority leader.

Mr. MCCONNELL. Mr. President, the message has not yet been received; therefore, the request is a little premature. We would need to consult with our colleagues on this when they receive the request from the House; therefore, for the time being, I would object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. REID. Mr. President, above all, every day we must continue to fight for a sensible, responsible path out of Iraq in order to restore America's national security. Later this month, President Bush will issue a report on the state of the war that Congress required of him. We hope he will use this report as an opportunity to finally do the right thing and begin to change the core U.S. mission and begin reducing U.S. forces in Iraq. We will receive this report with an open mind. We will consider the White House findings carefully and thoughtfully, but we must remember the President's report comes after more than 4 years of war, with almost 3,800 dead American soldiers, sailors, marines, and airmen, tens of thousands more injured, and American taxpayers having to foot a bill of more than half a trillion dollars.

President Bush will send General Petraeus to Capitol Hill to testify. There is not one Member of this body who does not respect General Petraeus. He is a good man and a good soldier. But Senator BIDEN said over the weekend that there are not 12 Senators out of 100 who support the war as it is now being conducted—not 12. He said that over and over again. I agree with Senator BIDEN.

But the President cannot hide behind the generals. This is George Bush's war. He is responsible for the mistakes and missteps that leave our troops mired in a civil war with no end in sight.

The mission has not been accomplished. When he said ''Bring 'em on,'' that was the wrong thing to say. According to the President when he set forth his escalation policy, the purpose of the troop increase was to give the Iraqis space and safety to forge political progress—to build a sustainable government and provide for their own security.

None of this has happened. Take, for example, the LA Times today, the headline: ''Troop Buildup Fails to Reconcile Iraq,'' or today's GAO report, which tells us the President's strategy has failed to achieve 15 of 18 key benchmarks. Sectarian strife is deepening and violence shifting. Last month was the deadliest for the Iraqi people in the history of the war. Contrary to the assertions of the President, Iraq's leaders have not honored the sacrifices of our troops by taking meaningful steps toward building a country that can stand on its own. That is not our troops' fault, nor is it a problem our troops can solve. It is an Iraqi political problem, not a U.S. military problem. We cannot continue to sacrifice American lives, deplete our Treasury, and weaken our national security in pursuit of a goal that the Iraqi people themselves show no interest in achieving.

Meanwhile, al-Qaida is resurgent, and we all know Osama bin Laden remains at large. There are countless stories that highlight the human toll this war has taken. Let's look to Nevada for one.

As I was flying back, I was stunned by reading in the Las Vegas Sun newspaper a heartbreaking story of Army PFC Travis Virgadamo, 19 years old, in his second tour of duty in Iraq. He loved his country. He loved serving in the military. That is what he always wanted to do. Yet after months of serving in Iraq, as he described it, ''being ordered into houses without knowing what was behind strangers' doors, walking along on roadsides fearing the next step could trigger lethal explosives''—those were his words—he left. He tried to get help. He came back, told his parents he did not want to go back. He told his military superiors he didn't want to go back. He was given medicine. The newspaper reported it was Prozac. As I said, he sought therapy, mental health care while overseas, but last week the military informed his family he committed suicide. He was 19 years old.

Last year, the Veterans Affairs Department reported that more than 56,000 veterans of Iraq have been diagnosed with mental illness. We have heard countless examples of our troops receiving inadequate mental health care, and in many cases being sent back into battle, like this young man, PFC Travis Virgadamo.

My heart goes out to his family. They are quoted in the paper, as to what he said when he was trying to stay here and not go back. They have suffered so much. We owe them a change of course.

Many of my Republican friends have long held September is the month for a policy change in Iraq. Those who opposed our early efforts asked for time and patience to let the war continue. The calendar has not changed. It is September. We have reached this goal. It is time to make a decision. We can't continue the way we are. We cannot afford it militarily and financially.

We will soon hear, as I have indicated, from the President and his generals what we know already, political progress has failed. Now it is time for our Republican colleagues—I so admire and appreciate those who have joined us in the past. For example, on the Webb amendment we got 57 votes. With Senator JOHNSON coming back we need two more Republican votes to do the right thing: When you go to Iraq for 15 months, you stay home for 15 months. That is what WEBB did. That is why we picked up Republican votes. We need two more Republican votes.

It is time for our Republican colleagues to join with us, to stand for our troops and the American people to responsibly end this war; to do things that will change it.

I began with words of tribute for two of our most distinguished colleagues, Senators WARNER and KENNEDY, one Democrat, one Republican, both firmly committed to progress, progress for our country. They recognize and they have shown it can only be accomplished by bipartisanship. All of us appreciate the Herculean efforts of Senator KENNEDY, working with Democrats and Republicans alike on immigration, Leave No Child Behind, and Medicare. The work that Senator WARNER has done for years, especially on the Defense authorization bill, on a bipartizan basis—I appreciate it; many of us do. The country appreciates it. The people of Virginia appreciate Senator WARNER's courage to stand up to the President of his own party and reach across the aisle to reach a responsible end to this war. As we tackle the challenges ahead, the outstanding work of these two great Senators ought to be our compass.

I am confident and hopeful all 100 of us will follow their lead and keep America moving forward.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

SENATORS WARNER AND KENNEDY

Mr. MCCONNELL. Mr. President, we did, indeed, with the announcement by Senator WARNER of his retirement at the end of this term, begin to confront the reality of the Senate without JOHN WARNER. I will have a good deal more to say about his career in the coming months. Of course, we will have ample opportunity to celebrate his remarkable service in the Senate because, fortunately, he will be here until January of 2009, continuing to perform his extraordinary service on behalf of our Nation.

He indicated to me Friday when we were talking that he had added up the total amount of his time in public service, and it was something like 45 years—truly a remarkable patriot.

Of course, later this afternoon Senator KENNEDY will cast his 15,000th vote—another giant in this body who should be recognized for his extraordinary accomplishments. He came to the Senate at age 30. He has been here quite a while and made an enormous contribution to our country. We congratulate him on achieving this milestone.

RETURN FROM THE AUGUST RECESS

Mr. MCCONNELL. Mr. President, as we resume our business here in the Senate, we do so in the hope that we have learned some lessons over the last 8 months. The chief lesson we should have learned, in my view, is that the culture of the endless campaign may win headlines, but it doesn't win much beyond that.

None of us is so naive as to think that the life of an elected politician doesn't involve politics—obviously it does. But we also know that making laws often demands leaving the politics aside. The bitter debates over the war in Iraq and a thin list of significant legislative achievements so far in the 110th Congress are all the proof of that we need.

That's the lesson of the last 8 months—that if we expect to accomplish anything here we need to lower the political temperature. And it is urgent as we return here today that we do just that.

Cooperation is as important on routine business as it is on contentious things. We are now just 4 weeks away from the beginning of the new fiscal year, and we have not sent a single one of the twelve annual appropriations bills to the President's desk. This almost certainly means we will soon be looking at an appropriations train wreck here in the next few weeks, followed by a continuing resolution to keep the Government running.

This isn't the way it's supposed to be. Indeed, it was not all that long ago that Democrats themselves were denouncing Republicans for doing this very thing.

Faced with the same situation last year, the current assistant majority leader railed against the notion of a continuing resolution, accusing Republicans, as he put it, ''of failing to do the most fundamental job Congress is expected to do.'' I think the assistant majority leader had that right. He said that calling the 109th Congress a do-nothing Congress would be an insult to the original do-nothing Congress of 1948. And he vowed to finish the unfinished business of the last Congress.

Yet now, as Democrats enter the ninth month poised to make the very same mistake we did, we have not heard a note of self-criticism from the other side. This kind of selective criticism might work on the campaign trail. But it's a clear recipe for frustration and defeat in the Senate. We need to get these bills passed and over to the President's desk for a signature. And relentless partisanship is not going to do that.

The most heated politics have been reserved, of course, for the war. So if we are going to correct course, we will need to start there. The Congress voted in May to have General Petraeus report back this month on progress in Iraq, and the Congress should listen to what he says, without prejudice, when he gets here.

This is not a baseless hope. We have seen some of the sharpest early critics of the general's new military strategy defending it in recent weeks after seeing for themselves the impact it has had in former al-Qaida strongholds like Anbar Province.

Republicans welcome this kind of honest reassessment. As more Democrats have the courage to acknowledge the good news as well as the bad news in Iraq, we all have reason to hope for the kind of cooperative legislative strategy that has been lacking until now.

The political path the majority has often chosen over the last 8 months has reduced us at times to theatrics on the war. It has left us scrambling on appropriations. And it threatens to prevent us from addressing a number of other vital issues that the American people don't want us to put off. We need to act, cooperatively, before it is too late to address these issues within the limited time we have.

Time is short, and the list is long. We need to act on a farm bill by the end of the month. We need to act on vital free trade agreements and on the debt limit ceiling, which we will reach sometime in early October. We need to extend the FISA legislation.

More than 40 tax provisions expire at the end of this year. We need to extend them before it is too late, and we can only do it if we resist calls to pay for them with equally unpopular offsets.

The other side tends to look at the budget in terms of Newtonian physics: They think every cut calls for an equal and opposite hike. Yet we have seen that this is not the case, with money now flooding into the Treasury at record rates since the 2001 and 2003 cuts. We should acknowledge the facts and continue this prosperity without imposing new pain on taxpayers who responded to this relief by growing this economy.

The current alternative minimum tax relief is current no more—it expired at the end of last year. In the last three Congresses, we extended this relief before the Fourth of July recess so taxpayers knew with certainty the relief would be there. Yet here we stand, after the August recess, with no sign of any effort to extend it again—no bill reported by committee, not even a markup scheduled.

Unless this relief is extended, 20 million new taxpayers will face this punishing tax when they file their returns next year. They need to know if Democrats are going to make good on their promise to let all the provisions of the 2001 and 2003 tax bills expire. We are willing to work together on this issue, but again, cooperation will mean resisting calls for draconian tax increases to provide relief from a tax which was never intended to affect so many families.

The Senate will soon be asked to confirm a new Attorney General. Some Members of this body will be tempted to turn the confirmation process into another occasion for seeking political advantage. Democrats have rightly noted that the Justice Department's work is too important to languish without leadership at the top.

And they have promised that if the President's nominee puts the rule of law first, they will avoid confrontation. They will prove they mean it by not looking to secure commitments from the nominee as a condition of his or her confirmation, other than that he or she will faithfully enforce the law.

Attempts to exact political promises and precommitments would be inconsistent with the goal of restoring the Justice Department to full strength as quickly as possible.

Nor should the confirmation of a new Attorney General be used as an excuse to slow down circuit court nominations, starting with Judge Leslie Southwick.

The average number of circuit court confirmations during the final 2 years of similarly situated presidencies is 17. We have fallen off pace to approximate that standard.

At this point, the Senate has only confirmed three circuit court nominees—three. The Senate can begin to make much needed progress in this area by confirming Judge Southwick. The Judiciary Committee voted to send his nomination to the Senate before we broke for recess and he deserves a vote and he deserves it soon.

In my view, the Democratic majority has wasted too much time in the first months of this session playing politics instead of legislating. The working days we have left in this session are too few to be squandered. We need to put aside the political path and come

together to get some work done. The clock is ticking. It is getting late. But it is not too late. There is no better time to shift course than now.

The political path has been perhaps most in evidence on many of the Iraq votes we have had. More of the same will only delay the cooperative work we need to create a policy aimed at protecting America's vital long- and short-term security interests in the Persian Gulf and Iraq.

A good first step away from the political path would be to get the Defense appropriations bill to the floor of the Senate in the next week or two and get funding to our forces in the field. Appropriations should be an urgent priority for us, as Democrats insisted when they were in the minority. Republicans are ready to start fresh, to begin again, in order to get many important and necessary things accomplished in the coming days and weeks. We will call on our friends on the other side to do the same.

The ACTING PRESIDENT pro tempore. The senior Senator from Montana.

TRIBUTE TO SENATOR WARNER

Mr. BAUCUS. Mr. President, last Friday the senior Senator from Virginia announced that he would not seek reelection to the Senate. I speak today, therefore, in tribute to Senator JOHN WARNER.

I have known JOHN WARNER for nearly 30 years. In 1978, the people of Montana and Virginia sent us both to the Senate for the first time. I thank the people of Montana and Virginia for giving me the opportunity to serve with JOHN WARNER. The election of 1978 brought 20 new Senators to the Senate. From that class, many Senators moved on to other pursuits: Bill Armstrong, David Boren, Rudy Boschwitz, Bill Bradley, Bill Cohen, David Durenberger, Gordon Humphrey, Roger Jepsen, Nancy Landon Kassebaum, Larry Pressler, David Pryor, Alan Simpson, Donald Stewart.

From that class, three have gone to their final rest. We all recall the memory of colleagues now departed: Jim Exon, Howell Heflin, Paul Tsongas. May their memories serve as a blessing.

From that class, four remain in the Senate: THAD COCHRAN, CARL LEVIN, this Senator, and JOHN WARNER.

As a young man, JOHN WARNER fought forest fires in Montana. Very often when I am talking to JOHN, he recalls those times in Montana. His eyes brighten up. He very much reminisces about how much he enjoyed spending time in the State. Whether it was fighting fires or whether it was around Bozeman, MT, it comes to him very clearly when he talks about Montana in his early years.

At the age of 17, JOHN WARNER joined the Navy to fight in World War II, part of the ''greatest generation.'' JOHN WARNER is one of five World War II vets left in the Senate. He shares that distinction with DANNY AKAKA, DANNY INOUYE, FRANK LAUTENBERG, and TED STEVENS.

JOHN WARNER went to college on the GI bill. Then he entered the University of Virginia law school. But when the Korean war broke out, JOHN WARNER, with his intense sense of patriotism, interrupted law school to fight for his country again. This time he served as an officer in the Marine Corps.

After returning from Korea, JOHN WARNER finished law school, clerked on the court of appeals, worked as an assistant U.S. attorney and worked as a lawyer in private practice. He returned to public service in 1969 as Under Secretary of the Navy. Then, in 1972, he succeeded our former colleague, John Chafee, as Secretary of the Navy. He represented the Defense Department at the Law of the Sea talks in Geneva.

In the Senate, JOHN WARNER has served as chairman of the Rules Committee. He has served as chairman and ranking member of the Armed Services Committee. He has come to be known as one of the Congress's most influential voices on matters of national defense.

But I have come to know JOHN WARNER on the Environment and Public Works Committee. JOHN WARNER and I have worked together on that committee for more than 20 years. I joined the committee in 1981 and JOHN joined in 1987. There, for most of that time, both of us have worked together as chairman and ranking minority member of one subcommittee or another.

We worked together on transportation bills. Those are the bills with such colorful names as ISTEA, TEA–21, SAFET–LU. For a while, we were chairman and ranking minority member of the Transportation and Infrastructure Subcommittee. We worked on at least four renewals of the Water Resources Development Act.

I remember fondly working closely with JOHN on the transportation legislation in 1997 and 1998, TEA–21. We worked with our late colleague, John Chafee. The three of us were a wonderful team. You will not believe the chemistry with which the three of us worked together. We decided early on we would stick together as a team: JOHN WARNER, basically the Southern donor States; John Chafee, basically the New England States; and I, representing in some sense the Western donee States. We represented the three major components who put together the Transportation bill.

We stuck together. We worked together. I mean we worked together. There is a lot of talk about we needing less partisanship around here. I have to tell you, JOHN WARNER, John Chafee and I, we sat down and worked things out. We had a terrific staff working for us, JOHN, myself, and John Chafee. We were all together in John Chafee's office, sometimes in JOHN WARNER's office, deciding what was best on how to get a highway bill together.

It was a wonderful opportunity working in that office, working together. There were countless long days, many very long nights. You learn a lot about a person when things get tough, when the rubber meets the road. But I have to tell you, in our case, when anything was a little bit difficult, we did not ever get personal, did not get upset, did not ever attribute ulterior motives to anybody; we decided we were going to figure out how to get it done.

As I said earlier, there was a certain chemistry that came together with all six of us working together, my staff, his staff, their staffs, and the six of us all together. It was wonderful.

I think I learned a lot from watching JOHN WARNER and John Chafee, too, for that matter. They were two of the same. They both served as marines, and they both were Secretaries of the Navy. But JOHN WARNER was a person who listens. He sat there and listened; I had a point; John Chafee had a point. In other negotiations I have been in where JOHN WARNER has been there, JOHN WARNER is going to listen. JOHN WARNER will listen and say: ''Okay, that is interesting. Let's see how we can make that work.'' I might say also he is a very skilled statesman in that he cut to the core of matters pretty quickly.

Not a lot of fuss or muss, never got wrapped around the axle in details, when things kind of got off tangent in the wrong direction, but got to the core of the matter. He came to the core of the matter. He would sum it all up in a very wonderful, sort of statesmanlike, solid way, as only JOHN can. We all sat there saying, ''Yes, that is about it. That is right.'' That is kind of what JOHN said. ''That is probably right. We will go on from there.'' I learned a lot from JOHN WARNER. I hope I can use that in later years.

Both leaders spoke about how JOHN WARNER is not partisan, and it is true. I hope, frankly, that as we finish this year and next year, a lot of us remember the tone and the style with which JOHN WARNER conducts himself.

It is also very important to mention JOHN WARNER spoke up courageously in the State of Virginia; he did not support his party's nominee for the Senate. That was a gutsy thing to do, but he did it in a very civil way, not in a negative way, not in a partisan way. He spoke his mind about what was right. It was very courageous and also the tone made his message and his belief that much more important because people saw he was not personal, people saw he meant it, people saw he was courageous and he was doing what he thought was the right thing to do.

The same is true with respect to Senator WARNER's decision about the war in Iraq. It is not the party line, JOHN's statements. He is saying what he thinks is right. He is saying what he thinks is the right thing to do. It is not partisan. It is courageous and said in a very civil tone.

That is why people have called him a consensus builder. It is why people

often say he has a potential for bipartisan collaboration. I stand here saying I appreciate JOHN WARNER. When I got the news he was not going to seek reelection, I thought to myself this institution will be losing a great man. He is a wonderful person.

I hope all of us, when we finish these next 15 months or so working with JOHN, thank JOHN for what he is and also use JOHN as a kind of point of departure, saying: ''I wish to be more like JOHN WARNER. I wish to do what is right; I wish to be courageous; I wish to be civil; and I wish to do what people of our States ask us to do.'' I salute JOHN WARNER.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

LABOR DAY

Mr. BROWN. Mr. President, yesterday Americans of all ages, from all segments of society, from hundreds of occupations and professions, celebrated something uniquely American: Labor Day.

Our workers, tens of millions of hourly wage earners and hundreds of thousands of entrepreneurs, farmers and managers, tradesmen and saleswomen, our workers have built a middle class larger, broader, and more prosperous than any in world history.

They all have one thing in common: They are increasedly more productive, creating greater wealth and larger profits than ever for their employers. Yesterday, the Columbus Dispatch reported that according to the International Labor Organization, American workers are the most productive in the world.

The average U.S. worker produces more than $63,885 of wealth each year. But increasingly, American workers have not shared in the wealth they have created, in wages, in health benefits, in a meaningful pension, that highly productive workers in our country used to enjoy.

Ohio workers are fighting back to build a decent standard of living to provide opportunities for our children and to construct a more prosperous and egalitarian society.

But our Nation and my State have struggled; struggled in part because of the Federal Government's wrongheaded trade policy and tax policies, which all too often encourage investors to move jobs overseas, and in part because of a drifting State Government in Columbus which fell short in educating our young people and did little to erect a manufacturing policy to prepare for our future.

In the spirit of Labor Day, let me share the stories of a handful of hardworking often heroic Ohio workers who are making a difference. Dee Dee Tillman and Carlos Sanchez participated in the negotiations representing 1,200 janitors in Cincinnati, 1,200 men and women who are working hard, raising their children, contributing to their community, and earning not much more than the minimum wage.

Joined by their colleagues, they and their union reached an agreement with Cincinnati office building owners. Over the next 4 years, 1,200 janitors in Cincinnati will get a $2.95-an-hour raise, health benefits and vacation pay for the first time and a small pension.

At the other end of the State, in Mentor, Roger Sustar speaks out every day for American manufacturing. He recognizes businesses similar to his, small manufacturing companies, are vital to the economic security and the national security for our country. On most Saturdays, he volunteers his time to train students in the basics of manufacturing.

In northwest Ohio, in the flatlands of Henry County, Mark Schwiebert is a highly productive farmer in an increasingly competitive environment. He is proud of his successful and tidy farm, to be sure, but he also takes seriously his role as a citizen. He is an advocate for family farmers and for fair trade, understanding the prosperity of our State depends on a vibrant rural Ohio, where young people want to stay and work in their community.

Sue Klein, another hero who cares so much about our State, works at a large daily newspaper. She too makes her employer a more profitable enterprise. She works hard. She gets rave reviews from her coworkers, is uncommonly devoted to her aging parents, and gives back to her community in a dozen ways.

On Labor Day, we salute American labor and Ohio labor. We celebrate our State's heroes: Dee Dee, Carlos, Mark, Roger, and Sue. We thank them and so many others.

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.

Mr. SPECTER. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

GREETINGS TO THE PRESIDING OFFICER

Mr. SPECTER. Mr. President, at the outset, permit me to greet the distinguished Presiding Officer, Senator CASEY, my colleague from Pennsylvania. It is a pleasure to come back after the August break and see Senator CASEY looking so well and fit and in the chair.

TRIBUTE TO KENT SHEARER

Mr. SPECTER. Mr. President, I have sought recognition to eulogize a friend and a former member of the Senate family, Kent Shearer, who died on August 23.

Kent Shearer and I were boyhood friends from our early days in Russell, KS, when we were debaters at the high school. Kent was a great intellect. At the time when his colleagues were playing marbles, Kent was studying and talking about the Peloponnesian wars. During our high school days, Kent and I were colleagues in our freshman year debating the subject on the negative: resolved that individual income should be limited to $25,000 annually. Shows you how times have changed.

Kent and I were on two high school debating teams which won the State championship. In 1945, Russell was a small school with fewer than 400 students. We competed with schools our size, then moved the next year to the big-school category, where high schools had several thousand students across Kansas, finished in second place, and lost by a speaker's ballot. Then, in 1947, we were on the team that won the State AA championship with the big schools.

Kent was the outstanding debater in Russell High. He won the Kiwanis award, went on to the University of Kansas, where he was Phi Beta Kappa, was the winner of the Perdue National Invitational Debate Tournament, competed in the West Point National Tournament, served then in the Judge Advocate General's office, and settled in Salt Lake City, UT in 1958, until 1997, when Alice, his wife, passed away, and he then moved to Portland, OR.

A few years back, Kent came to join me, working on the Senate staff. He worked for 3 months. It was an honor and a pleasure to have my longstanding friend Kent Shearer work with me in the Senate. He brought a level of legal insights and erudition which was rare for a Senate staffer. But then Kent himself might have been a Senator had his career path taken one different shift. That was in 1994, in January, when the staff was being organized on the President's Commission to investigate the assassination of President Kennedy, commonly known as the Warren Commission. We had one spot left among the young lawyers on the staff. The Commission was recruiting lawyers from all over the country in order to avoid having the Washington establishment conduct the investigation out of concern that there might be some thought of a coverup if the same crowd in Washington did the investigation. There was concern about the integrity of Washington then as now. The staff was recruited from all over the country. We had lawyers from Des Moines and Denver and Cleveland, Philadelphia, New York, Los Angeles. I called up Kent and urged him to apply for the position. Unfortunately, he couldn't do so because of his own career plans at that time. I think had Kent accepted a position as assistant counsel to the Warren Commission and come to Washington, his career might have been parallel to mine.

Kent was active in Utah politics, was chairman of the State committee, was instrumental in the campaigns of Senator Garn and Senator HATCH and

worked for Senator BENNETT's father, also a Senator. He worked with Senator Robert Bennett, very close to the political establishment of the State of Utah, a friend to the Secretary of Health and Human Services, Michael Leavitt, and would have been well suited for the U.S. Senate. Had Kent come to the Senate, we would have had three Senators from Russell, KS, since Senator Dole's hometown is Russell, while I was born in Wichita and moved to Russell at the age of 12. Kent would have fit in this establishment very well. He would have been a credit to the Senate.

On August 30, Steve Mills, who was also Kent's colleague for the debate tournaments, and I went to Salt Lake City to participate in Kent's funeral services. He was a great American. He had a knack for writing, contributed extensively to the newspaper in Washington on columns. He was a brilliant man, an outstanding lawyer, and a really great American.

I have taken a few moments today to eulogize him because his record is worth noting for the permanent record in our CONGRESSIONAL RECORD, especially since he was a member of the Senate family, even though for only a 3-month period.

I ask unanimous consent to have the following obituary printed in the RECORD.

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

KENT SHEARER

Kent Shearer, 1929–2007. Kent Shearer, age 77, died peacefully August 23, 2007, in Portland, Oregon. Kent was born October 5, 1929 in Ellsworth, Kansas to William Shearer and Agnes (Phillips) Shearer and was married to Alice Neff in Russell, Kansas; January 25, 1952. Preceded in death by wife, Alice and daughter Lorraine (Lori). Survived by son Edward (Bo) and his wife Renee Montmorency, grandsons Samuel and Beau of Portland, Oregon and sister Jane Shearer of Kansas City, Kansas. Kent graduated from Russell High School in Russell, Kansas with honors. He participated in the debate, drama, and forensics program and won two State Championships in debate. He attended Kansas University and earned a degree from the College of Liberal Arts & Sciences with Phi Beta Kappa honors. He continued with debate on the KU varsity team, winning many individual tournaments across the country, including the National Invitational Tournament and twice being invited to participate in the West Point Nationals. In 1954, Kent received his law degree from Kansas University and entered the Army Judge Advocates Corps where he served until 1957. Kent and Alice made their home in Utah from 1958 until Alice's death in 1997. Although a lawyer by trade, Kent's passion throughout his life was Utah politics and the Republican Party. He was an active organizer of the Salt Lake County and Utah Young Republicans during the 1960s and 1970s and served as the Utah State GOP Chairman from 1971 to 1973. Kent was a key behind-the-scenes member of many political organizations and campaigns (including Alice's political career as a Salt Lake City Council member). He penned a much discussed and anticipated column in The Enterprise Newspaper on a wide range of topics for over 30 years. After Alice's death in 1997, Kent moved to Portland, Oregon to be close to his son's family. He pursued an intellectual retirement, spending his time reading, writing and providing all the answers to his grandsons' many questions. Kent's accomplishments were many. However, all pale in the light of his sharp mind and quick wit, his basic sense of decency and the many people he touched throughout his life. He will be missed by all who knew him. Funeral services will be held at St. Marks Cathedral, 231 East 100 South, Salt Lake City on Thursday, August 30, 2007 at 1 p.m. Following the service, a reception in Kent's honor will be held at the Alta Club, 100 E. South Temple, Salt Lake City. Published in the Salt Lake Tribune from 8/26/2007—8/28/2007.

TRIBUTE TO ADA MAE GROETZINGER HAURY

Mr. SPECTER. Mr. President, I seek to pay tribute to an outstanding educator. As the Senate takes up the appropriations bills—it soon will take up the bill on funding for education—it is appropriate to focus on the importance of education in our society.

My brother, my two sisters, and I have been able to share in the American dream because of our educational opportunities. My father had no formal education. My mother only went to the eighth grade, when she had to leave work to help support her family where her father had died in his mid-40s of a heart attack. But because of their love for education and recognition of its importance, their children have benefited from great educational opportunities.

Our health is our No. 1 capital asset. Without good health, none of us can do anything. And our No. 2 capital asset is education. Without education, there are severe limitations. I say this in the context of paying tribute to Ada Mae Groetzinger Haury, the Russell High School debate coach.

She came to Russell in the fall of 1945, in her early 20s, having recently graduated from college herself. She brought a level of intensity to high school debating, which level of intensity was unparalleled in my educational experience. We had a class in debate at 9 o'clock in the morning. Then she would sit at 4 o'clock and have another round of debate, again at 5, again at 7, and again at 8 o'clock. And she would judge the debates. In retrospect, it seems surprising that somebody would have done that. Each member of the debating team debated twice in 1 day, once in the class at 9 and once in the other lines.

The analytical process in working through the debate topics—one of which was national health insurance, another of which was lowering the voting age to 18—was great for high school students. Our high school coach, Ms. Groetzinger, emphasized a smooth delivery. If anybody faltered during the course of a 10-minute speech or a 5-minute rebuttal, that individual was likely to be rated fourth. She rated everybody on every day of the debates.

It was not only the first team which excelled, but it was the second team which also excelled. We went to one tournament at Salina High School, a town about 70 miles east of Russell, and the second team did better in the preliminary rounds than the first team. The second team advanced to the semifinals, and the first team, which I was on, sat and watched the proceedings because they had done better than the first team.

One year everybody on the debating team went through one tournament undefeated. So it was a very remarkable background in analysis, in organization, in extemporaneous speaking, and very good training for the practice of being a trial lawyer, very good training for being a Senator, very good training for the questioning which we do in the various committees where we serve.

TRIBUTE TO TOM KELLY

Mr. SPECTER. When Ada Mae Groetzinger left Russell High in the spring of 1946, Tom Kelly became the debate coach. Tom Kelly had not had experience as a debate coach. He was the drama coach. He directed the school plays ''Lost Horizon'' and ''Nothing But The Truth,'' and was very adept at that. But having inherited an extraordinary group of high school debaters, Tom Kelly was our coach when we won the State AA championship in the spring of 1947.

With the experience he gained at Russell High School, he then went on to Hutchinson Junior College, where he won national championships and was an outstanding teacher in his own right.

He gave two lectures to us which have carried forth with me to this day. Every Friday, when we would prepare to go to a debate tournament, Mr. Kelly would organize the students and start to tell us about the forthcoming trip. His slogan was ''Don't choke up in the clutch.'' That means: Don't get too nervous to do your job. ''Don't choke up in the clutch.'' We would go to the tournament, characteristically come back having won the tournament, and on Monday he would again address the high school debaters and say: ''Don't rest on your laurels.'' Those were Tom Kelly's words, which have carried through to this day.

I made these comments and was reminded of the outstanding educational experience from those two high school debate coaches as I reflected on the events going to Salt Lake City for Kent Shearer's funeral. This past May, over the Memorial Day recess, Kent Shearer, Steve Mills, Gene Balloun, and I—the four debaters on the high school team—paid a visit to Ada Mae Groetzinger, who is since married and is now Ada Mae Groetzinger Haury, in her retirement home in Newton, KS.

It was a good event to have the four of us get together. At that time, Kent was not feeling well. He suffered from emphysema. It was a good occasion for the group to get together with our high

school coach just a few months before Kent passed away.

FOREIGN TRAVEL TO UNITED KINGDOM, FINLAND, RUSSIA, TURKEY, POLAND, AND FRANCE

Mr. SPECTER. Mr. President, during the last 2 weeks of August, I had occasion to travel to Europe to discuss with a variety of foreign leaders subjects of mutual concern. The highlight of the trip was visiting the museum in Warsaw on the Jewish uprising, which occurred on August 1, 1944. That was a time when the Allies were making substantial progress, with the invasion of Normandy having occurred on June 6, 1944. The Soviets were coming in from the east, and the uprising was a valiant, heroic effort by the Jews in the Jewish ghetto to upset the Nazi tyranny. Regrettably, it failed.

But for anyone who has any doubt about the Holocaust or about the brutality of the Nazis in putting down the Jewish people, the 6 million Jews who died—and you have preposterous statements coming forth with some regularity, most recently from the President of Iran, doubting the existence of the Holocaust—a visit to the museum in Warsaw on the Jewish uprising will certainly quell any doubts.

The facts are established there, with the documentation, with people speaking, those who survived, to tell the grim tale of the Nazi brutality and the existence of the Holocaust.

Mr. President, I ask unanimous consent that the full text of my report be printed in the RECORD.

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

REPORT ON FOREIGN TRAVEL TO UNITED KINGDOM, FINLAND, RUSSIA, TURKEY, POLAND, AND FRANCE, AUGUST 18–29, 2007

Mr. President, I have sought recognition to report on foreign travel, as is my custom, I made to England, Finland, Russia, Turkey, Poland, and France from August 18 to August 29, 2007. I was joined by my wife Joan, my aide John Myers, Major Benjamin M. Venning, United States Marine Corps, and Commander John Clayton, United States Navy.

UNITED KINGDOM

On August 18, we departed Newark Liberty International Airport, Newark, New Jersey. Our first stop was in London, England, where we landed at Heathrow International Airport after a flight of just over 6 hours. Upon arriving in London, we were greeted by Richard Bell, First Secretary, U.S. Embassy, London.

Mr. Bell briefed me on a number of important issues ongoing in the United Kingdom and with new Prime Minister Gordon Brown. Terrorism is the large problem in the U.K. and is becoming more complex as terrorist threats are now increasingly coming from their own citizens. Further, many Britons have a negative perception of the United States due to the war in Iraq and the continued detainment of individuals in Guantanamo Bay, Cuba.

After a brief overnight stay, we traveled to Helsinki, Finland.

FINLAND

Upon arriving in Helsinki on August 19, we were greeted by Ambassador Marilyn Ware and Greg Thome, Political Section, United States Embassy Finland.

We had lunch with Ambassador Ware, originally of Lancaster, Pennsylvania, at which I was briefed on a number of issues. First, we discussed the recent disagreement between Estonia and Russia, in which Estonia moved a statue honoring Russian soldiers who died in World War II from a park to a military cemetery. Russians were not pleased by this action and the Russian government reportedly ignored the harassment of Estonian officials in Russia. Finland played a leading role in gathering European Union support for Estonia regarding this matter. The Finnish effort resulted in a statement from the European Union in support of Estonia's action.

Secondly, we discussed Ambassador Ware's efforts to improve the energy diversity in Finland and surrounding areas. She is working to organize a symposium with regional energy officials to improve energy development in Finland.

We then discussed Finnish efforts to take a greater role in NATO and the United Nations. While Finland is not a member of NATO, it is a preferred partner. Currently, there are 240 troops serving in Lebanon, 105 in Afghanistan, 450 in Kosovo, and 80 in Bosnia. There is a great sense of pride in Finland that they are playing an important role in problem areas around the world.

Following the briefing, I headed with Ambassador Ware to the Parliament Building to meet with Speaker of Parliament Sauli Niinisto. We discussed the prospect of Finland becoming a member of NATO, to which the Prime Minister believed that more time would be needed if such a thing were to happen. As Finland shares a large border with Russia, there is great hesitation to taking an action which Russia opposes. However, there is a strong desire for Finland to continue as a preferred partner in NATO and to increase their role in NATO Rapid Forces.

Speaker Niinisto also noted concern among some Finnish people about the war in Iraq. He suggested that it would have been wiser to have the United Nations more involved after Saddam Hussein was removed from power. I noted that I do not believe that the United States would have received that support from the United Nations. Though if there had been better intelligence on weapons of mass destruction, we might not have gone into Iraq.

That evening, I had dinner with Prime Minister Matti Vanhanen at his home on the Baltic Sea. We were joined by Ambassador Ware, State Secretary Risto Volanen and European Union Affairs Advisor Riina Nevamäki. We discussed a number of important topics. The Prime Minister offered hope that the United States could remove troops from Iraq, though he would not suggest a timetable for doing so. He also offered support for Turkey entering the European Union, stating that doing so would bind the Turkish people to Democratic values. However, Turkey faces obstacles to becoming part of the European Union; specifically they must address concerns regarding human rights and freedom of the press. I was interested to learn that Prime Minister Vanhanen also serves on his city council in his home city of Nurmiyärvi.

We also discussed John Morton, a great Pennsylvanian of Finnish descent. A member of the Pennsylvania Supreme Court and Delegate to the Continental Congress, John Morton cast the deciding vote in favor of the United States Declaration of Independence. This important figure in American history provides an excellent example of the importance of Finns in America.

On Monday, August 20, we attended a breakfast hosted by U.S. Ambassador Ware at her residence. The breakfast was attended by a distinguished group of individuals including Minister of Justice Tuija Brax, Chief Justice of the Supreme Court Pauliine Koskelo, Kimmo Sasi, Chairman of the Parliament's Constitutional Law Committee, and Pertti Salolainan, Chairman of the Parliament's Foreign Affairs Committee. I was interested to learn that the judicial system in Finland is a non-political system and there are far less ideological conflicts than in the United States. We also discussed the need for the United States to be more engaged in the Middle East and conduct bilateral discussions with Iran.

RUSSIA

From Helsinki, we traveled to St. Petersburg Russia, where Consul General Mary Kruger and Consular Officer Doug O'Neill met us.

That afternoon, I met with a group of U.S. business executives including American Chamber of Commerce—Russia President Andrew Somers, American Chamber of Commerce—St. Petersburg Chapter Executive Director Maria Chernobrovkina, American Chamber of Commerce—Russia Vice President Tatiana Ragnzina, American Chamber of Commerce—Russia Communications Director Guy Archer, U.S. Department of Commerce Principal Communications Officer Keith Silver, General Director International Paper—St. Petersburg Larry Booker, Citibank—St. Petersburg Commercial Director Ruslan Belyaev, EMC Software Director Igor Agamirzian, and Boyden Managing Partner Julia Nikitina. U.S. companies play an important role in the economy of Russia employing 200,000 Russians. I questioned the group about the level of government corruption and how it affects their companies. They responded that corruption has been drastically reduced; Russia is encouraging foreign investment; and companies that are investing are experiencing considerable growth.

Following that meeting, I met with the representatives of non-governmental organizations (NGOs). Those in attendance were Boris Pustyntsev, Citizens Watch, Vladimir Shnitke, Memorial, and Ella Polyakova, Soldiers' mothers. Ms. Polyakova explained the abuse that new members of the military are facing, specifically the injuries to Roman Rudakov, who as the result of beatings had to have most of his intestines removed and has been systematically mistreated by military and government.

They also noted their concern with a new Russian law that allows the government to place requirements for reporting and registration of NGOs. The requirements being placed on these organizations are extensive and burdensome. Mr. Pustyntsev explained that he was required to provide correspondence from the last 14 years. There is great concern that this will reduce the number of NGOs and harm human rights progress that Russia has made.

On Tuesday, August 21, we were fortunate to examine the country's rich cultural heritage. We toured the Petershof Palace, the summer home of Peter the Great. We then visited the Hermitage Museum, one of the best museums for Russian and European art in the world. The museum is located in the former winter home of the Czars.

On August 22, we departed St. Petersburg for Moscow, where we were greeted by James Melville, Charge d'Affaires Ad Interim, Kathleen Doherty, Deputy Minister Counselor, and U.S. Department of Justice Resident Legal Advisor Thomas Firestone. I was briefed on issues of concern by them. Habeas corpus is gaining more prevalence in Russia with more cases being appealed and more defendants being released on those appeals.

However, the detention rate continues to be very high even with the presumption of innocence.

Russia is currently dealing with the highly publicized trial of Mikhail Khodorovsky, CEO, Yukos Oil Company. He was arrested and sentenced to jail for 8 years for tax evasion, fraud, and money laundering. Some believe this was an effort to silence a political opponent of President Vladimir Putin. While he was found guilty of these crimes it is likely that there are many others that could be brought forward on similar charges and his political opposition to President Putin increased the scrutiny of him.

Russia is undergoing an economic boom and that has led to high approval ratings for government officials. With this economic upturn and prosperity, human rights concerns are not at the forefront of societal concerns. If the economic increase continues it may lead to a greater political interest in human rights and general support for charitable interests.

That afternoon I met with Deputy Minister of Justice Nikolay Savchenko and representatives of the Ministry. First, I asked the Deputy Minister if Russian authorities could implement a wire tap without judicial authorization. He replied that the system for wire tapping is similar to the United States. To receive approval for a wire tap you must meet certain standards and receive a court order. While there are no statistics for usage, it is an important and necessary measure.

I then questioned the Deputy Minister about the advisability of the U.S. entering Pakistan to apprehend Osama Bin Laden if we have information on his location. The Deputy Minister asked that I offer my opinion first, which I did, explaining that the U.S. should first approach President Musharraf to seek approval for such action, but if not given, then a preemptive action is warranted under international law if there is cause to conclude that an attack by Iran is imminent. The Deputy Minister noted that the problem is both political and legal, but if there is proof of an imminent attack then he would agree with me.

We then discussed the case of Mikhail Khodorovsky who is currently appealing his conviction to the European Court of Human Rights and the impact that will have on his case in Russia. As a ratifier of the European convention on human rights, he may have his case heard there, but a decision in his favor by the European Court of Human Rights will not vacate the Russian judgment. However, the European Court of Human Rights may order the Russian government to pay monetary damages.

That meeting was followed by a meeting with representatives of U.S. based NGOs. Those in attendance were Second Secretary Political Section U.S. Embassy Russia Daniel Wartko, USAID Russia Deputy Director Erin Krasik, Elena Panifilova of Transparency International, National Democratic Institute Program Officer Ian Woodward, Carnegie Endowment for International Peace Director Rose Gottemoller, Ford Foundation Moscow Office Representative Steven Solnick, International Republican Institute Russian Country Director Joe Johnson III, USAID Russia Senior Advisor for Legal Affairs Jonathan Kamin, and USAID Russia Legal Advisor Zoya Kaitova. The representatives, similarly to those in St. Petersburg, were very concerned with the new Russian law that regulates NGOs. The NGOs have provided the required information including future plans for their respective organizations and they continue to inform the government of their actions, but not asking permission. While the organizations have not had any problems, there is great angst that the information that they are providing now will be used against them in the future to shut them down.

The American Chamber of Commerce hosted a breakfast on the morning of Thursday, August 23. A number of representatives of U.S. companies attended including American Chamber of Commerce—Russia President Andrew Somers, American Chamber of Commerce—Russia Vice President Tatiana Ragnzina, American Chamber of Commerce—Russia Communications Director Guy Archer, Merrill Lynch Head of Russia Global Markets Bernie Sucher, Air Products General Manager Eastern Europe Vaclav Harant, Sun Microsystems Managing Director Chris Morris, Microsoft General Manager in Russia Birger Steen, Archer Daniels Midland Company Director Vladimir Myrikov, and Alcoa Russia President William J. O'Rourke, Rohm and Haas Country Manager Michael Shukov, Backer & MacKenzie Partner Eugene Arievich, Boeing Director of International Trade Policy Business Strategy and Marketing Commercial Airplanes, Keystone Foundation for Children and Families General Director Maria Dolbunova, Keystone Foundation for Children and Families President Dennis Felty, and GE Money Bank Russia President and CEO Richard Gaskin. We discussed patent protection in Russia, which had previously not been observed but is now beginning to be upheld. Russia is starting to prosecute intellectual property violators, bringing those individuals to trial and a guilty verdict is resulting in a jail sentence or compensation to the intellectual property holder.

We also discussed the strong growth of the Russian economy and the freedoms that Russians are experiencing as a result. The U.S. company representative expressed concerns about a recent U.S. law increasing the taxes of Americans living abroad. This discourages companies from hiring well qualified Americans who will have to be paid more to compensate for that tax.

I then went to the Supreme Court Building of the Russian Federation, to meet with Justice Stanislov Razumov of the Supreme Court. The Russian Supreme Court has 125 Justices, with three justices at one time presiding over primarily appellate cases. I asked Justice Razumov what occurred if a group of three Justices differed on a ruling from another three judges on a case before them. He said that a dissenting judge has the right to issue a separate dissenting opinion. He also explained the mechanism by which the Supreme Court provides guidance to lower courts, in the absence of a system of case precedent. The Justices sit in plenary session where they summarize cases, offer direction on cases they have ruled on and vote on issues of disagreement. I then asked him if they have votes that are so many one way to so many for another. He said there is usually not a problem reaching majority consensus in the plenary sessions and that the dissenting vote is rarely more then 5 to 7 percent.

We then discussed the role of the Russian Supreme court in ruling on cultural issues that are the subject of legal disputes such as abortion, assisted suicide, and race. I learned that the jurisdiction of the Russian Supreme Court is different from that of the United States. Those decisions are made by lower courts. If an individual believes that a law is unconstitutional or does not comply with federal regulation, then that case is taken to the Constitutional Court.

I then asked Justice Razumov if President Putin or other government officials can order a wire tap in cases of terrorism. He replied that he cannot without a court order and citizens must be protected.

We then visited the Novodevichy Convent, a beautiful site that housed a number of Russia's royal families, and Red Square.

TURKEY

On Friday, August 24, we traveled to Ankara, Turkey, where we were met by Charge d'Affaires Nancy McEldowney. This was an important day in Turkey as the parliament had its second vote for President. The Parliament votes three times for President unless a candidate receives a majority of votes before that. Foreign Affairs Minister Abdullah Gul won the election on August 28, though he did not obtain the majority necessary to win on this day. I was scheduled to meet with Foreign Affairs Minister Gul, but because we were delayed departing Moscow by the airport authorities, we were not able to meet.

We immediately traveled to the United States Embassy for a brief discussion of issues of importance in Turkey. Iraq is on the top of the list of concerns. Turkey does not want the United States to leave in the near future to prevent the destabilization of Iraq. Further, Turkey supports the current boundaries in Iraq and opposes creation of three states. The Turkish people are also greatly concerned about S. Res. 106 and H.R. 106, which would recognize the actions by Turkey against Armenia in 1915 as genocide.

We then went to the Turkish Ministry of Foreign Affairs Building where I had lunch with Ministry of Foreign Affairs Ambassador Undersecretary Ertùgrul Apakan. The Undersecretary voiced his support for the United States to remain in Iraq as he would like to see the United States achieve success there, for if the United States fails, then Turkey has failed. I was intrigued by the possibility of United Nations military assistance in Iraq. The Undersecretary believes that the U.N. can bridge the views between the Shitte, Sunni and Kurds in a peaceful manner. The possibility also remains that the U.N. could provide an umbrella for troops to assist in the stabilizing of Iraq. The entrance of U.N. troops may also cut down on the insurgent anger directed at the United States.

On August 10, 2007, the U.N. Security Council adopted Resolution 1770 to extend the United Nations Assistance Mission for Iraq for one year and to provide assistance regarding political dialogue and national reconciliation. The Mission will also work to facilitate dialogue between Iraq and other countries in the region. It is important for neighboring countries to support Iraq in efforts to reduce conflict and to build a functioning government. Turkey is currently working to hold a convention with other countries in the region to discuss problems facing Iraq. The countries involved would include Syria, Egypt, Iran, Jordan, Kuwait, Saudi Arabia, Qatar, United Arab Emirates, Bahrain, Oman, Yemen, Iraq and Turkey. Also invited would be the United Kingdom, France, China, Russia, United States, Germany, Canada, and Japan.

The Undersecretary then explained the Turkish opposition to S. Res. 106 and H.R. 106. He did offer support for a joint history commission regarding the issue and Turkey would accept the use of the term genocide if that is what the evidence states.

I then met with Special Envoy for Iraq, Ambassador Oğuz Çelikkol. With the Ambassador we had a brief discussion regarding the war in Iraq. I stated to the Ambassador that I had voted for $100 billion in funding in support of the war, but I must see a light at the end of the tunnel to continue supporting funding. I informed him of my town hall meetings across Pennsylvania during the first two weeks of August where I met 4,000 people many of whom we are adamant about leaving Iraq. The Ambassador repeated the importance of the United States remaining in Iraq.

We then departed on a 45-minute flight to Istanbul where we were greeted by Peter Barte, our State Department control officer.

In Istanbul, we visited the Hagia Sophia, Topkapi Palace, and the Grand Bazaar with Filiz Ozer, Professor of Art History and Architecture at Istanbul Technical University and Sevil Sezen, Cultural Affairs Specialist, U.S. Consulate General.

POLAND

The morning of Sunday, August 26, we traveled to Warsaw, Poland and were met by David Van Cleve, First Secretary, United States Embassy of Poland.

We were fortunate to have the opportunity to tour Warsaw, specifically the areas related to Warsaw's WWII and Jewish history. We toured old town Warsaw, which was rebuilt after World War II to its original beauty, the monument to the Warsaw Uprising and the Warsaw Ghetto Uprising, commemorating the Jews who fought against the Nazis. We then visited the Jewish cemetery, with more then 200,000 graves including many who perished in World War II.

That evening we had dinner with Ambassador Victor Ashe, Senator Shelby, and Embassy and Senate staff at the Ambassador's residence.

On August 27, we visited the Warsaw Rising Museum, a unique museum that examines Poland in WWII, specifically the Polish uprising and the Home Army. The facility is extremely interactive with a recreated sewer system, which the Polish Home Army used to travel through Warsaw and evade the Nazis. The facility also had a number of documents from that time including a pamphlet that was air dropped in Warsaw encouraging the Home Army to wear markings that would indicate that they are part of an army, so that the Nazis could be prosecuted for war crimes by the United States.

I was particularly impressed with the story of Tadeusz Ruman, a member of a flight crew that dropped supplies in Warsaw to aid the Home Army. During the flight, their plane suffered heavy damages from attacks and lost two engines. After the drop of the supplies they had to pass over mountains, which they only cleared by a few feet. After taking attacks and injuries, the crew made it to Brindisi, Italy, however, upon landing they realized that their brakes had been damaged and were unable to stop. Taking quick action they were able to steer the B–24 Bomber into vines and rocks to bring the plane to a stop, a harrowing tale that displayed the effort that the Allies made to assist the Polish Home Army.

I was then briefed by Ambassador Victor Ashe, Deputy Chief of Mission Kenneth Hillas, Political Counselor Mary Curtin, Economic Counselor Richard Rorving, Counsel General Philip Min, Public Affairs Counselor Ed Kulakowski, Defense Attache Col. Richard Runner, and FBI Attache Jay Bienkowski. The Polish economy is doing very well with annual increases of 6 percent. While this is below the increases of Russia and other Baltic countries it is very encouraging given the stable market environment in Poland for businesses, which is not as strong in those other countries.

The relationship between the United States and Poland is strong with left and right wing political groups, despite the opposition to the Iraq war. The proposed missile defense system in Poland is a point of ongoing discussions, with Polish representatives desiring to speed up discussions. Poland is putting forward a number of troops to assist the United States in Iraq and Afghanistan, with 900 in Iraq and 1,200 in Afghanistan. While Poland is looking to reduce the number of troops in Iraq, they may consider increasing the number in Afghanistan.

I was scheduled to meet with Foreign Minister Anna Fotyga, but could not do so because we left Wednesday early to return to the U.S. to attend the funeral of a close friend. I spoke to her by phone. I informed her of the United States' appreciation for Poland sending troops to Iraq and Afghanistan. I asked for her assessment of having the United Nations involved in Iraq and if Poland would consider sending additional troops to Iraq if it was under the United Nations banner. She replied that she would have to defer to the President, Prime Minister, and Minister of Defense on that issue.

I met with Andrzej Duda, Deputy Minister of Justice, a impressive 35-year-old gentleman. We discussed the prosecutorial system in Poland which is similar to the United States as Prosecutors are responsible for cases in a geographical area. Prosecutors are required to graduate from law school, serve a 3-year internship with a senior Prosecutor, and then pass an exam.

I asked the Deputy Minister about crime in Poland. He informed me that there are several hundred murders a year in Poland, but less then one thousand. He also informed me of the decreasing juvenile crime problem in Poland. While juvenile crime is still a problem the improving economy of Poland is increasing wages and employment, providing youth with quality jobs. Poland as a member of the European Union does not have the death penalty and has not used it since 1987.

I then questioned him about the use of terrorism and wiretapping in Poland. The Deputy Minister noted that he has not been involved in any terrorism cases, though the Ministry is working with the United States on this important issue. He believes wiretapping is a critical tool against crime. When I asked him about the ability of government official's ability to use wire tapping with out a judge's approval he stated that it was not possible.

FRANCE

We departed for Paris, France that evening, where we were met by our Control Officer Kim Krhounek and Logistics Control Officer Chanh Nguyen.

On Wednesday, August 29, we were briefed by Ambassador Craig R. Stapleton at the United States Embassy on a number of issues. We were also joined by Deputy Chief of Mission Mark Pekala, Political Minister Counselor Josiah Rosenblatt, Economic Minister Counselor Stuart Dwyer, Consul General Catherine Barry, Public Affairs Minister Counselor James Bullock, Defense Attache Col. Raymond Hodgkins, Foreign Commercial Service Minister Counselor Raymond Connan, and Head of Office Regional Affairs Michael Altoff.

We discussed new French President Nicolas Sarkozy and what his views will mean to the United States. President Sarkozy wants a culture of success in France. He is seeking to reform the country and make it the leading country in Europe.

President Sarkozy views himself as pro-American, and has stated that he wants to help the United States in Iraq. This is likely to be through economic development and not through placing troops in Iraq. On the possibility of France providing troops for a United Nations military force, there is little optimism. However, there may be an opportunity for France to increase its assistance through NATO by training Iraqi soldiers and policemen.

Regarding Iran, the French support diplomatic efforts to prevent Iran from securing nuclear weapons capability. In fact, France may be willing to take actions on this issue outside of the United Nations Security Council.

From the Embassy we departed for Charles De Gaulle International Airport and returned to the United States.

Mr. SPECTER. Mr. President, in the absence of any Senator seeking recognition, I suggest the absence of a quorum.

Mr. President, I withdraw that suggestion. I had not noticed the presence of the Senator from Tennessee.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

IRAQ

Mr. CORKER. Mr. President, I rise today during morning business to talk about a trip I made to Iraq. I think the Acting President pro tempore made a similar trip during the August recess. I want to make a few points regarding that trip.

I know a lot of people talk about these trips, and they talk about the fact that they are choreographed and short term. I do want to say my comments are in the context of many hours of committee hearings the Acting President pro tempore and I have both sat through in Foreign Relations and Armed Services and many other ways developing the background prior to being in Iraq.

I know, again, much is said of these trips. I will say I do not think there is anything—and the Chair probably would attest to the same—like being there on the ground yourself and seeing firsthand our troops, seeing our military leaders, seeing leaders of the Iraqi Government, and also seeing many of the tribal leaders, the sheiks who actually lead in these various areas throughout the country.

I wish to make three points, and then I wish to urge something in conclusion.

No. 1, I think the Chair would agree with me the professionalism and commitment of our men and women in uniform is absolutely overwhelming. The way they conduct themselves on our behalf would almost lead you to emotion just in seeing the way they do what they do on our behalf. I have noticed that both in State, as I have traveled the State as our men and women prepare, but certainly even more so on the ground there in Iraq. I am indebted to them. I know the Acting President pro tempore and all Americans are indebted to the way they conduct themselves, regardless of how we may feel about the conflict that is underway.

Secondly, I do not think there is any question that we have had military gains on the ground. I realize that is uneven. But I think there is no question what General Petraeus, General Odierno, and others have done on the ground, in beginning the work in a bottoms-up approach, where we work with tribal leaders there on the ground to secure their own areas, is the right approach. I do not think there is any question we are seeing the results of that approach.

It seems as if a light has gone on where, No. 1, the tribal leaders, the sheiks, and others there on the ground are realizing that we are there not as occupiers but we are there as enablers.

We want to enable them to be able to secure their own destiny. We want to leave that country other than providing the basic support they may need on an ongoing basis.

Secondly, the terror, if you will, al-Qaida and some of the other militant groups have wreaked on these villages has caused them to want to band together with us and again try to make sure they do everything they can to cause their villages to be peaceful. For that reason, we no doubt are seeing gains on the ground as it relates to security.

I think the third thing we would all agree with is the central Government itself has not made the gains we would have hoped more security on the ground would have enabled them to do. I think most delegations that went there met with various Iraqi officials. I know I met with both a Shia and a Sunni deputy president there on the ground and talked with them about the lack of benchmarks we had hoped they would all meet.

Obviously, we also are aware the Prime Minister is meeting with the President and two deputy presidents on a daily basis to try to reach some type of reconciliation so they can move forward on these important issues. But the fact is, those benchmarks have not been made in a way that we here in the Government would like to have seen them approached and progress made.

Our soldiers have been outstanding. There is no doubt that military gains on the ground have occurred, and the central Government has not conducted itself in a way that we would have liked to have seen happen.

In the next week or so we are going to see a number of reports, but most important, obviously, to me anyway, is the report General Petraeus and Ambassador Crocker will put forward. I urge my fellow Senators on the floor to listen to what is going to be said. Obviously, there are people here who have a lot invested in various amendments or proposals, and there is a human trait we want to see our own proposal, if you will, be the one people in the Senate and our country adopt.

But let me state I do not think there is any question that the Petraeus plan is going to discuss redeployments. It is going to discuss bringing men and women home from Iraq based on the successes we have had on the ground in recent months. I do not think there is any question we have seen a change in mission take place on a province-by-province basis. In other words, one of the things we debated heavily in previous debates this year on Iraq was changing the mission of our men and women in uniform. Yet we are seeing this occurring province by province, as tribal leaders are able, working with our military leaders, to take the lead in their own security. So we are seeing that change in mission.

I say to my fellow Senators, let's listen. I think we have an opportunity in the Senate for Democrats and Republicans to come together around a plan that would unify our country in such a way as we are able to bring our country together around what is happening in Iraq. I do not know what the details of the Petraeus plan will be. My guess is he and others today are actually calibrating what the exact redeployment ought to be and what the timing of that ought to be to actually make sure we do not lose the successes we have had on the ground. But my guess is, there will be redeployments, and I think those will be gradual, again, to build on the successes we have had—again, a continual and gradual change in the mission underway in Iraq.

I am of hope, of great hope—and maybe it is my newness to the Senate that gives me this optimism still, but I have great hopes that if we will all listen to the reports that are being given, and not to those people who wish to see us divided, I think we in the Senate have an opportunity to come together around a proposal in Iraq that gives us the opportunity to build on the successes we have had and to change the mission of our men and women so over time what we are doing is basically supporting the operations of the Iraqis as they continue their move ahead, hopefully, toward a more secure Iraq.

Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

MILITARY CONSTRUCTION AND APPROPRIATIONS ACT, 2008

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 2642, which the clerk will report by title.

The legislative clerk read as follows:

A bill (H.R. 2642) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

Mr. REED. Mr. President, I believe the Senator from Arizona has a request.

The PRESIDING OFFICER. The senior Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Senator from Arizona, who has given up his 10 minutes in morning business, be allowed to speak between 2:20 and 2:30 this afternoon.

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

AMENDMENT NO. 2656

(Purpose: In the nature of a substitute)

Mr. REED. Mr. President, on behalf of the Appropriations Committee, I call up an amendment in the form of a committee substitute which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED] proposes an amendment numbered 2656.

Mr. REED. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. REED. Mr. President, I am pleased to bring the fiscal year 2008 Military Construction and Veterans Affairs, and related agencies appropriations bill to the Senate. This is a unique bill for many reasons, not the least of which is it is the first appropriations bill that will be considered under the requirements of S. 1, the Honest Leadership and Open Government Act of 2007. On August 2, 2007, the Senate approved S. 1 by a vote of 83 to 14, clearing the measure for the President's signature. When signed by the President, this ethics reform legislation will significantly improve the transparency and accountability of the legislative process.

Although the White House has requested the Senate not submit the legislation to the President until he returns from his overseas travels, I wish to assure Senators we intend to abide by the requirements of S. 1 during the consideration of this bill. The legislation requires that the chairman of the committee of jurisdiction certify that certain information related to congressionally directed spending be identified and that the required information be available on a publicly accessible congressional Web site in a searchable format at least 48 hours before a vote on the pending bill.

The information required includes identification of the congressionally directed spending and the name of the Senator who requested such spending. This information is contained in the committee report numbered 110–85, dated June 18, 2007, and has been available on the Internet for over 2 months.

In addition, pursuant to the standards required by Chairman BYRD and Senator COCHRAN, letters from each Member with a congressionally directed spending item in this bill or accompanying report are available on the Internet certifying that neither the Senator, nor his or her spouse, has a pecuniary interest in such spending item.

I am submitting for the RECORD the certification by the chairman of the Committee on Appropriations.

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

Senator Byrd: I certify that the information that will be required by S. 1, when it becomes law, related to congressionally directed spending, has been identified in the Committee report numbered 110–85, filed on June 18, 2007, and that the required information has been available on a publicly accessible congressional website in a searchable format at least 48 hours before a vote on the pending bill.

Mr. REED. Before yielding to Senator HUTCHISON, I would like to thank Chairman BYRD and Senator COCHRAN for their leadership in bringing this bill to the floor. Also, I would like to thank the ranking member of our subcommittee, Senator HUTCHISON, for her support and assistance, her knowledge and experience on the subcommittee, and her dedication to veterans and the military have been tremendous assets in developing this bill. I am particularly pleased to bring the bill to the floor today in anticipation of welcoming Senator JOHNSON back. He is our subcommittee chairman. He will return tomorrow. This bill is a testament to Senator JOHNSON's tenacity in the face of adversity and to his leadership, even though as he recuperated, he was involved in the process and proceedings and he too shared the deep concerns of the Nation's military families and our Nation's veterans. I am deeply honored to be managing this bill on the floor for him.

I yield to the Senator from Texas.

The PRESIDING OFFICER. The senior Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I wish to first thank the Senator from Rhode Island for allowing me to speak before he gives his major talk about the bill itself because of time constraints. I appreciate that. It was very nice of him to do that.

Let me first say it has been very helpful—it has been terrific—working with the Senator from Rhode Island. He was, as he said, substituted. This was thrown at him early this year. I know it is something he wanted to do because he has a great record serving in the military himself, but to step in for Senator JOHNSON because of his illness was a great thing that Senator REED was able to do, and he has done a great job. I might add that his able staff has had a lot of experience on this bill and were also very helpful. Tina Evans, B.G. Wright, and Chad Schulken have been subcommittee staff members for a long time—longer than any of us, I might say—and it has been very helpful to have that knowledge and experience working with us. Of course, my own staff, Dennis Balkham, Christine Heggem, Yvonne Stone, and Sean Knowles have also contributed greatly to this complicated bill. It is a big bill that affects all our veterans and our military personnel because we do deal with military construction as well as veterans affairs.

This bill, I think, balances all the needs that are necessary very well. We have to take into account, of course, the Active-Duty servicemembers in making sure they have the military construction they need to do the job we are asking them to do. The Guard and Reserve, which I will mention later, is well funded in this bill, and it is something we must do because they are carrying such a huge burden in the war against terror. Local communities, family members of servicemembers, and taxpayers all have a part in balancing any appropriations bill and especially this one.

This bill does address the infrastructure requirements as well as health care and benefits of our veterans. We hope to move it expeditiously across the floor today, I think because Senator REED and I have worked so well on the bill that we have solved most of the issues that have come forward, and I believe we have done a good job in funding everything that was necessary.

Let me mention a couple of the main points. This subcommittee, with Senator FEINSTEIN and myself, were instrumental in the rebasing effort that has occurred in the Department of Defense. We are bringing back 70,000 of our troops from overseas to be able to train in the United States. This was part of an overseas basing commission bill that Senator FEINSTEIN and I cosponsored that was adopted by Congress and results in 70,000 troops coming back—mainly from Germany and South Korea.

That also has had an impact on military construction because we found when we went overseas that there were training constraints in the bases overseas. We had capacity in America for better training and better opportunities for families. So in this bill we had to address the needs of the military construction for those troops that will be moving back home over the next 5 to 6 years.

In addition, Congress has the responsibility to fund the BRAC. We have a time limit for the Department of Defense to implement BRAC. That requires building not only in the places where troops will be moving in and facilities that will be needed for additions to bases, but also to take care of the needs of bases that are going to be closed. We did fully fund BRAC, and I am pleased that we did. It was our responsibility to do it because we put a deadline on the Department of Defense for the implementation of BRAC. We certainly have to do the required construction in order to meet the deadline.

Army modularity: We are changing the concept. There are smaller fighting units now. We have accommodated that modularity effort through our military construction efforts. Of course, in the global war on terror, which is the major overlying conflict that is going on today with our military personnel, we certainly have to meet the needs of those who are being trained and are going to be deployed in the war on terror, and we have to take care of their families.

The military construction section of the bill provides over $21 billion for construction projects, and it is very strong. It is very important in our transformation effort that we have increased the end strength of the military, as well as changed the types of fighting units that we will have in the military. So that has also provided requirements for different military construction. We are doing exactly what we should be doing in the bill, and we worked very closely with the authorization committee to assure that their priorities and our priorities were the same.

I am very pleased that we also have addressed the needs of the Guard and Reserve. I have to say—and I think everybody who knows the subject would agree—that the funding needs of the Guard and Reserve have not been well represented in the Department of Defense budget submission in the past because of other high priorities for our defense dollars. But the Guard and Reserve are doing so much in the war on terror. They are being deployed and redeployed. We need to make sure they have the facilities and support they need to fulfill their very vital function in the war on terror.

The other part of this bill, which is a major responsibility, is, of course, the Department of Veterans Affairs. The veterans affairs portion of the bill has many good features. As we move forward in the process, I am committed to continuing to work with my colleagues to make sure that every dollar is spent wisely and efficiently to serve the needs of our veterans. We have expanded resources to treat the types of injuries and illnesses that our veterans are facing today. We are doing more in mental health and trying to help people with post-traumatic stress syndrome.

We are trying to make sure our facilities are kept up. We have a huge building program. Minor construction will be $751 million. Major construction will be $727 million. It is going to be a major effort to make sure these facilities are cutting edge.

Severe trauma and brain injury is another area we are addressing more fully in this bill than we ever have before. Also, research into prosthetics and the use of artificial limbs is another important focus because we know more of our young soldiers are losing limbs, and we need to make sure we are doing the very best for them to be able to lead normal lives.

We are doing more research into gulf war illness and, as well, geriatric care for the older veterans. These are critical needs. We will never quit looking for answers, and this fully funds the research for the areas in which we need to do more and better for our veterans.

We must continue to adapt to the types of injuries that our warriors experience in the different theaters in which they serve. We must also prepare for future weapons, such as chemical and biological, that may be used against our soldiers.

Mr. President, I think every Member of Congress shares in the desire to fairly compensate, medically treat, and

honor the veterans who have sacrificed and borne the responsibility of military service. The VA provides health care free of charge to address any and all service-connected illnesses or disabilities, mental or physical, including those conditions which may manifest decades after military service.

The VA also provides health care free of charge to low-income veterans regardless of service-connected disability or illnesses. We always have—and always will—take care of our Nation's veterans.

In summary, this Congress has shown its resolve time and again to care for our men and women in uniform, as well as the more than 7 million veterans in America. We owe them our gratitude. We owe them what they deserve, and that is that we take care of their needs.

I appreciate working with Senator REED. I appreciate that we have done everything we could with the dollars we had. I will just note that President Bush has said if the bill stays as it is now, he plans to sign it so that we can implement it quickly. But I do hope as we go through the conference process and finish the bill on the Senate floor that we will keep to the intention of the bill, that we will make sure we stay within the guidelines we have.

We have added $4 billion above the President's request already. That money is allocated, so there will be relatively few changes I think we should make if we are going to expeditiously send the bill to the President for his signature and assure that he will sign it.

Once again, I thank Senator REED and his able staff for accommodating me and allowing me to make my statement. I look forward to getting this bill out tomorrow and on to the President very soon.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I ask unanimous consent that the substitute amendment be considered and agreed to; that the bill, as thus amended, be considered as original text for the purpose of further amendments; and that no points of order be considered waived by this agreement.

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

Mr. REED. Mr. President, I commend Senator HUTCHISON for her hard work and that of her staff. She has been a very positive and laudable member of the committee. She has vast experience, having served on the committee many years, and has made a major contribution to this legislation, and she should be acknowledged for that contribution.

Mr. President, this is a critically important piece of legislation, and I hope that the Senate will act on it expeditiously. Both the Department of Veterans Affairs and the veterans service organizations have urged prompt action on this bill, and the President himself has cited the importance of not delaying crucial funding for our Nation's veterans and military forces.

The Military Construction and Veterans Affairs Appropriations bill funds urgently needed investments in the facilities in which our military forces and their families live and work and train for battle. It also provides funding for the benefits and medical care acutely needed by our Nation's veterans.

The bill before the Senate today provides a total of $109.2 billion in funding, including $64.7 billion in discretionary funds. In all, the discretionary funding is $4 billion over the President's budget request. As Senator HUTCHISON said, the President is prepared to sign the legislation as it is.

Funding for the Department of Veterans Affairs totals $87.5 billion, of which $44.5 billion is for mandatory programs and $43 billion is for discretionary programs, an increase in discretionary funding of $3.6 billion over the President's budget request.

We have independently determined additional needs for military construction and veterans affairs, and we found a responsible way to meet these additional needs.

More than 70 percent of the increase—$2.6 billion—is for the Veterans Health Administration. This increase will allow the Department of Veterans Affairs to dedicate additional resources to deal with spiraling health care needs for veterans, including the urgent needs of Iraq and Afghanistan war veterans. Chief among needs, in terms of widespread impact, is the treatment of traumatic brain injury and post-traumatic stress disorder.

The extent of these problems among returning veterans—and the strain that the treatment of them is placing on the Veterans health care system—is only now coming to be fully understood. The Defense Department estimates that as many as 30 percent of returning Iraq and Afghanistan war veterans suffer from traumatic brain injury or post-traumatic stress disorder—or both. This is a startling statistic and a looming crisis that needs to be addressed immediately.

The urgency of this problem was among the top findings cited in the report of the President's Commission on Care for America's Returning Wounded Warriors, better known as the Dole-Shalala Commission. The commission's report, which was released earlier this summer, spotlights the need to aggressively prevent and treat post-traumatic stress disorder and traumatic brain injury, including preparing for the long-term consequences of these injuries.

Many of the veterans wounded in Iraq and Afghanistan will require years, if not a lifetime, of medical care from the Department of Veterans Affairs. And this new influx of veterans is occurring at a time when the veterans from previous wars are aging and requiring substantial increases in medical services as well as long-term care.

It is vital that the Department of Veterans Affairs have adequate resources to address these emerging and unanticipated requirements without draining funds from other needed and high priority programs, such as long-term care for aging veterans.

Unfortunately, for too long, the President's Office of Management and Budget has ignored the financial impact of the wars in Iraq and Afghanistan on the Department of Veterans Affairs, and has continued to penny pinch the Department's budget.

As a result, the Department of Veterans Affairs has struggled over the past several years—often unsuccessfully—to keep pace with the rising demands for veterans health care. It has been Congress that has had to lead in providing the resources to bail out the Department when its projected health care costs fell abysmally short of the mark. And it has been Congress that has led the effort to provide the Department with more resources for mental health care programs at a time when the requirement for such services is soaring.

I am pleased to report that the bill before the Senate today corrects the deficiencies of the past and provides the necessary investment to guide the Department into the future.

And there is more good news for veterans in this bill. This legislation provides $1 billion over the President's budget request for minor construction and nonrecurring maintenance of veterans hospitals and clinics. Last February—after the President submitted his fiscal year 2008 budget request and after the deplorable conditions at Walter Reed Medical Center were revealed—the Veterans Affairs Department released a report identifying roughly $5 billion worth of deficiencies in its facilities system-wide. If we do not want to see another Walter Reed horror story in veterans' facilities, we need to move aggressively to correct these deficiencies, and the funding in this bill will allow the Department to do so.

The bill also includes $131 million to hire at least 500 new claims processors to reduce the growing backlog of veterans' disability claims. The Veterans Benefits Administration currently has a backlog of almost 400,000 pending claims, with the average claim taking almost 6 months to process. In testimony before the Senate Veterans Affairs Committee in March, the GAO highlighted the need for the VA to take steps to reduce the existing backlog of claims and improve the accuracy and consistency of decisions. This bill takes dead aim at correcting those problems.

I know, as all my colleagues do—because we get the calls in our State offices from veterans who need help and have an unusually long time in which their claim is being processed—that sometimes the claims are rejected and have to be resubmitted or are pending

appeals. All of this is going to be corrected, and it is going to help the people who need help, veterans who need access to the veterans system quickly and efficiently, and we hope this bill will do that.

On the military construction side, which is the other major provision in our legislative agenda, the bill provides $21.2 billion. While this is a substantial increase over last year's funding level, it should be noted that more than half of the budget request was to fund the 2005 base realignment and closure program and the President's Grow the Force Initiative. For military construction associated with conventional mission requirements, the budget request, following the trend of the past 5 years, was basically flatlined, but we have two major initiatives—the BRAC of 2005 and the new initiative of the President to increase principally the size of the Army—and those initiatives have required additional funding.

The Senate bill fully funds the President's $8.2 billion request for BRAC 2005 and for his Grow the Force Initiative, and it increases funding for the regular military construction program by nearly $400 million over the President's request. Especially in a time of war, we must not skip on funding the basic infrastructure needed to support our men and women in uniform.

The Senate bill also provides $320 million—that is $100 million over the President's budget request—for the BRAC 1990 legacy program. This goes back to the prior BRAC in 1990.

It is important that the Government keep its commitment to the communities affected by prior BRAC rounds and ensure that environmental cleanup of closed military installations is completed as thoroughly and rapidly as possible. Although it has been nearly 13 years since the last round of closures under the previous BRAC rounds, the backlog and environmental cleanup remains at $3.5 billion. At the current rate, it will take decades to return some of that property to a safe and usable condition. In the meantime, affected communities cannot use much of the land on which these bases sit.

I am particularly pleased that this bill adds $234.6 million above the President's budget request for Guard and Reserve military construction projects. The Guard and Reserve are central components of our Nation's military forces. Yet the President's request for military construction to support these components has been steadily declining. The Senate bill corrects that deficit.

Because of the enhanced scrutiny of earmarks under the requirements of S. 1 and the guidance of Chairman BYRD and Senator COCHRAN, it is important to understand how the military construction portion of this bill is funded. The vast majority of military construction funding is project based. That means Congress cannot correct deficiencies in the President's budget request simply by increasing the top line of individual accounts. Military construction funding is allocated by project and by law. Each and every major construction project must be individually authorized and individually funded. The President's military construction budget request is composed primarily of earmarked projects, and congressional increases to the budget request must also be earmarked for specific projects.

The 2008 Senate bill includes 665 individual earmarks, of which 580 were requested by the President. The staff of the Military Construction and Veterans Affairs Subcommittee worked diligently to identify every earmark in the Senate bill. Every Senator was required to submit to the committee both a written request and a letter of financial interest before a request would be considered. Moreover, the military construction title of this bill is developed in close coordination with the Senate Armed Services Committee, and every congressionally directed project in the appropriations bill is authorized in the Defense authorization bill. The process could not be more open and aboveboard.

It has been reported that the Senate bill harbors $6.5 billion in undisclosed earmarks, which comprises the funding for construction projects in the BRAC 2005 account. This characterization reflects an unfortunate misunderstanding of the BRAC account which I am pleased to clarify for the record.

Unlike the regular military construction program, the BRAC account does not require line-item authorization and appropriation for individual projects. Instead, the account receives lump-sum funding from which the Defense Department develops a spending plan to implement the recommendations of the Base Closure and Realignment Commission. Neither Congress nor the Defense Department has the authority to deviate from the Commission's recommendations. It is the policy of this committee to not earmark or accelerate funding for specific projects within the BRAC account because of the complicated domino effect of closing and realigning facilities among installations. Thus, each of the BRAC 2005 projects identified in the committee report was determined by the administration, in accordance with the BRAC law. The account includes no congressional earmarks.

I regret that due to a lack of understanding of the BRAC process, the Military Construction and Veterans Affairs appropriations bill has been used as a poster child for undisclosed earmarks. Such an assertion is inaccurate on its face, but to correct any lingering misconceptions, I have prepared a list of the 189 BRAC 2005 projects that were published in the report accompanying the bill, annotated to show that each project, since it was funded through the President's budget request, was requested by the President.

I ask unanimous consent to have the list printed in the RECORD so there can be no question as to the origin of these projects.

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

BRAC 2005 PROJECTS

[In thousands of dollars]

State	Service	Location	Commission recommendation	Project	Dollar amount	Request by
Alaska	Air Force	Elmendorf AFB	80,110	Aircraft Maintenance Complex	11,400	The President
			80,110	Ops and Med Training	12,200	The President
			80,110	Composite Support Complex	9,600	The President
Alabama	Army	Montgomery	11	Joint Forces Headquarters Building	36,100	The President
		Redstone Arsenal	148	Army Materiel Command & United States Army Security Assistance Command Headquarters Incr 1.	30,000	The President
	Missile Defense Agency	Redstone Arsenal	134	Construct Von Braun Complex	73,600	The President
Arkansas	Army	Arkadelphia	13	Armed Forces Reserve Center Building	12,200	The President
		Fort Chaffee	13	Joint Forces Vehicle Maintenance Facility	31,300	The President
	Air Force	Little Rock AFB	92, 93, 103	Aerospace Ground Equipment/Engine Facility	2,800	The President
California	Army	Bell	73	Armed Forces Reserve Center, Incr 2	22,100	The President
	Navy	China Lake	184	Fuze Test Facility	9,476	The President
			184	Hardware in the Loop Facility	13,890	The President
			188	Fixed Wing Transfer Facility/AF	8,600	The President
		NS San Diego	71	Renovate Commander, Mine Warfare Command, Headquarters	19,558	The President
			71	Child Development Center	7,079	The President
			71	Upgrade Magnetic Silencing Facility for MCMs	6,000	The President
		Naval Weapons Station Seal Beach	71	Mobile Mine Assembly Unit 15 Collocation to Building 78	5,150	The President
Colorado	Army	Fort Carson	6	Hospital Addition	27,000	The President
			6	Troop Health Clinic	54,000	The President
			6	Brigade Combat Team Complex, Incr 3	90,000	The President
			6	Division Headquarters Complex, Incr 2	20,000	The President
			6	Vehicle Maintenance Facility	13,200	The President
	Air Force	Buckley AFB	91,143B	Utility Infrastructure Construction	10,080	The President
	Counterintelligence Field Activity	Peterson AFB	131	CIFA West Office Building	2,363	The President
Florida	Army	Eglin Air Force Base	4	Indoor Firing Range	4,850	The President
			4	Live Fire Exercise Shoothouse	3,300	The President
			4	Live Fire Exercise Breech Facility	3,750	The President
			4	Shotgun Assault Course	3,000	The President
			4	Grenade Launcher Range	1,050	The President
			4	Hand Grenade Qualification Course	1,000	The President
			4	Urban Assault Course	1,500	The President
	Navy	Jacksonville	65	Hangar/Parking Apron	19,761	The President
	Air Force	MacDill AFB	104	Air Force Reserve Civil Engineering and Disaster Prep Training	3,500	The President
			104	Air Force Reserve Fire Fighting Administration/Training	1,150	The President
			104	Air Force Reserve Aeromedical Strategy and Tactics Analysis Group Squadron Training.	3,150	The President
			104	Air Force Reserve Communications Squadron Training	940	The President
			104	Air Force Reserve Add Services Flight Training	840	The President
			104	Air Force Reserve Security Forces Squadron Training	2,200	The President
		Homestead Air Reserve Base	113, 115	Armed Forces Reserve Center Add Avionics and Electronic Countermeasures Shop	2,150	The President
		Eglin AFB	125	Joint Strike Fighter Academic Simulator Facility	26,000	The President
			125	USMC Hangar	16,800	The President
		Naval Air Station Pensacola	128	Air Force Combat Systems Officer Training Hangar	36,500	The President
			128	Combat Systems Officer Training Facility	13,000	The President
Georgia	Army	Fort Benning	9	Troop Health Clinic—Winder, Sand Hill	5,100	The President
			9	Troop Health Clinic—Harmony Church	16,000	The President
			9	Troop Dental Clinic—Solomon, Sand Hill	3,550	The President
			9	Modified Record Fire Range 2	4,500	The President
			9	Modified Record Fire Range 1	4,500	The President
			9	Vehicle Maintenance Facility	23,000	The President
			9	General Instruction Complex 1	24,000	The President
			9	Training Aid Support Center Conversion	3,800	The President
			9	Infrastructure Support Incr 1	74,000	The President
			9	Training Support Brigade Complex Incr 2	73,000	The President
	Navy	Fort Gillem	62	RIA–14 Facility	3,764	The President
	Air Force	Moody AFB	79, 103	Dormitory, 120–PN	14,000	The President
		Robins AFB	87	Relocate 202 Environmental Impact Study Operations	1,700	The President
Hawaii	Army	Keauhaha	18	Armed Forces Reserve Center Building	49,200	The President
Iowa	Army	Iowa Army Ammunition Plant	162	Industrial Waste Treatment Plant	3,000	The President
Illinois	Army	Lake County	19	Armed Forces Reserve Center Building	25,000	The President
		Mt Vernon Armory	19	Armed Forces Reserve Center Building	26,400	The President
		Rock Island Arsenal	151	Metal Parts Production Addition/Alteration	10,600	The President
	Air Force	Scott AFB	142	Headquarters US Transportation Command Facilities	83,800	The President
Indiana	Army	Lafayette	20	Armed Forces Reserve Center Building	28,605	The President
Kansas	Army	Fort Riley	10	Combat Aviation Brigade Complex Incr 2	109,000	The President
Kentucky	Army	Fort Knox	9	Armed Forces Reserve Center Building, Phase 1	12,000	The President
			143	Human Resources Command Complex, Ph 2 Incr 1	55,000	The President
Louisiana	Army	Baton Rouge	23	Armed Forces Reserve Center Building	40,666	The President
			73	Armed Forces Reserve Center	8,000	The President
	Navy	Naval Air Station/Joint Reserve Base New Orleans	64	Flag Housing	1,527	The President
			64	Library	3,377	The President
			64	Recreation Center	2,186	The President
			64	General Administrative Building	9,158	The President
			64	Veterinary Facility	806	The President
	Air Force	Naval Air Station, New Orleans Joint Reserve Base	108	Relocate 214 Environmental Impact Study Operations	1,200	The President
Massachusetts	Air Force	Barnes Manpower Personnel Training, Air Guard Squadron.	94	Add To Munitions Storage	5,000	The President
			94	Alert Complex	16,500	The President
Maryland	Army	Aberdeen Proving Ground	5	Command, Control, Computers, Communications, Intelligence, Surveillance, and Reconnaissance (C4ISR) Facilities Ph 3 Incr 1.	141,000	The President

BRAC 2005 PROJECTS—Continued

[In thousands of dollars]

State	Service	Location	Commission recommendation	Project	Dollar amount	Request by
			5	Command, Control, Computers, Communications, Intelligence, Surveillance, and Reconnaissance (C4ISR) (I2WD) Facilities Ph 2.	104,000	The President
			169	Medical Research Lab, Chem Bio Defense	27,000	The President
			187	Army Research Lab	2,900	The President
	Navy	Indian Head	184	Explosives Development Facility	28,789	The President
	Air Force	Andrews AFB	129	Headquarters & Readiness Center (Increment 1)	28,000	The President
	Defense Information Systems Agency	Fort Meade	149	Construct DISA Building	151,994	The President
	National Security Agency	Fort Meade	130	Construct Adjudication Facility	94	The President
	TRICARE Management Activity	Walter Reed National Military Medical Center, Bethesda	169	Medical Center Addition/Alteration Incr 1	214,800	The President
Maine	Navy	Kittery	65	Survival, Evasion, Resistance and Escape (SERE) School and Addition to Building B315.	12,740	The President
		Brunswick	65	Naval Mobile Construction Battalion 27 Facilities	9,295	The President
Michigan	Air Force	Selfridge Air National Guard Base	95	Add to Fuel/Corrosion Control	1,050	The President
Minnesota	Army	Faribault Army National Guard	27	Armed Forces Reserve Center Building	16,000	The President
Missouri	Army	Jefferson Barracks	28	Armed Forces Reserve Center Building	27,100	The President
Montana	Army	Missoula Armory	29	Armed Forces Reserve Center Building	19,200	The President
	Air Force	Great Falls International Airport, Air Guard Station	94	Upgrade Munitions Storage	3,300	The President
North Carolina	Army	Fort Bragg	4	Troop Medical Clinic	16,500	The President
	Air Force	Pope AFB	103	Reconfigure Base Supply Building 560	796	The President
			103	Reconfigure Wing Headquarters Building 753	778	The President
		Seymour Johnson AFB	104, 119	Fitness Center Addition B4210	1,600	The President
			104, 119	Recreation Center Addition Bldg 3728	820	The President
			104, 119	Construct Flightline Kitchen Facility	960	The President
North Dakota	Air Force	Grand Forks AFB	104	Convert Hangar for UAV Corrosion Control	1,280	The President
New Jersey	Navy	McGuire AFB	68	Construct Helicopter Hangars & Marine Aircraft Group Headquarters	37,809	The President
			68	Joint Use Reserve Training Center	20,580	The President
			68	Navy VR Fleet Logistics Operations Facility	27,558	The President
New Mexico	Air Force	Kirtland AFB	187	Space Vehicle Facility	42,700	The President
New York	Army	Farmingdale	34	Armed Forces Reserve Center Building, Incr 1	65,000	The President
		Niagara Falls	34	Armed Forces Reserve Center Building	27,000	The President
		Fort Hamilton	53	Armed Forces Reserve Center Building	64,000	The President
Ohio	Army	Columbus	37	Armed Forces Reserve Center Building	29,000	The President
		Springfield	37	Armed Forces Reserve Center Building	25,500	The President
	Navy	Wright-Patterson AFB	174	Aero Medical Research Laboratory	13,600	The President
	Air Force	Wright-Patterson AFB	170, 188A	Alter Acquisition Management Facility (Human Systems Group/YA & Fixed Wing)	15,000	The President
			170	Alter Materials Laboratory (Human Systems Group/YA Labs)	6,200	The President
			170	Radiation Calibration Facility	4,600	The President
			170	Air Force Institute for Operational Health Facility	54,000	The President
			170	Air Force Research Labratory/Human Effectiveness (Brooks)	32,000	The President
			170	U.S. Air Force School of Aviation Medicine Consult Service	18,500	The President
			170	U.S. Air Force School of Aviation Medicine (Increment 1)	51,000	The President
			170, 187, 188A	Dining Facility	980	The President
			187	Air Force Research Labratory/Human Effectiveness (MESA)	34,000	The President
Oklahoma	Army	Fort Sill	x	Air Defense Artillery Brigade Complex, Incr 1	89,000	The President
			38	Armed Forces Reserve Center Building	34,000	The President
		McAlester	38	Armed Forces Reserve Center Building	16,000	The President
		Norman	38	Armed Forces Reserve Center Building	43,200	The President
		Vance AFB	38	Armed Forces Reserve Center Building	15,000	The President
		West Oklahoma City	38	Armed Forces Reserve Center Building	41,000	The President
		Fort Sill	126	Training Aids Support Center	6,000	The President
			126	Air Defense Artillery School Complex Incr 2	87,000	The President
	Air Force	Tinker AFB	108	Air Force Reserve Squadron Operations/Life Support	6,900	The President
	Defense Logistics Agency	Defense Distribution Depot Oklahoma City (DDOO)	177	Construct General Purpose Warehouse	22,000	The President
Pennsylvania	Army	Letterkenny Army Depot	7	Guided Missile Launcher Equipment Shop, Depot	11,500	The President
		AFRC Bristol	40	Armed Forces Reserve Center Building	25,000	The President
		AFRC Scranton	40	Armed Forces Reserve Center Building	32,000	The President
		Tobyhanna Army Depot	57	Radar Test Range	2,450	The President
	Navy	Lehigh Valley	73	Navy Marine Corps Reserve Center (NMCRC) Reading to NMCRC Lehigh Valley	8,600	The President
	Defense Logistics Agency	Defense Distribution Depot Susquehanna (DDSP)	177	Construct General Purpose Warehouse	38,350	The President
South Carolina	Army	Fort Jackson	50	Drill Sergeant School	24,000	The President
			124	Joint Religous Education & Training Center	11,600	The President
	Navy	Goose Creek	71	Explosive Ordnance Disposal Mobile Unit (EODMU–6) Detachment Boat Shops	1,580	The President
	Air Force	Shaw AFB	3A	Base Operational Support Project for Headquarters 3rd Army	25,000	The President
Texas	Army	Fort Bliss	x	Combined Arms Collective Training Facility	18,500	The President
			10	Brigade Combat Team Complex #3 Incr 1	103,000	The President
			10	Digital Multipurpose Training Range	15,000	The President
			10	Urban Assault Course	2,300	The President
			10	Convoy Live Fire Training Range	3,200	The President
			10	Infantry Squad Battle Course	2,400	The President
			10	Troop Health Clinic	42,000	The President
			10	Physical Fitness Facility	22,000	The President
			10	Youth Center Expansion	2,000	The President
			10	Information System Processing Center	6,100	The President
			10	Infrastructure Support Ph 2	55,000	The President
			10	Combat Aviation Brigade Complex Incr 2	90,000	The President
			10	Close Combat Tactical Trainer Facility	6,100	The President
			10	Brigade Combat Team Complex #2 Incr 2	70,000	The President
		East Houston	44	Armed Forces Reserve Center Building	36,000	The President
		Fort Bliss	44	Armed Forces Reserve Center Building	49,900	The President
		Northwest Houston	44	Armed Forces Reserve Center Building	31,900	The President

		Fort Sam Houston	174	Battlefield Health & Trauma, Incr 2	53,000	The President
	Navy	Fort Sam Houston	174	Battlefield Health Trauma Bio-Med Lab	7,473	The President
	Air Force	Naval Air Station Fort Worth Joint Reserve Base	113	Air Force Reserve Munitions Igloos	1,250	The President
		Randolph AFB	137C	Civilian Personnel Office Administration Center Facility	10,900	The President
		Lackland AFB	147, 170	Headquarters Admin Center (Air Force Center for Environmental Excellence & Air Force Real Property Agency & Air Force Wide Support Element).	37,000	The President
		Fort Sam Houston	172	Medical Training Facilities (Increment 1)	96,400	The President
			172	Medical Education & Training—Dining Facilities	38,000	The President
			172	Medical Education and Training Center Student Dorm #1 (Increment 1)	46,500	The President
			172	Medical Education and Training Center Student Dorm #2 (Increment 1)	47,000	The President
	TRICARE Management Activity	Fort Sam Houston	172	Addition/Alteration for San Antonio Military Medical Center (SAMMC) North Incr 1	156,035	The President
		Fort Sam Houston	172	Health Clinic	43,100	The President
Virginia	Army	Fort Lee	121	Combat Service Support School Ph 1 Incr 2	212,000	The President
			121	Combat Service Support School Ph 2 Incr 1	173,000	The President
			122	Joint Center for Consolidated Transportation	13,400	The President
		Fort Belvoir	169	Infrastructure Support Incr 1	20,000	The President
	Navy	Quantico	131	Investigative Agency Facilities	143,132	The President
		NSY Norfolk	164	Ship Maintenance Engineering Facility Modification	19,362	The President
			166	Engineering Management Facility Conversion	9,506	The President
		Dahlgren	184	Research, Development, and Acquisition—Test and Evaluation Consolidated Facility	28,930	The President
	Defense Commissary Agency	Fort Lee	139	Facility for Consolidation	23,389	The President
	Defense Intelligence Agency	Rivanna Station, Charlottesville	167	Joint Use Intelligence Facility—Phase 1	41,000	The President
	Missile Defense Agency	Fort Belvoir	134	Construct Headquarters Command Center	25,100	The President
	National Geospatial-Intelligence Agency	Fort Belvoir	168	Construct NGA Building	428,879	The President
	TRICARE Management Activity	Fort Belvoir	169	Hospital 1st Increment	219,400	The President
	Washington Headquarters Services.	Fort Belvoir	133	Office Complex, Increment 1	321,546	The President
Vermont	Army	Rutland	45	Armed Forces Reserve Center Building	23,000	The President
Washington	Army	Yakima	46	Armed Forces Reserve Center Building	20,000	The President
	Navy	Bremerton	166	Ship Maintenance Engineering Consolidation	130	The President
		Fort Lewis	76	Relocate Navy Cargo Handling Facilities Battalion 5	7,333	The President
Wyoming	Army	Joint Forces Hqtrs. Cheyenne	49	Armed Forces Reserve Center Building	32,500	The President
	Air Force	Cheyenne MAP AGS	106	Squadron Operations Addition	3,200	The President
Various Locations	Army	Various Locations		Planning and Design	183,900	
District of Columbia	Navy	Washington		Planning and Design	20,127	
	Air Force	Various Locations		MILCON Planning and Design	25,487	
Total Milcon and P&D					6,419,758	
Various Locations	Army	Various		Environmental	86,756	
	Navy	Various		Environmental	16,953	
	Air Force	Various		Environmental	8,696	
	Defense Wide	Various		Environmental		
Total Environmental					112,405	
Various Locations	Army	Various		Operations and Maintenance	442,967	
	Navy	Various		Operations and Maintenance	205,656	
	Air Force	Various		Operations and Maintenance	222,601	
	Defense Wide	Various		Operations and Maintenance	317,492	
Total Operations and Maintenance					1,188,716	
Various Locations	Army	Various		Military Personnel Moves		
	Navy	Various		Military Personnel Moves	2,499	
	Air Force	Various		Military Personnel Moves	12,256	
	Defense Wide	Various		Military Personnel Moves		
Total MilPers PCS					14,755	
Various Locations	Army	Various		Other	244,502	
	Navy	Various		Other	1,711	
	Air Force	Various		Other	30,548	
	Defense Wide	Various		Other	161,920	
Total Other					438,681	
Total BRAC 2005 fiscal year 2008 All Categories.					8,174,315	

Mr. REED. Mr. President, it has been a remarkable process putting this bill together, principally because of the staff of the subcommittee on both sides. I wish to particularly thank Christina Evans, B.G. Wright, and Chad Schulken for the majority, and Dennis Balkham, Chris Heggem, and Yvonne Stone for the minority for their hard work and cooperative effort to produce this bill.

I believe the 2008 Military Construction and Veterans Affairs and Related Agencies Appropriations Bill is an excellent piece of legislation, one that is needed now, not later. It is needed to fund programs that are crucial to our national defense, to the defense of the Nation, and to the well-being of our veterans. I hope and urge that the Senate quickly pass this bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The junior Senator from Texas is recognized.

NOMINATION OF JIM NUSSLE

Mr. CORNYN. Mr. President, the August recess has given us all an opportunity to return to our constituents and reconnect with the people of our States and listen to what is on their minds, not just what we hear inside the bubble in Washington, DC. For my part, the issues I encountered wherever I went in Texas were concerns about the economy, about jobs, about Government spending. Many people are concerned, and given, unfortunately, the recent history of the Congress and the budget that has already passed, I don't blame them for their concerns. There are some very real reasons they should remain concerned about taxing and spending in the Congress.

Mr. President, you will recall that in 2001 and 2003, when Republicans were in the majority, Congress passed well-timed tax relief that helped the economy overcome the fallout from corporate accounting scandals of the late 1990s, the bursting of the tech bubble, and the horrific attacks of September 11, 2001. This well-timed and important tax relief put money back into the pockets of working families all across America, in the pockets of small businesses and entrepreneurs, and as a result, the economy has bounced back in an incredible and impressive way. Items such as bonus depreciation and the $100,000 expensing have allowed entrepreneurs and small businesses to grow, not only helping their owners and their families but also creating jobs for their community.

We doubled the child tax credit for working parents. We provided tax relief to all taxpayers from higher marginal tax rates. We reduced the marriage tax penalty and protected millions of taxpayers from the alternative minimum tax. We also provided capital gains and dividends tax relief for small investors, which have helped increase economic activity and fill the Government's coffers.

We continue to benefit from this tax relief we are enjoying by seeing 8.2 million new jobs created, nearly 6 years of uninterrupted economic expansion, and surging tax revenues that have far outpaced projections and helped lower the deficit. In fact, last month, the Congressional Budget Office reported that the budget deficit will fall by more than one-third this year and is almost $20 billion lower than its previous estimate. Meanwhile, it was reported that the economy grew by 4 percent last quarter alone.

Unfortunately, there are some on the other side of the aisle who want to fix what is not broken and roll back the progress we have made with the tax relief passed in 2001 and 2003. Instead of talking about tax relief for hard-working Americans, there are those who are talking about raising taxes on Americans. Instead of talking about supporting the American entrepreneurial spirit, some are talking about expanding the size of Government and increasing Government spending.

First, we passed a budget a few months ago that contemplated the largest tax increase in our Nation's history, not as a result of the vote of Members of the Congress but by allowing the temporary tax provisions I mentioned a moment ago to expire without taking a single vote. This budget stacked the cards against taxpayers by making it easier for Washington to raise taxes. Then the Senate considered tax policies on a so-called Energy bill that produced no new domestic sources of energy. Instead, it would have reinforced America's dependence on foreign energy sources. At the same time, we have seen legislation pass that raises taxes that especially hits low- and middle-income individuals hard.

Next, we saw proposals rejected that would have forced Congress to err on the side of the people by making it more difficult for the Senate to raise taxes. For example, a 60-vote point of order against legislation that raises income taxes that overwhelmingly passed the Senate but was later stripped out during the conference committee on the budget.

In addition, some on the other side of the aisle have proposed to raise the Federal gas tax at a time when the price of gasoline remains around $3 a gallon. They have also proposed legislation that slaps what I believe could accurately be called a competition tax on America's entrepreneurs and small businesses by making it more difficult to keep capital at home and to attract capital from abroad. After all, capital formation is the lifeblood of domestic job creation.

Finally, some have actually advocated rolling back the 2001 and 2003 tax relief that has done so much good for American businesses and provided my home of Texas with historically low unemployment rates.

As this chart shows, American workers will have to work 79 days just to pay for their Federal taxes this year. And that, of course, is on top of the 41 days to pay their State and local taxes—which we can see far exceeds any other category, whether it is housing and household operation or health and medical care or transportation, clothing, or other items. They are far exceeded by the Federal tax bite taken out of the average taxpayer's paycheck.

We have been treated to an interesting debate during the Presidential primaries already to see how leading Presidential candidates compare on various tax issues. We have seen proposals from the top Democratic candidates to actually raise the individual tax rate to 39.6 percent from 35 percent. We have seen proposals from the top Democratic candidates to tax private equity, carried interest at higher ordinary income rates, and we have seen a proposal to preserve the death tax.

On the other hand, top Republican candidates have proposed to preserve the tax cuts, including the 35 percent top rate, preserving the lower capital gains rate for carried interest, and we see on the bottom the difference in the way the top Democratic candidates for President and top Republican candidates for President would treat capital gains and other taxes.

Invariably, it seems as if the differences are between those who would take more of a tax bite out of the hard-earned income of the American taxpayer and spend more on Federal Government and those who believe the people who earn the money deserve to keep more of what they earn. This tax relief has given rise to an unprecedented expansion of the economy and job creation beyond some of our wildest dreams.

The politics of tax and spend has unfortunately crept back into Washington and threatened to undo a lot of good work that has been done over the past several years. One rather confusing example is the recent passage of the reauthorization of the Children's Health Insurance Program. This bill increased the CHIP budget by 300 percent, effectively raising taxes to cover the expenditure. But this program has also increased the scope of CHIP coverage to include families of four with an income of more than $80,000, some 400 percent of the poverty level. This creates the double standard of such families being in need by CHIP standards but wealthy under the Tax Code. Our laws should never contain such a ridiculous double standard.

This battle for higher taxation and fiscal irresponsibility is nowhere more evident than it is with the confirmation of Jim Nussle as the head of the Office of Management and Budget, a nomination we will be voting on later today. Despite the progress and economic boom that I have described, many Members of Congress are fighting against this nomination, even though this former chairman of the House Budget Committee was a major architect of these successful tax policies which I have described. The House majority leader even remarked that from

2001 to 2006 Congress had ''pursued the most fiscally irresponsible policies.'' And while our current economy seems to contradict that statement, the American taxpayer must certainly disagree.

Congressman Nussle has a long and well-established history of financial responsibility and is considered by many to be a leading expert on budget issues and the Federal budget process. Congressman Nussle has worked hard to try to pass meaningful earmark reform, even before it became a popular political rallying cry. He was instrumental in writing the welfare reform bill, and he successfully passed six budgets. Finally, Congressman Nussle has been repeatedly praised for his work on taxes by national organizations such as Americans for Tax Reform, the National Taxpayers Union, Citizens Against Government Waste, the Council for the Committee on Government Reform, and the National Tax Limitations Committee.

As we move forward, the last thing we should do is to reverse the policies that have helped bring around America's economy, reduced the deficit and put more money in the pockets of Americans. Indeed, we must pursue economic policies that encourage growth and protect the interests of America's taxpayers. The best way to do that is by maintaining the tax relief that has already helped millions of hard-working Americans and by confirming Jim Nussle as head of the Office of Management and Budget.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CARPER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

THE ECONOMY

Mr. KYL. In just a few minutes, we are going to start the discussion of the confirmation of Jim Nussle as head of the OMB—the Office of Management and Budget. And since a lot of what he has to work with in terms of budget depends upon decisions we make in the U.S. Congress, I thought it might be a good time to review some of the economic news and information that has been coming out over the course of the last several days and weeks. The majority of this information is very encouraging for our future, and I will go through briefly and explain why it matters.

It shows, first of all, that we had 4 percent economic growth in the second quarter of this year. That is phenomenal and well above the historical average. Continuing low unemployment; now it is 4.6 percent. More than 8 million jobs have been created in the course of the last 5 years. And though the stock market has been up and down in recent weeks, it is still growing at better than 7 percent this year, which is very good. In fact, since 2003, the stock market has grown at an average of 12 percent, which is at about the historical average of the stock market. The poverty rate has declined to 12.3 percent. By contrast, for example, under the Clinton administration, it averaged 13.3 percent, so it is 4 percent lower than it was during that time.

Clearly, the economic growth that has characterized our economy generally has benefitted many segments of our society. Nearly 70 percent of Americans now own their own homes. That is higher than at any time, for example, during the previous administration. And the average home price has increased by more than 50 percent since 2001, meaning that a home worth $200,000 in 2001 is, on average, worth about $300,000 today. That kind of appreciation for housing has obviously increased the wealth of American homeowners by literally billions of dollars.

Those are just some of the numbers, Mr. President, but I think they illustrate a very important point, and that is that success in the economy is not an accident, first of all. We in Washington need to appreciate that we don't create success. That is created by the American people—the entrepreneurs, the people who work hard, and the thousands, millions, literally, of decisions made every day in working through our free market economy. But government can also have a big impact on whether that success exists or not by decisions we make relating to regulatory and tax-and-spend policy. And what we do here, I think one would have to acknowledge, can have a big impact on the decisions that working Americans and investors make in their economic lives.

It is now undeniable that one of the key factors in the economic growth that I referred to earlier is the 2001 and 2003 tax relief passed by the Republican Congress and signed by President Bush, and it has been a big boon to the economy.

Let me explain what we have done to create the conditions for growth, in other words. We have rewarded work and investment through lower tax rates. We have refused to punish success by taxing the rich even more. We have given small businesses financial incentives to grow and to add jobs to the economy, and we have encouraged investors to move their capital around efficiently so that businesses can get the money they need to grow.

We need to continue to encourage hard work, savings, and investment. We need to protect the pocketbooks of working families and the cash registers of the small businesses by protecting them against tax increases. And, frankly, we need to stop wasteful Washington spending because when Washington goes on a spending spree, the next thing that happens is politicians start looking to raise taxes.

Now, what are the economic plans of the Democrats by comparison? Are they also aimed at encouraging growth? I would, unfortunately, say, no, I don't think so. Under the budget that was passed, the Democrats will raise taxes by $716 billion. Those new taxes would discourage investment, punish hard work, and block jobs from being created. And repeatedly this year the Democratic Congress has overspent the budget. The war supplemental included billions in agricultural pork projects. The omnibus continuing resolution included billions in extra spending, and the appropriations bills that have passed out of the House of Representatives and are being considered in the Senate are all over the President's budget request. This is going to make Jim Nussle's job a lot more difficult.

And how do the tax-and-spend plans of the Democrats help economic growth? The answer is simple: not at all. The fact is, my Democratic colleagues rarely talk about economic growth. They don't claim the $716 billion in new taxes would be a boost to the economy, of course, because it wouldn't. Instead, they advocate new taxes and new spending programs and just assume that economic growth will occur regardless of whether they bust the budget and raise taxes on the American people.

It pains me to say it, but I don't think these folks understand why economic growth matters to the average family. Otherwise they wouldn't be proposing this kind of counterproductive policy. Let's look at what would happen if we abandoned the current economic policies that have enabled our economy to grow in the last quarter, as I said, at over a 4 percent clip.

If the economy is not expanding, there will be very few new jobs. Most obvious and painful are the job losses. If the economy is contracting, people will be losing their jobs. And there is a multiplier effect. When one worker loses his job, his family and community suffer. All the money he or she has been earning was either being spent or invested. Now, the people relying on those dollars suffer as well. Those who keep their jobs will see very little wage growth, cuts in their benefits, such as health care, longer work hours, for example, more people working multiple jobs and spending even less time with their families.

You can see the multiplier effect of this kind of economic loss. And there is a flip side. Without economic growth, there is no expansion of existing business facilities, such as expansions to factories, which would lead to more local jobs. No new businesses. For the most part, you don't see large-scale business startups during economic downturns. And it is not just the potential worker for that company who loses out, it is the supplier and vendor and every business partner who would also have the opportunity to thrive if

the conditions were better. And your retirement suffers. Retirement savings don't grow; 401(k)s and pensions and savings accounts remain stagnant and can even lose money. Even your Social Security suffers because government depends on economic growth for increased revenues. With lower Social Security tax receipts, the date when the Social Security trust fund goes bankrupt gets even closer.

You can talk about these multiplier effects all day. They are very real. And that is why we have to support policies that strengthen economic growth and assure that American families continue to have opportunity rather than problems. Economic growth drives higher tax revenues to the State and local and Federal Government. The economic growth since the Republican tax cuts went into effect has led to dramatic increases in State and Federal income taxes. Think about it—we lowered taxes on everyone, but our Federal revenues to the Treasury have increased. That just doesn't happen in times of recession. Just the opposite occurs—there are lower tax revenues.

Even at the local level, with schools, for example, and cities—the roads, the police, the libraries, the parks—all of these things depend upon collecting tax revenues. Economic growth is essential at all levels of government. So if you care about good schools, for example, you care about economic growth.

Let me talk just one more little bit about the increase in taxes because this is one of the key factors that can inhibit economic growth, and it is one that concerned me most about the budget that was passed by the Democrats. The plan, as I said, is to repeal the 2001 and 2003 tax rate reductions—that tax relief. Every American benefitted from those tax cuts, so this would be a big mistake for two reasons.

First of all, everyone received some benefit. Even those who didn't pay taxes received money back from the Federal Government, and we created a new 10-percent bracket for the very lowest bracket of taxpayers so they wouldn't have to pay as much in taxes. So it wasn't just people at the upper economic stratum that benefitted. It was all Americans, including even some who didn't pay taxes.

Second, everyone benefitted not just because of the specific relief they got but because the economy grew. It was John F. Kennedy who said, in 1963, in supporting the tax rate cuts that he proposed at that time, that a rising tide lifts all boats. What he meant by that was as economic growth continues, it helps everybody in our society—more jobs created, wages increased, business investment increased, and money put back into the communities. So even if we just passed the tax relief for lower income people, our economy would still be hurt. Our priorities should be about encouraging economic growth and preventing a recession. High taxes and spending send us in exactly the wrong direction.

Well, Mr. President, let me conclude with this thought. We still have challenges, obviously. We are fighting a global war against Islamic extremists. It is enormously costly. But that is another reason we need a strong economy, so people have good jobs and our government has the revenue it needs to address that conflict.

While overall inflation is extremely low, in certain specific areas, such as gasoline prices, they are too high. So we need to work on creating energy independence and look at the viability of alternative fuels. We face rising health care costs with insurance premiums that continue to rise. This is a big issue, and obviously we are working on it. But Republicans know that Americans don't want radical changes that turn our health care into some kind of Washington-run bureaucratic government program—a one-size-fits-all. We need patient-centered health care in this country. We can debate about these specific solutions to these other problems, but without a vibrant and growing economy producing more and more wealth, any of those things will be difficult to address. We can help solve these problems, but the last thing an American family needs is the economic policies that would result in higher taxes, more spending, and all of the devastating consequences of economic recession.

EXECUTIVE SESSION

NOMINATION OF JIM NUSSLE TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Jim Nussle, of Iowa, to be Director of the Office of Management and Budget.

The PRESIDING OFFICER. Under the previous order, there is now 3 hours of debate on the nomination, with 2 hours equally divided between the chairman and ranking member of the Budget and Homeland Security Committees, and 1 hour under the control of the Senator from Vermont, Mr. SANDERS.

Who seeks recognition? The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, we are now considering the nomination of Congressman Jim Nussle to be the next Director of the Office of Management and Budget. I will vote against the confirmation of Mr. Nussle. I have informed him this morning that I would cast that vote.

I do not make this decision lightly. I like Jim Nussle. I worked with him when he was the House Budget Committee chairman. We have always had a good personal relationship. But this goes beyond a personal relationship; this is a question of the fiscal policy of the United States. Congressman Nussle would be quick to tell you that he has been an architect of this fiscal policy. Of course, the key architect has been the President of the United States, but Mr. Nussle has been a strong ally of the President in constructing this fiscal policy. I believe it is a profound mistake for this country and one that simply must be changed. To send a signal, I will cast my vote in opposition to the confirmation of Mr. Nussle.

Let me say, I voted to move his nomination through the Budget Committee. I said at the time that he is clearly qualified, which he clearly is. He is, after all, the former chairman of the House Budget Committee. But this is a question of what policy do we pursue for the future. Congressman Nussle has indicated that in fact he is proud of the policy that has been put in place. That is where we profoundly disagree. I believe this is a consequential vote, to send a signal on what we believe the fiscal policy of the United States should be, going forward.

Here is the record. When the President came into office he inherited a surplus. In fact, there was a projected surplus at the time of almost $6 trillion over the next 10 years. We all know what happened. The President turned that into massive and record deficits, in fact, the largest deficits in our history. Part of that was because the President increased spending and increased it rather dramatically. He increased it from $1.9 trillion a year to $2.7 trillion, almost a 50-percent increase. We know Iraq was one part of that. He told us at the time that he engaged our forces in Iraq that that would cost about $50 billion; the whole enterprise in Iraq would cost some $50 billion. Instead, we are at $567 billion and counting. He has already asked for another $50 billion which would take us over $600 billion committed to Iraq, 12 times the President's original estimate.

At the same time that spending has gone up dramatically, revenues of the country have basically stagnated and stagnated over a 6- or 7-year period. Going back to 2000, you can see that real, inflation-adjusted revenues of the United States were just over $2 trillion. We didn't get back to that amount until last year. This year we are anticipating $2.13 trillion in real revenue.

Spending is up dramatically. Real revenue has stagnated. The result is deficits and debt have soared and that is precisely what has happened. Here is the debt of the United States during this period. We have gone from $5.8 trillion at the end of the first year of the President's time in office to $8.9 trillion in 2007. That is a stunning increase in debt.

Unfortunately, increasingly it is financed from abroad. This is foreign holdings of U.S. debt. You can see we have gone from a combined total when this President took over of just over $1

trillion of U.S. debt held by foreign entities, and look what has happened during this 6 years of this administration. He has more than doubled foreign holdings of our debt.

Some of our friends will say that is a sign of strength. I don't know in whose mind that is a sign of strength. Owing more countries more money doesn't strike me as a sign of strength. In fact, here is the list of the 10 top holders of U.S. debt. Japan we now owe over $600 billion; we owe China over $400 billion; we owe the United Kingdom almost $200 billion; we owe the ''Oil Exporters'' $120 billion; we owe Brazil, Luxembourg, Hong Kong, Taiwan, South Korea and—my favorite—the Caribbean Banking Centers. We owe them almost $50 billion as of now.

I am always amused to hear our colleagues say they have done this with a tax policy that has increased the progressivity of the tax system. I don't know what calculation would lead to you that conclusion. The fact is, in 2006 alone, those earning over $1 million a year got on average a tax cut of almost $120,000—for that year alone. Somebody earning less than $100,000 got less than $700 in tax cuts.

Again, those earning over $1 million a year—and I have nothing against people being successful financially. I am all for it. I wish the success of this country were more broadly shared. That would be a good thing. That would be a positive value. But I must say our friends on the other side are incredibly focused on helping the very wealthiest among us, so they chose a tax policy that gave, on average, to those earning over $1 million a year a tax cut approaching $120,000 in 1 year. That is not my idea of broadly shared tax policy, or one that is fair and equitable.

In fact, we know the cost of the President's tax cuts for 2007 alone, according to the Congressional Budget Office, is $205 billion. That is more than the projected deficit. So for this year the President's tax cuts that go overwhelmingly to the most wealthy among us are totally and completely responsible for the deficit.

The President's answer is more tax cuts. Here is what we are told will happen if the additional tax cuts the President is seeking and the current tax cuts are extended. The additional debt that will result is the red part of this chart. The green part of the chart is the debt if the tax cuts expired or are paid for.

I heard our colleagues on the other side say the budget passed by the Democrats had big tax increases. No, it did not. There was no assumption of a tax increase of any kind in the budget we passed. In fact, we had very dramatic tax relief, tax relief for middle-class taxpayers, the continuation of the middle-class tax cuts, as well as estate tax reform. We assumed that things would be paid for—not with tax increases but by closing tax loopholes, by going after the tax gap—the difference between what is owed and what is paid—by closing down abusive tax shelters. That is precisely what we ought to be doing in this country to stop the tax scams that have exploded.

I have also heard that the economy is performing splendidly. The problem with that is if you compare this recovery to the nine previous recoveries since World War II, what you see is dramatic underperformance. In fact, if you look at real revenues you find we are $86 billion short of the typical recovery since World War II.

If we look at job creation, we see we are lagging behind the typical recovery since World War II by 7.6 million private sector jobs.

On real business investment, the pattern is the same. We are 63 percent behind the typical recovery since World War II, in terms of real business investment.

In terms of economic growth we see the same pattern. The real GDP average annual growth during the nine previous business cycles, the nine previous recoveries since World War II, is 3.4 percent; this recovery, a tepid 2.5 percent. This is not an economic record one can be proud of or be talking about in very positive terms because it is an economic recovery that has been among the weakest of the nine major recoveries since World War II.

Here is what happens to spending under our budget resolution. We take it from 20.5 percent of GDP this year down to 18.9 percent. This is a fiscally responsible budget.

With respect to the budget resolution and the difference between it and the President's plan, we have only 1 percent more spending than the Bush budget—1 percent. And where did that additional spending go? We put it into veterans' health care, children's health and education. Those ought to be the priorities for this country—to take care of the veterans to whom we made a promise when we sent them off to war that they would be cared for. This administration did not ask for sufficient resources to keep that promise. We did.

On children's health care, we said we ought to begin a process of trying to cover all of the children in this country. The administration did not agree with that priority, nor did they agree to expand the support for education that we think is required if we are going to keep our country No. 1.

With respect to overall revenues, it is very interesting to look at what the President called for in his budget. He called for $14.826 trillion in revenue. That is what he called for in his budget scored by his own agency: $14.826 trillion. Our budget called for $14.828 trillion—virtually no difference. When they talk about the largest tax increase in history, they are engaging in a figment of their imagination.

If you use CBO scoring for both instead of using the President's own agency to score his own proposal, which I think is eminently fair—but if you use CBO to score both, we have a 2-percent difference in revenues and we believe that can be easily achieved by closing abusive tax shelters, going after these offshore tax havens, and by beginning to close this looming tax cap gap, the difference between what is owed and what is paid, with no tax increase at all.

Let me conclude by citing Treasury Secretary Snow. He acknowledged the need for a bipartisan approach to solving long-term challenges. He said, ''You can't do health care reform or Social Security reform . . . without a bipartisan consensus. If we made a mistake, it was not approaching it in more of a bipartisan way.''

That is the former Secretary of Treasury under this administration lamenting the fact that they were not sufficiently bipartisan. That is precisely what is needed in this town, is a more bipartisan approach to dealing with the fiscal challenges facing this country.

I hope very much that this administration gets the message that we need to change course for the fiscal future of our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I wish to rise on behalf of supporting Congressman Nussle, who has been nominated to be head of OMB. I also want to thank the chairman of the Budget Subcommittee for the courteous and professional way he always proceeds in bringing this nomination forward. He could have slow-walked it; he could have held it up. He did not. I appreciate that. I know Members on our side appreciate that. That is the approach he has taken as chairman; he has always been fair. We do appreciate that very much.

I would note that in his closing statement, he called for bipartisanship. It was a bipartisan act on his part to report Mr. Nussle out. It would even be more of a bipartisan act if he voted for Mr. Nussle. That would be truly a bipartisan act.

Let me note that the debate here is not about Congressman Nussle or his qualifications. As chairman of the Budget Committee in the House, he clearly is qualified to do this job. It is the President's prerogative to pick whomever he wants to be OMB Director; it is really an in-house job, really an arm of the White House, and so he has tremendous leverage in this area, in my humble opinion, latitude in this area.

So really today is going to be more about a debate of where the two parties stand on economic policies. And there are significant differences here. All we need to do is to return to the ''scene of the crime,'' otherwise known as the Democratic budget which passed this Congress, a budget which dramatically increased the taxes by $900 billion, a budget which dramatically increased the spending on the discretionary side

by $22 billion this year and $205 billion over the term of the budget, a budget which did not address or even attempt to address the most significant problem we have on the spending side of the ledger, which is the issue of how we deal with the retirement of the baby boom generation and the programs which benefit that generation—Medicare, Social Security specifically, Medicaid to a lesser degree—and the fact that those programs are going to drain our children and our children's children's opportunities to be successful and to have quality lifestyles because the cost of those programs is going to simply overwhelm the next generations because we will have done nothing as a result of the budget that passed this Congress under the Democratic leadership to address those issues.

But before we return to that issue, let me just simply highlight a few points which I think have been spun a little bit by the other side of the aisle, which are the issues of what these tax cuts which were put in place by this President at the beginning of his term have done and how the economy has grown.

First off, as a result of these tax cuts, in large part, and as a result of the economic policies of this administration, we have now seen 23—I think it is actually 24—consecutive quarters of economic growth, which is a pretty good experience for our Nation. In addition, we have added 8.3 million jobs—8.3 million jobs. In fact, the mean income of Americans has grown faster during the term of this President than it did under the term of President Clinton.

In addition, we have seen that revenues are now exceeding the historic projections by significant amounts. We have seen in the last 4 years revenue increases to the Federal Government which have outstripped anything in our history as a percentage of growth. Historically, revenues to the Federal Government have been about 18.2 percent of gross national product. Now they are up around 18.6 percent, and they are continuing to go up.

What has caused this huge influx of revenues to the Federal Government? What has caused it is that we put in place a fair tax policy which said to entrepreneurial Americans, to working Americans: Go out, invest, take risks, make this economy grow, create jobs. As a result of saying that to American entrepreneurs and to working Americans, we have seen this economic expansion. It is an economic expansion that has not only benefited the average American by giving them a better job and more jobs and a higher income rate of growth, but it has obviously benefited the Federal Government because the Treasury has seen a huge influx in revenues from this economic growth, which has been energized in large part by the tax cuts which were put in place in the early part of this administration.

Now we see a policy coming forward from the other side of the aisle, as defined by their budget, which even they admit increased taxes by $400 billion over 5 years and arguably increased them by $900 billion over 5 years. And where are those revenues going to come from? Well, if you listen to the chairman of the Budget Committee, they are just going to come from collecting money debt, from waste and fraud. Well, those are classic obfuscations. The simple fact is that we heard from the Revenue Commissioner. He said he could not collect any more than maybe $20 billion or $30 billion in addition to the revenues we are already collecting over a 5-year period; nowhere near $400 billion or $900 billion.

No, you have to listen to the Democratic Party's leadership, not that the Senator from North Dakota is not one of their leaders; he is, and he is one of their best leaders, by the way. But the people running for President, what are they proposing? Well, they are proposing primarily that we eliminate the capital gains rate which was put in place, the dividend rate which was put in place. Those are the two primary places they are proposing raising revenues. But they are also proposing raising the marginal tax rate. They are proposing the Senator LEVIN proposal, which would require that we book all expenses for tax purposes. They are proposing a repeal of carry interest, which is a way that entrepreneurs invest and take advantage of that investment and generate more investment. They are proposing to eliminate deferrals. Proposal after proposal after proposal is coming out of the Democratic candidates for President, almost at a rate which makes your head spin. The only thing that is coming out faster are proposals to spend money. And believe me, we know because in New Hampshire we are listening to all of this.

I had the fortune—good fortune, I suppose, or the fortune anyway—to listen to the Senator from New York, followed by the Senator from Ohio, followed by the Senator from North Carolina, all coming to New Hampshire in sequence. I listened to all three of their speeches, and I couldn't keep up with how much money they were going to spend because they were proposing so many new programs. It was like watching a whirligig. Every 10 seconds there would be a new program, new program, new program, followed by taxes, taxes, taxes, taxes.

Well, I think one thing we should have learned, both from the experience of President Kennedy and President Reagan and now President Bush, is that when you start to raise taxes on those who are willing to take risks and invest and as a result create jobs in this economy, you slow the rate of growth of the economy. Why is that? It is human nature. You also slow the rate of growth of revenues to the Federal Government. Why is that? It is human nature. You raise taxes on people and they will change their economic activity to try to avoid taxes. It has been proven year in and year out. You get tax rates to a certain level and people simply don't invest in taxable activities. Thus, they misuse capital. It is inefficiently used, so fewer jobs are created, less economic activity occurs. If you increase taxes, people will invest in a way to try to avoid paying taxes, and thus the revenues to the Federal Government will drop off.

OMB, Joint Tax all estimated that when this capital gains cut rate was put in place at 15 percent, that over a 5-year period there would be a $3 billion loss. They used a static model. They used 1950 economics, they used Galbraith thought, Harvard thought, Princeton thought on what economics is, which basically says that if you just raise taxes, you get more revenues. They missed the Chicago school, I think, they missed the Kennedy school—I mean by that John Kennedy himself, the President—they missed the Reagan school, which has proven by fact that when you cut taxes on productive activity to a reasonable level, you create more productive activity. So instead of having a $3 billion loss of revenue over that 5-year period, which was what we were told we were going to have, we have had a $100 billion increase over the estimates over that period in capital gains revenue. Huge expansion. That is, quite honestly, why the deficit has come down dramatically. These are the numbers here.

Equally interesting—and we hear this on the other side: Well, the tax was for wealthy people; they are the ones who got the tax break. Well, yes, that is true. But why is that? Well, it is because the top 20 percent of Americans pay the taxes, for a large part. Eighty-five percent of American income taxes are paid by the top 20 percent—85 percent. Eighty-five percent of American income taxes are paid by the top 20 percent of income receivers in our economy. If you are in the top 20 percent, you are paying the taxes. So if there is a tax reduction, you are probably going to get that reduction. That is not the issue. The issue is, Are the top 20 percent paying a fair share?

Well, under the Clinton administration—and I do not think anybody on the other side of the aisle is going to argue that the Clinton administration was pro the high-income individual in the sense of tax policy—under the Clinton administration, 81 percent of the taxes in America were borne by the top 20 percent. But under the Bush administration, 85 percent of the tax burden of America is now borne by the top 20 percent. So the Bush administration has actually made the tax laws more progressive. Why is that? Human nature. If you create a fair tax policy, people will pay taxes. If you have an unfair tax policy, where taxes are too high, such as what is proposed by the other side of the aisle, in the area of dividends, capital gains, marginal rates, expensing, carry interest, you go on and on and on, people do tax avoidance, they invest in shelters, they go

out and buy cattle that do not exist or subways that do not exist. That is inefficient for the economy, it does not create jobs, and it reduces revenues. What the Bush administration understands, what the John Kennedy administration understood, what the Ronald Reagan administration understood, is that when you create a tax policy which is fair, high-income people pay more taxes, and that is the way it is today.

There is another interesting thing about the Bush tax policy. The bottom 40 percent, the people in the bottom 40 percent of incomes in this country, they actually do not pay income taxes as a group. Individuals obviously do, but as a group they do not pay income taxes. Under the Clinton administration, they got 1.6 percent of benefits back because they got the earned-income tax credit. Under the Bush administration, they are getting almost twice that back under the earned-income tax credit. So not only do you have the high-income people paying more in taxes as a percentage of the total, but you have the people in the moderate income and lower income levels actually getting more back from the income taxes. That is called progressivity. That is what you want in a tax system—progressivity that produces revenue, revenue at historic rates. So this argument that we do not have a reasonable tax policy in place that is generating revenues is a little bit—it flies in the face of fact, especially on the issue of capital gains and dividends.

Remember something else about capital gains and dividends: disproportionate benefiters from the capital gains rate and dividend rate are seniors. It is seniors who have capital gains income as they sell their homes in which they have lived all of their lives and move on to some other lifestyle; it is seniors who have dividend income because they have fixed incomes and they have left their earning jobs. So when these folks on the other side of the aisle who are being spoken for by their leadership who are running for President call for a dividend increase and the capital gains increase, they are calling for an increase of taxes on our seniors, no doubt about that.

Now, there have been some other arguments made here, returning to the scene of the crime, as I said, the Democratic budget. There has been a claim that they used pay-go as a way to discipline spending around this place. Pay-go. Pay-go. ''Swiss-cheese-go'' should be the term, ''Swiss-cheese-go.'' Every time they have a spending program around here that they want to spend money on, pay-go disappears. Where did it go? I do not know where it went. Maybe it went under this desk somewhere. Maybe it is under this desk. But it is not around here whenever we are trying to spend money. There is no enforcement. Look at these bills which have been brought out just this year which should have been subject to pay-go, which have not been subject to pay-go—bill after bill after bill, the worst being, of course, the SCHIP bill that was just brought out before we departed, but there are other ones. There is a whole series of them. I won't go through them; they are too numerous to even mention any more. So let's hear no more about this pay-go as being a budget enforcement mechanism. It is a nice phrase. It was used aggressively by all of the people who ran for the Senate in the last election on the Democratic side of the aisle as the way they were going to discipline spending around this place. It has not been used to discipline spending at all, and it won't be in the future.

Now, what we are talking about here is very simple. The budget brought forward by the other side of the aisle increased taxes over what the President probably would have had to do because of the AMT issue by at least $400 billion, probably closer to $450 billion. It then turned around and spent those tax increases to the tune of somewhere around $210 billion plus. In addition, it did not address entitlement spending, which is the key issue that confronts the United States as a nation. It did nothing about disciplining our own fiscal house by putting in place procedural mechanisms which would allow us to discipline.

I find the argument that the reason people are going to vote against Congressman Nussle to be Director of the OMB because of the fiscal policies of this President to be a bit disingenuous. Is it that they don't like 23 quarters of fiscal expansion and growth? Is it that they don't like 8.5 million new jobs? Is it that they don't like revenues being at an historic increase over the last 4 years and now being up to about 18.7 percent of gross national product, which exceeds the norm? Is it that they don't like the fact that seniors now have a reasonable tax rate on their capital gains and a reasonable tax rate on their dividends? It must be because that is the economic policy they are claiming has not worked and isn't appropriate and, therefore, they are going to vote in protest against Congressman Nussle.

In my view, I hope Congressman Nussle continues these policies. I hope the President will move down the road of fiscal discipline and will continue to give us a tax policy which is fair, balanced, reduces revenue for the Federal Government, gives entrepreneurs a reason to go out there and work and take risks and thus create jobs for Americans and giant revenue increases for the Government.

I yield the floor and reserve the balance of our time.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from North Dakota.

Mr. CONRAD. At this point, I yield 8 minutes to the Senator from North Dakota.

Mr. DORGAN. I ask unanimous consent that following my presentation, Senator SANDERS be recognized.

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

Mr. DORGAN. I thank my colleagues for their courtesy.

Madam President, I sat here enormously entertained by my friend from New Hampshire. It was an almost unbelievable presentation. I will deal with a couple of points in a few minutes.

Let me first say we have the nomination in front of us of former Congressman Nussle, who was part of the crowd who early on in this administration, as a new administration took shape, came to town with their allies in Congress, including Congressman Nussle, and said: We see at the end of the Clinton administration very large, proposed, projected budget surpluses. Let's put in place very large tax cuts, mostly to wealthy Americans.

Some of us said: Maybe that is not the conservative way to do things. Maybe we should wait a bit and see whether the actual surpluses do materialize.

No, no, they said. We are going to stick in these big tax cuts, most to wealthy Americans, because that is the way things work. We believe in the trickle down theory.

Guess what. That crowd had their way. I didn't vote for it, but they had their way. Mr. Nussle, the nominee, chairman of the House Budget Committee, the President, and others in the team had their way. The result, of course, we all understand: A $5.6 trillion projected budget surplus was turned in to a projected deficit of $3 trillion. That is during Mr. Nussle's time.

There was actually one person in the crowd who didn't go along with it. He got fired. His name was Paul O'Neill. Paul O'Neill said he tried to warn the administration that the growing budget deficits expected to top hundreds of billions of dollars posed a threat to the economy. The Vice President, Mr. CHENEY, said, quoting from the book that was written about this:

> You know, Paul, Reagan proves that deficits don't matter.

That is the crowd we are talking about, deficits don't matter. That comes from the Vice President, but it could have come from the nominee before us because it is all part of the same crowd, believing in the same thing.

It is fascinating to me that the previous speaker talked about how wonderful things are going. This economic engine of ours is purring just fine. I guess it is, if you live in the right neighborhood and drive the right vehicle. A whole lot of folks got up this morning to work hard all day, struggle to pay their bills. They are the kind of people who know about seconds. They know about second shifts, second job, second hand, second mortgage, and they take second place every single day when we have this debate on the Senate floor by people such as my colleague who said things are going well for everybody.

Let me describe what we have in our Tax Code. The second wealthiest man in the world, Mr. Warren Buffett, a man I greatly admire, said he thinks our Tax Code doesn't work at all. He said: If this is class war, my side is winning. The second richest man in the world says he pays a lower income tax rate than the receptionist in his office. He thinks that is wrong. So do I. Why? Because my colleague is describing his philosophy. We need to reward investment.

How about rewarding work for a change? The philosophy on the other side is, let's exempt income from investment and tax work. Why is work less worthy than investment? Tell me. You think this works well. You believe this system this crowd has put together makes sense? When the second richest man in the world says: By the way, this system allows me to pay a lower tax rate than the receptionist in my office, are you proud of that? That is what you are bragging about?

And spending, I keep seeing the disjointed fingers point to the Democratic side on spending. There is no one who has proposed more spending in the history of this country than the Bush administration. Certainly, no one has proposed higher and larger deficits in the history of this country than this administration. So it is a little tired for us to hear about big spending. No one can match the big spending habits of this administration.

One more point: We have in front of us in this Chamber a $145 billion proposal for additional emergency funds for the Department of Defense for Iraq and Afghanistan. We read in the paper recently there is another $50 billion expected on the way which means there will be in front of us $195 billion in requested funding by this President for the war in Iraq and Afghanistan. Incidentally, he proposes it all be judged as an emergency so none of it has to be paid for. So we will continue to send soldiers to war and then ask them to come back to pay down the debt because we didn't as a country decide to do it. This President didn't want to do it. This President said: I want all of that money on an emergency basis. Talk about a fiscal policy that is out of balance, one that lacks values, one that I think shortchanges American workers, one that certainly shortchanges this country's future—this is the policy.

The fact is, this nominee is a significant part of the engine for that policy. He served as chairman of the House Budget Committee for 6 years during the period of the origination of this policy. Three of those 6 years they couldn't even get a budget together. Three of those years had the highest budget deficits in history, and we still hear people bragging about the content of that fiscal policy? Are they kidding? It is unbelievable. It is, I suppose, because we all get up and shower in the morning before putting suits on. Those people who shower in the evening after a hard day's work, they don't have it quite so good. The fact is, they are the ones who pay the bills, pay taxes, struggle to make ends meet.

Talk about creating jobs in these years. The job creation is anemic with this administration. Take a look at the number of jobs created over the years of this administration and evaluate what we needed to create to keep pace. We are not anywhere close to that.

Finally, all this debt that has been racked up by this crowd with this fiscal policy, guess who holds a substantial amount of that debt. We borrow money from China and Japan to finance a war in Iraq. That is unbelievable to me.

From my standpoint, I don't intend to vote for this nominee. It is not so much about this nominee. I generally vote for a President's choices for the Cabinet. But in this case, it is time for us to decide to send a message, a message the American people already understand: This fiscal policy doesn't work. This fiscal policy is built on a foundation of quicksand. We already know the result. We see it year after year after year.

I intend to vote against this nominee. My hope is that, perhaps through this debate, we will decide there is a better fiscal policy, one that requires responsibility.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, I ask unanimous consent that we now go to Senator WYDEN for 8 minutes, followed by Senator COLLINS for 10 minutes, Senator LIEBERMAN for 10 minutes, and then to Senator SANDERS for his time.

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

The Senator from Oregon.

Mr. WYDEN. Madam President, a week ago there was a Government report that said more about what is ahead for the Federal budget than anything else. The Census Bureau reported a moral abomination. Here in the richest country on Earth, more than 2 million additional Americans are without health insurance. With many more citizens one health premium rate hike away from joining the ranks of the uninsured, the next Director of the Office of Management and Budget must face up to a stark fact. America's dysfunctional health care system, with its rising costs, hefty increases in chronic illness and unique hardship for employers, will drive the future of Medicare, Medicaid, and Social Security, our largest domestic Government programs.

At his confirmation hearing, the Washington Post reported that Jim Nussle repeatedly said how honored he would be to continue to discuss the issues raised that morning. My message today for the nominee is straightforward. If Jim Nussle wants the position of director of OMB to be more than an honorary title, he is going to have to work with the Congress on a bipartisan basis on critical issues such as fixing health care, the premier domestic issue of our time. He cannot do that job without bipartisanship.

I suggest there are several opportunities for just that. Senator BAUCUS, Senator GRASSLEY, Senator ROCKEFELLER, and Senator HATCH have worked hard to expand coverage for our Nation's youngsters. The administration has indicated they would veto that legislation. I hope if Jim Nussle is confirmed as the head of the Office of Management and Budget, he will be a voice for bringing all sides together and bringing together all sides quickly to get that legislation passed and provide additional protection for our youngsters. If that is accomplished, then it would be possible late this fall to move on to broader legislation to fix health care. I and Senator BENNETT, in the first bipartisan health reform bill brought to the Senate in more than 13 years, have proposed legislation, which has also been sponsored by Senators NELSON, GREGG, and ALEXANDER, that addresses other key issues such as the Tax Code in American health care.

The Tax Code today disproportionately favors the richest and promotes inefficiency at the same time. We have largely sick care in America, not health care. Medicare Part A will pay thousands for seniors' hospital bills, and then Medicare Part B will pay hardly anything for prevention.

The administration would have the opportunity to work with Democrats and Republicans on a bipartisan basis to fix health care if someone such as Jim Nussle, confirmed as the head of Office of Management and Budget, wanted to change course with the administration's previous priorities.

In his hearing in the Budget Committee, I noted Jim Nussle was interested in a number of key domestic issues in working for reforms. In my fair flat tax legislation, for example, we take away the discrimination against work in the Tax Code. Jim Nussle indicated he would be willing to work on tax reform and maybe can convince an administration that has not given the issue the time of day to get back to it.

So it is my hope, having voted for the nominee in the committee because he pledged he would work on bipartisan issues such as health care and tax reform, to give him that opportunity. I have disagreed and disagreed profoundly with the administration's priorities, particularly as they relate to health care and taxes. It has been my sense—because in the Senate if you want to get anything done that is important, it has to be bipartisan—we need individuals to step up and say they are going to try to bring both sides together. My colleagues have mentioned that has not been the record, unfortunately, of Congressman Nussle in the past. But he told us at his confirmation hearing on key domestic issues—the domestic issues that are going to drive the future of America's

economy—he would be willing to work in a bipartisan kind of way. We have given him that opportunity. We have given him that opportunity on the CHIP legislation, with four Senators working in a bipartisan way to help America's youngsters. Senator BENNETT and I and Senators ALEXANDER and GREGG and NELSON are giving that opportunity for broader health care reform as well.

My hope is Jim Nussle will do what he pledged to do in his confirmation hearing, which is to work with both sides of the aisle so we do not waste another 2 years. That is really the alternative—just to say we are pretty much done until after the next election. Senator BENNETT and I do not want to do that on fixing American health care. We have Senators who do not want to do that on the CHIP legislation. Because it is my hope Jim Nussle will try to work in a bipartisan way on these issues, I intend to vote for the nominee this afternoon.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I rise in support of the nomination of Congressman Jim Nussle to serve as the Director of the Office of Management and Budget.

The Congressman served his Iowa district in the House through eight Congresses, chairing the House Budget Committee for the last three. During that time and in his testimony before both the Budget Committee and the Homeland Security and Governmental Affairs Committee, the Congressman demonstrated an encyclopedic grasp of the Federal budget, skill in the legislative process, and an understanding of the importance of good relationships between the executive branch and Congress.

A spirit of cooperation has seldom been so needed as it is right now. Much unfinished work on the appropriations bills awaits us. Before the end of next year, the work of transitioning to a new administration will begin. Regardless of which party occupies the White House, America will have moved steadily closer to a looming fiscal crisis as baby boom demographics collide with unfunded entitlement obligations. Devising a fiscal policy that will honor our commitments and meet vital needs without throttling economic growth will be a huge challenge for the Federal Government. I believe Congressman Nussle can help us meet that challenge. With his blend of knowledge, experience, and personal engagement—he told our committee in July: ''I love the budget''—Congressman Nussle can help us define issues, illuminate choices, and debate decisions. His endorsements by Senator TOM HARKIN and by House Democratic Budget Committee Chairman SPRATT, as well as the overwhelming votes he received from both the Budget Committee and the Homeland Security Committee, demonstrate a bipartisan consensus for this nominee.

As the Presiding Officer understands better than many people, budgets, of course, are not the only concern of the Office of Management and Budget. OMB also assists the President in developing and executing policies and programs. In particular, OMB is involved with legislative, regulatory, procurement, e-government, and management issues. It is not only a locus of authority within the executive branch but also a critical interface between the President and Congress, helping to set direction for the mechanisms of Government.

As Director of OMB, Congressman Nussle would have great influence on a number of important policy issues aside from helping to formulate and present the President's budget.

One of these critical issues is the amount of waste and the lack of effective oversight in Federal contracting. The committee which I was privileged to chair and now am the ranking member of, with Senator LIEBERMAN as our chairman, held extensive hearings last year on the disaster responses on the gulf coast and also on contracting operations in Iraq and Afghanistan. We found the problems of waste, fraud, and abuse in Federal contracting are enormous. Here are just a few examples:

We found that trailers bought to shelter disaster victims following Hurricanes Katrina and Rita were undeployable in the areas where they were most needed.

We found repeated pipeline-laying attempts in Iraq used techniques unsuited to the terrain. We found problems in Iraq and Afghanistan, such as $2.3 million in contracts for the Babylon Police Academy in Iraq which was spent unnecessarily or without proper accounting and schools built in Afghanistan that collapsed under the weight of the first snow.

Unfortunately, the examples of poor process and outrageous outcomes in our contracting system are legion, and they are not confined to disaster response or operations in Iraq and Afghanistan. That is why several of us on the committee—Senators LIEBERMAN, AKAKA, CARPER, COLEMAN, MCCASKILL and I—have joined in authoring legislation to improve our procurement system to obtain better value for taxpayers' dollars. I am hopeful our legislation, which was reported favorably by the committee on August 1, will soon be taken up by the full Senate. It would increase competition, transparency, and accountability in Government contracting and address the critical shortage of qualified Government procurement personnel.

This issue is obviously a high priority for me, and I am encouraged by the Congressman's responses to my questions. They demonstrate his commitment to working to resolve the concerns many of us have about wasteful spending in Government contracting.

He spoke of ''a broad range of issues that are in need of careful attention, including enhancing competition, strengthening the workforce, and improving transparency and accountability.'' I view this response by Congressman Nussle as an encouraging sign of a shared viewpoint on the need to improve performance in an area that accounts for more than $400 billion a year in spending.

I was, however, less heartened by Congressman Nussle's responses to questions about the Department of Homeland Security's grants for State and local programs, for assistance to firefighters, and for emergency management performance. These programs face great cuts under the budget proposed by the administration. Fortunately, we have acted to reject some of those proposed cuts and to respond in a more appropriate way.

The DHS defense of these proposed cuts noted that substantial unexpended funds from prior years are still ''in the pipeline.'' Congressman Nussle appears to share the DHS view that this factor mitigates proposed budget cuts. As the National Governors Association has pointed out, however, planning and coordination to deal with new grants and the procurement process all take time, so that not every granted dollar can be swiftly committed. The Governors further note that States are, in fact, meeting statutory deadlines for obligating and expending funds.

Homeland security grants are a critical factor in strengthening the Nation's security. These funds allow States and localities to fund planning, equipment, training, and exercises to prevent terrorist attacks; support intelligence gathering and information sharing through fusion centers; establish interoperable communications systems; prepare for mass-casualty incidents; and expand citizen involvement in all-hazards emergency preparedness.

I would encourage the Congressman, should he be confirmed—and I hope he will be—to reexamine the facts and figures on homeland security grants, particularly as we move into a new budget cycle for fiscal year 2008. States and communities must receive adequate assistance to conduct their critical roles in helping to prevent terrorist attacks and respond to emergencies of all types.

Turning from budget to management issues, I was also interested in Congressman Nussle's views on Federal agency performance as measured by the President's Management Scorecard. For most agencies, the weak spot is financial management. Indeed, poor financial management hobbles overall planning, management efforts, and the wise use of taxpayers' dollars in far too many agencies. At a time when making good use of every tax dollar is critical, it is simply intolerable for any agency to be unable to track how, when, for what purpose, and with what result it spends the taxpayers' money.

In March of 2007, the OMB scorecard showed that 14 of 26 agencies received unsatisfactory marks in financial performance. But here is what is perhaps

most ironic and most troubling: OMB itself, to my dismay, had the worst ratings of any agency surveyed, receiving unsatisfactory scores in four out of five areas.

While noting various agencies' improvements in issuing timely financial statements, reducing auditor-identified weaknesses, and obtaining clean audit opinions, Congressman Nussle told us, ''We should not be satisfied if any Federal agency has unsatisfactory financial performance.'' Indeed, we shall not.

I would note that Congressman Nussle told our committee that he considers OMB's management-scorecard rankings as ''unacceptably low'' and he has pledged to work to improve them as Director of OMB. I welcome that commitment, not simply because OMB should stand as an example to other executive branch agencies but also because its critical work with those agencies and with Congress demands high levels of efficiency and effectiveness.

Madam President, I conclude by saying that the Homeland Security and Governmental Affairs Committee did an in-depth review of the Congressman's qualifications and experience and background for this important position. We grilled him on a whole range of issues: on matters ranging from pay-go principles and the alternative minimum tax to low-income heating assistance, to an issue of particular concern to my constituents, and that is the funding of Navy shipbuilding. While many policy disagreements will naturally arise in any such discussion, I believe there was broad agreement within our committee that Congressman Nussle has demonstrated, both in his long service in the House and in the nomination process, that he is well informed on the issues, highly qualified for the position, alert to other points of view, and will work closely with Congress as we tackle the enormous fiscal challenges facing this Nation.

I believe Congressman Nussle would be an effective Director of the Office of Management and Budget, and I urge my colleagues to support his nomination.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I rise today to express my intention to support the nomination of Congressman Jim Nussle as the next Director of the Office of Management and Budget.

I do so because Congressman Nussle, in my judgment, falls comfortably within the standard I have set as I have had the honor to dispatch my responsibility under the advice and consent clause of the Constitution. To state it in nonconstitutional terms, I have always felt the standard I should apply is not whether I would present this nominee to the Senate—because under the Constitution that is not the Senate's responsibility; it is the President's authority and responsibility—the question would be, in dispatching my responsibility under the advice and consent clause, Do I conclude this individual whom the President has nominated is within an acceptable range for the particular job for which he has been nominated? On that basis, I have reached a conclusion that I will vote to support Congressman Nussle's nomination.

I speak in my individual capacity, but I also obviously am honored to be the chair of the Homeland Security and Governmental Affairs Committee, and will note for the RECORD that there were no negative votes in our committee on this nomination, and there was one abstention.

This nomination would be a significant one no matter when it came before the Senate for a vote, because the Office of Management and Budget is a very significant and powerful office in our Government. But fate brings Mr. Nussle's nomination before us at a very important and challenging fiscal time in Washington and for our country. The fact is that in less than a month, Congress must enact 12 appropriations bills to fund the vital functions of the Federal Government for the fiscal year beginning October 1. We have much work ahead of us. It is difficult work, and it has been complicated by the numerous veto threats emerging from the White House about these appropriations bills. Some, as the Chair well knows, have even speculated that the ensuing confrontation will lead yet again to a shutdown of parts of the Federal Government. I hope not, because no one gains from such stalemate and such shutdowns.

To meet our obligations to the American people, in this, as in so much else, we must reach across the partisan divide—as voters have so often made clear they want us to do. In this case, that means we must have a new Director of OMB who is not just competent but who is constructive. He must be a consensus builder, a willing partner with Congress, a mediator between the executive and legislative branches, working to solve problems and to accommodate legitimate differences of opinion. He must be a fiscal expert, but he must in the weeks ahead also be a statesman.

I support this nomination of Congressman Nussle, but I do so with the understanding that the Congressman will have to exercise the full measure of his diplomatic skills at both ends of Pennsylvania Avenue to help bring the fiscal year 2008 budget and appropriations process to a satisfactory conclusion. There is a lot on the line in our achieving that end in a responsible and appropriate way. The Nation counts on it, but a lot of individual citizens of our Government who rely either on the security the Government provides or the services the Government provides count on us as well.

We are a nation at war. Our soldiers in the field need critical funding to ensure their safety and the success of their mission. We are a nation still under threat of terrorist attack here at home. Resources for our homeland security and for our first responders must be sufficient—more sufficient, I would add, in joining with Senator COLLINS on this—than the administration has provided to date, to allow our first responders and homeland protectors to do the jobs we expect them to do for us with the proper equipment and the proper training. We are a nation with an aging infrastructure. The Minneapolis bridge collapse last month was a clear warning that we cannot ignore the highway and transportation systems that move people and commerce in our dynamic and complex society. We have children going to schools across this country who depend on the investment the Federal Government makes in their education. We have senior citizens who depend on the Federal Government to not only protect their security but to provide a decent minimum standard of living in so many different ways for them in their senior years. These are just a few of the obligations we have to meet for our Nation and for our future.

That is why it is so critical that on both ends of Pennsylvania Avenue, we come to this budget and appropriations task in the coming weeks with a sense of good faith and shared values as Americans who care about our future and our people. We cannot meet these obligations with confrontation or deadlock.

Let me be specific about this. The key difference between Congress's fiscal year 2008 budget plan and President Bush's plan is the discretionary spending level. Congress established a level of $953 billion. The President set his level at $933 billion. That is a $20 billion difference. Now, $20 billion is a very significant amount of money, but it represents only 2 percent of all discretionary spending of the Federal Government as proposed for the coming fiscal year, and it represents less than 1 percent of all Federal expenditures. In other words, as a percentage of the budget we are dealing with, the enormous budget we are dealing with, this is a difference—less than 1 percent—that reasonable people sharing a loyalty to our country ought to be able to resolve. It is not a difference that merits—2 percent, 1 percent—not a difference that merits a shutdown of the U.S. Government in whole or in part. It is a difference that can and must be bridged by people who understand the budget process and are willing to forge consensus in the public interest.

Congressman Nussle has considerable experience in budgetary matters, having served as chairman of the House Budget Committee from 2001 through 2006 and on the House Ways and Means Committee. During his confirmation hearing before the Homeland Security and Governmental Affairs Committee, I asked Congressman Nussle if he would be willing to advise President Bush to remain open to compromise on spending levels to avoid a governmental shutdown. Congressman Nussle

responded: ''I will remain open and I need to remain open.''

That is part of the reason why I voted to report Congressman Nussle's nomination out of committee favorably. I repeat what I said at the beginning: Based on his experience, based on his intelligence he is comfortably within the range, in my judgment, of people who can serve as Director of the Office of Management and Budget, and he is the person whom President Bush has set before us. But I will say that to me, it is critically important that Congressman Nussle keep the promise he made to our committee—that he will do everything in his power as the next Director of the Office of Management and Budget to avoid confrontation as we proceed to fund the Federal Government and its operations for 2008.

Madam President, I ask unanimous consent for up to an additional 5 minutes, which I hope I will not use, from the time that has been allocated to me.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. LIEBERMAN. I thank the Chair.

Achieving compromise on the fiscal year 2008 appropriations bills is only one of the OMB Director's many critical responsibilities. He also has to help the President prepare and execute the budget for the following year across 14 Cabinet departments and more than 100 executive agencies, boards, and commissions. The Director recommends where every taxpayer dollar is spent, oversees how each agency's programs are managed, and reviews vital roles for public health, worker safety, and environmental protection.

The OMB Director is also the chief management officer of the Federal Government—the largest entity of this kind, or any kind, in the world today—overseeing how agencies conduct procurement, handle their finances, manage information technology, and carry out their operations. The numbers here—and I want to pause for a moment to stress the ''M'' part of OMB—the management part, which is often overlooked because it is the budget—the budgeting—that is the most publicly visible. The numbers here are startling and, I would add, disturbing and demand our attention and will, if confirmed, demand Congressman Nussle's attention. Government spending on contracts has exploded, while the trained workforce that oversees them has shrunk. This has already caused widely publicized and, I would add, infuriating examples of waste, and the problem will only worsen in the years ahead if we don't act to better protect taxpayer dollars spent on Federal Government contracting.

Consider this: The U.S. Government is the largest buyer of goods and services in the world. I repeat: The U.S. Government is the largest buyer of goods and services in the world. Between 2000 and 2006, spending on Government contracts has grown from about $219 billion a year to $415 billion, an astounding 89-percent increase. Yet the number of Federal acquisition specialists—the people who negotiate and oversee the contracts for this $415 billion—these people in number have dropped dramatically. This is over a significant period of downsizing of the workforce in the 1990s and a small decrease in the last 6 years in response to an enormous increase in contracting. The numbers are particularly striking at the Department of Defense where the workforce has declined by nearly 50 percent since the mid 1990s. Governmentwide, the workforce is about to shrink even further if nothing is done, since roughly half the current Federal acquisition workforce is eligible to retire within the next 4 years. So it is imperative that Congressman Nussle, if confirmed, pay particular attention to this challenge: Federal Government buying, contracting, which involves more than $400 billion of taxpayers' hard-earned dollars.

Let me conclude by saying some of what has been said in brief. I have had serious concerns about how budget responsibilities have been dealt with by the administration over the last 6½ years. While I understand that the next Director will not begin with a blank slate, his performance will be judged by how well he comes to grips with some of these inherited problems. The next OMB Director will likely be President Bush's last OMB Director. He will have the opportunity to craft policy that will be a lasting legacy, and let's hope it is a lasting legacy of responsibility and fairness. I urge that if confirmed, Congressman Nussle take a long view of that legacy and work to achieve both the fiscal soundness and fairness that has too often been absent from this administration's record to date.

For the past several years, we have wrestled with politics and partisan confrontation here in Washington, and generally speaking, not only have all of us lost, but more importantly, the American people and the public interest have lost. As the 2008 election season shifts now into high gear, we cannot let that increasingly partisan environment culminate in fiscal and governmental chaos. To meet our obligations, we must work together as voters demand for the greater good of our country. Jim Nussle will have a great opportunity and an equally great responsibility to see to it that we do that.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Vermont is recognized.

Mr. SANDERS. Madam President, let me begin by thanking the majority leader, Senator REID, and Budget Chairman KENT CONRAD for their strong statements in opposition to the Nussle nomination. I think that is the right position, and I appreciate them speaking out on it.

As a member of the Budget Committee, I placed a hold on the nomination of former Congressman Jim Nussle to become OMB Director and I voted against his confirmation at the committee level.

The reason I did that is not because I have any personal animus toward Mr. Nussle. I have known Jim Nussle for over 16 years. We served in the House together, and I like him. So this is not personal. The reason I strongly oppose Mr. Nussle becoming the Director of the Office of Management and Budget has, in fact, little to do with Mr. Nussle and everything to do with the failed economic policies of the Bush administration.

The problem is, the President and his advisers have become increasingly isolated and out of touch with the economic realities facing ordinary Americans. The simple truth is that the middle class continues to shrink, poverty has increased over the last 6 years, the gap between the rich and everyone else is growing wider, and millions of Americans are working longer hours for lower wages. Meanwhile, in the midst of all of this, President Bush continues to tell the American people day after day how great and how wonderful the economy is doing. This is an insult to American workers and is something that should end, and end now.

This President needs an OMB Director who can provide a sense of reality with regard to the economic conditions facing ordinary Americans and not continue to perpetrate a false mythology. That is what this debate is all about.

Year after year, President Bush, members of his administration, and his advisers, in almost an Orwellian sense, have sounded like a broken record on the economy. They have told the American people over and over again that the economy—I am now going to use quotes that come directly from the President and his administration—is ''strong and getting stronger.'' The economy is ''thriving.'' The economy is ''robust.'' The economy is ''vibrant.'' The economy is ''solid.'' The economy is ''booming.'' The economy is ''powerful.'' The economy is ''fantastic.'' The economy is ''amazing.'' The economy is ''just marvelous.''

Those are quotes that come from the President, his administration, and his advisers. That is what the President and his administration are telling the American people.

Now, let's look at reality. How can President Bush and his advisers claim that this economy is robust when nearly 5 million Americans have slipped into poverty since the year 2000, including over 1 million children? We hear a lot about family values in Washington, and I hope when people talk about family values, they are talking about our kids, the weakest and most vulnerable people in our society.

How can a significant increase in poverty since Bush has been President among our children occur at the same time as he describes this economy as ''robust''? This is absurd. This is insulting.

How can the President and his advisers claim the economy is vibrant when the median income for working-age families has declined by about $2,400 since President Bush has been in office? The reality is, from 2001 through 2005, the bottom 90 percent of households experienced a 4.2-percent decline in their market-based incomes, representing a loss of over $1,200 per household on average. How does that sound like a vibrant economy?

Madam President, how can the President of the United States and his advisers claim that ''the economy is strong and getting stronger,'' when the personal savings rate has been below zero for eight consecutive quarters—something that has not occurred since the Great Depression? What this means is, with increased energy costs, increased health care costs, increased education costs, and other increased expenses, the average American is now spending more money than he or she is earning. More money is going out than is coming in. In other words, people are going deeper and deeper into debt. This doesn't sound to me like an economy that is ''strong and getting stronger.''

How can the President and his advisers claim that the economy is ''healthy''—that is another word they have used—when 8.6 million Americans have lost their health insurance since the year 2000, and a record-breaking 47 million Americans are uninsured, with millions more underinsured? That doesn't sound too healthy to me. All over this country we find workers who are losing their health insurance. We find people who are paying more and more for, in many instances, inferior coverage, and you have a President out there saying this economy is ''healthy.'' Well, I am sure many of those people who just lost their health insurance this last year would be quite surprised to find that this economy is ''healthy.''

How can this President and his advisers claim that the economy is ''thriving,'' when, according to the U.S. Department of Agriculture, 35 million Americans in our country struggled to put food on the table last year, and the number of the hungriest Americans keeps going up? How do you have an economy that is thriving when more and more people are hungry and when millions of our fellow citizens have a difficult time putting food on the table? This is not a thriving economy. Hunger in America is a national disgrace.

Madam President, how can the President of the United States and his advisers claim that our economy is ''booming''—that is another word they have used—when college students today are graduating deeper and deeper in debt, with the average student now owing $20,000 upon graduation. Even more disturbing, some 400,000 qualified high school students don't go to college in the first place because they cannot afford it and because they do not want to come out of school tens and tens of thousands of dollars in debt. Does this sound like a booming economy to you? Well, tell that to the young people in this country who can no longer afford to go to college. Tell them about how the economy is ''booming.''

How can the President of the United States and his advisers claim that our economy is ''fantastic'' when home foreclosures are now the highest on record, turning the American dream of home ownership into an American nightmare for millions of families?

How can the President and his economic advisers claim that the economy is ''powerful'' when the number of working families paying more than half of their limited incomes on housing has decreased by 72 percent since 1997? So you have people working hard, 50, 60 hours a week and, because of the high cost of housing and their limited incomes, they are spending more than 50 percent of what they earn on housing.

How can the President of the United States and his economic advisers claim that our economy is ''the envy of the world'' when the U.S. has the highest rate of childhood poverty, the highest infant mortality rate among major countries, the highest overall poverty rate, the largest gap between the rich and the poor, and we remain the only country in the industrialized world that does not guarantee health care to all people through a national health care program? How is that economy the ''envy of the world''?

How can the President and his advisers claim that the economy is ''amazing'' when we have lost over 3 million good-paying manufacturing jobs since the year 2000, mainly due to our record-breaking $765 billion trade deficit? Well, tell workers in the State of Vermont and all over this country about how amazing the economy is when their plants are shut down, when their jobs go to China, and when, if they are lucky enough to find a new job, in most cases that job will pay substantially less than the job they used to have. Tell the white-collar information technology workers whose jobs are going to India how ''fantastic'' the economy is, when their new jobs pay less than the jobs they used to have.

How can this President and his economic advisers claim the economy is ''vibrant'' when the number of college graduates earning poverty-level wages has more than doubled over the past 15 years?

My goal this afternoon is not to engage in a major debate on the economy or what proposals we need to improve the economic life of working people. That is an enormously important debate and one that I hope we have sooner than later, but it is not really today's debate. My goal today, and the reason I put a hold on the Nussle nomination, is simply to make the point that the Bush administration is completely out of touch with the economic reality facing tens of millions of American families, and that we need an OMB Director and an economic adviser who will make this President understand what the ordinary American family is going through.

Let me give you an example of why we desperately need an OMB Director who can do this. While the President of the United States and his advisers tell us how ''robust'' and how ''vibrant'' and how ''strong'' the American economy is, well, the people of our country, the people who live in that economy, the people who work in that economy have a different perception of reality than the gentleman in the Oval Office.

In a Wall Street Journal/NBC News poll, published last month, more than two-thirds of the American people said they believe the U.S. economy is either in recession now or will be in recession next year. That is what the American people are saying, the people who are living the economy. They are saying that despite the daily assertions of President Bush and his advisers. Further, 72 percent of Americans surveyed in a mid-August Gallup poll said the economy was ''getting worse.'' That is the most pessimistic outlook on the economy since Gallup began asking that question in the early 1990s.

Madam President, we have a real disconnect. We have a situation in which the American people are experiencing a certain reality, telling us about a certain reality, and a President who is living in a very different world.

The President keeps telling us how great the economy is doing, but the American people who work every day, who pay their bills every month, who are trying to provide health care for their families and a college education for their kids are not buying it. In other words, the people who are living in this economy have a very different perspective on reality than does this President and his advisers, and that creates a very dangerous situation which must be corrected by an OMB Director who lives in the real world and who can give this President some real-world advice.

What people understand in their guts and what they fear the most is that if economic trends continue along the same path they have been going for the last many years, we will see for the first time in the modern history of this country that our kids, the next generation, will have a lower standard of living than we do.

What the American dream has always been and what my family, which never had much money, experienced and what millions of American families have experienced is that if you work hard and you save your money, your children will have a better economic life, more opportunities than you do. That is what every parent's dream is: That their kids will do better than they did.

But I am afraid this American dream is rapidly disappearing. I am afraid that with so many American families, the American dream has become an

American nightmare. To cite one source—and there are many others—a recent joint study by the Pew Charitable Trust and the Brookings Institution found that men in their early thirties earned on average 12 percent less in 2004 than their fathers did in 1974 after adjusting for inflation. In other words, for millions of families, despite a huge increase in worker productivity, we are moving in exactly the wrong direction. Workers are producing more but, in many cases, they are worse off than their parents.

President Bush desperately needs an OMB Director who is not afraid to tell the President the truth about these harsh economic realities and not be an echo, not repeat the mythology that this President and his advisers are bringing forth. President Bush needs a Budget Director who will make him face the facts and not his fantasies. Perhaps most importantly, President Bush needs a Budget Director who is willing to compromise with those of us in Congress who are fighting for the needs of working families and are not here to represent the wealthiest people in this country and the largest corporations.

Unfortunately, there is nothing in former Congressman Jim Nussle's background to suggest he is that person. Quite the contrary. I must say, I am amused to hear some of my colleagues say: Well, we were at a hearing with Mr. Nussle and we asked him a question and he said he is open to doing this and doing that. That is wonderful at a confirmation hearing. I worked with Mr. Nussle for 16 years in the House. He was chairman of the House Budget Committee for 6 years. His record is clear. Pay attention to the record rather than what someone might or might not say in a confirmation hearing.

Let me suggest where I think the confusion in this whole discussion lies, where the disconnect lies. That is that when President Bush tells us the economy is doing great, that it is robust, that it is vibrant—all of his adjectives—the truth is he is right in one sense. He is right in one sense. The economy is not doing well for the vast majority of our people who are in the middle class. The economy is certainly not doing well for working families who, in many cases, work longer hours for low wages. The economy is not doing well for our lower income citizens. Poverty has increased significantly since President Bush has been in the White House. But the economy, we must admit, is doing well and, in fact, doing very well for the wealthiest people in this country, and that is true.

So I think the confusion lies in that when the President says the economy is doing great, what he means is that the economy is doing great for his wealthy friends and for the CEOs of the largest corporations in America. I admit he is right in that regard.

If you look at the world from the perspective of CEOs of large corporations who now make over 350 times what their workers make, if you look at the economy from the perspective of hedge fund managers, some of whom make hundreds of millions of dollars a year, if you look at the economy from the perspective of people who have more money than they know what to do with, who are literally building yachts that are longer than a football field, I can understand how one could come to the conclusion that the economy is doing very well because from their point of view, from their reality, the economy is doing very well.

Today the simple truth is the upper 1 percent of families in America have not had it so good since the 1920s. So I concede, President Bush, you are right. For all your friends who are in the top 1 percent, the economy is doing very well. But some of us—maybe not all of us but some of us—are here not to represent the richest 1 percent; we are kind of worried about the bottom 90 percent, the bottom 50 percent, the ordinary people who go to work every single day and are struggling hard to keep their heads above water and to provide the necessities of life for their kids.

In 2005, the last available figures I have, while average incomes for the bottom 90 percent—that is where most of the folks are—the bottom 90 percent of Americans declined by $172, the wealthiest 1/100th of 1 percent reported an average income of $25.7 million, a 1-year increase of $4.4 million. Let me repeat that because I think this deals with the confusion of why the President thinks the economy is doing so good.

The income of the bottom 90 percent of Americans declined by $172 while the income of the wealthiest 1/100th of 1 percent increased by $4.4 million.

In 2005, the top 1 percent of Americans received the largest share of national income since 1928. Today, rather incredibly—and I was interested in hearing a colleague of mine talking about, oh, my goodness, the wealthy are paying so much in taxes. Well, there is a reason, because today, incredibly, the top 300,000 Americans—300,000—now earn nearly as much as the bottom 150 million Americans combined; 300,000 earning almost as much income as the bottom 150 million Americans combined.

This constitutes by far the most unequaled distribution of income in any major country on Earth, and that gap continues to grow wider and wider. This is an issue this Congress must address. It is not acceptable. People keep talking in a general sense about the economy while ignoring the people in the economy. We have to focus on this growing income in wealth disparity in this country.

While millions of Americans—it is true in my State of Vermont and it is true all over this country—are working two and three jobs trying to cobble together an income and perhaps some health insurance, the collective net worth of the wealthiest 400 Americans increased by $120 billion last year to $1.25 trillion, according to Forbes magazine.

Let me repeat that statement because it is an astounding fact. The collective net worth of the wealthiest 400 Americans—400 is not a lot of people—increased by $120 billion last year to $1.25 trillion. Remember, at the same time as the personal savings rate is below zero and millions of Americans are going deeper and deeper into debt, the collective net worth of the wealthiest 400 Americans increased by $120 billion.

That is what this economy is doing. The top 1 percent now owns more wealth than the bottom 90 percent, and the reality is the rich are getting richer, the middle class is shrinking, and the gap between the very wealthiest people in our society and everyone else is growing wider and wider. We are becoming very different countries—people on top live in a certain world, and the vast majority of people are living in another world entirely.

What does all of this have to do with the next Director of the Office of Management and Budget, which is what we are here this afternoon to discuss? In my opinion, it has a whole lot to do with who should become the next Director of the OMB.

A Federal budget—and our budget is now almost $3 trillion—is more than a long list of numbers. The Federal budget, as any family budget, is a statement of our Nation's values and our priorities. It is not any different, except the numbers are astronomical, that every family has to deal with: How do they spend their money? Where do they spend their money? What are their priorities? It is the same debate we have in the Senate. The Federal budget is a statement about what our country is about, what we stand for, and who we are as a people.

We would all, I believe, find it irresponsible and counterproductive if a family whom we knew, whom we observed, went out and bought a great big car and they bought a great big boat and went on fancy vacations to Las Vegas, all the while neglecting their kids at home. The kids were ill clothed, ill fed, ill taken care of. We would say that family is irresponsible.

We need to use those same values when we look at the budget of the United States of America. Preparing the Federal budget encompasses the same set of values. It is about spending taxpayers' dollars where we should be spending them and not spending them where we should not be spending them. It is about taking a hard look at the needs of all our people, especially those who are most in need, and prioritizing that budget in an intelligent, fair, and rational way. That is what an OMB Director is supposed to do. That is what his or her job description is.

In February, the President told us about his values and his priorities when he submitted his fiscal year 2008

budget to Congress. Fortunately, thanks to the excellent work of Chairman CONRAD, the Senate rejected the President's budget and passed a budget resolution that was much more responsive to the needs of ordinary Americans, and I thank Chairman CONRAD for doing that. I had the opportunity of working with him as a member of the Budget Committee. But as we in the Senate all know, even though the budget resolution conference report passed the House and the Senate in May, that is a first step. It is the annual appropriations bills that actually provide the funding which keeps our Federal Government running. Unlike the budget resolution, which cannot be vetoed, the President has the opportunity to veto each and every appropriations bill that comes across his desk, and with very few exceptions, this is exactly what the President has threatened to do unless Congress accepts his overall spending requests.

In other words, the President has said to Congress: It is my way or the highway. We will do it my way or I will veto what you are proposing to do. This is the wrong way to negotiate with Congress on the appropriations process. The President needs someone to advise him that a budget should address the needs of all the American people and not just the wealthiest people in our country. The President needs an adviser to tell him that it is more important to pay attention to working families all over this country, many of whom are falling further and further behind—to pay attention to those families rather than a handful of billionaires. Frankly, based on his record in Congress, I am afraid Mr. Nussle will not do that. He is the wrong man for this position at this particular moment in American history.

Now, let me say a few words about the President's budget that he is so adamant that Congress adopt. Let's look at the values and the priorities this President is proposing. The President has proposed in his budget, despite the growing health care crisis in this country, that he wishes to cut Medicare and Medicaid by $280 billion over the next decade, lowering the quality of health care for approximately 43 million senior citizens and people with disabilities who depend on Medicare, and more than 50 million Americans who rely on Medicaid. That is his priority—cut Medicare, cut Medicaid.

Even worse—and to me this is a deeply moral issue in a nation that already has the disgrace of having the highest rate of childhood poverty in the industrialized world; over 18 percent of our kids are in poverty—at a time when 8.7 million children have no health insurance, the President has refused to adequately fund the Children's Health Insurance Program in his budget. Now, here is where the President needs some good advice. But I have listened and I haven't heard that advice coming from Mr. Nussle. He has had the opportunity. He was nominated a while back.

Last month, as we all know, the Senate voted by a 68-to-31 margin to expand the SCHIP program to provide an additional 3 million children in our country with health insurance. Eighteen Republican Senators thought this was a good idea, and virtually everybody on our side of the aisle voted for it. Although I believe the Senate should have done much more—I believe all of our children should be covered—this is clearly a step in the right direction. The House passed an even more generous bill to expand SCHIP, with the support of some Republicans. But instead of working with the Senate and the House, the President issued veto threats on both of these bills.

What will Mr. Nussle's advice be on this issue? Will he tell the President that it is an international disgrace that we are the only major country on Earth that doesn't provide health care to all of our people and that we have to address that immediately? Will he tell the President to rescind his veto threat? I doubt it. I doubt it very much. Based on his track record of chairmanship of the House Budget Committee for 6 years, I don't think that is going to happen.

While the President does not believe we have enough money to increase health insurance coverage for children, it has been reported that the President will be asking for another $50 billion for the misguided war in Iraq. Fifty billion dollars in additional funding for the Iraq war, but we don't have $5 billion to $10 billion a year to provide health insurance to millions of uninsured kids. It is time the President had a budget director who is willing to say: Excuse me, Mr. President, but that is wrong. That is not what this country is about. It is time to get our priorities straight. I am afraid Mr. Nussle will not be the OMB Director who does that.

What else does the President's budget have to say about the priorities of this country? What about our kids? What about childcare? Every psychologist understands, and many books and papers have been written on it, that the most formative years of a person's life are from 0 to 3. That is when their intellectual capabilities develop; that is when their emotional capabilities develop. Now, what are we doing for our kids in general and what are we doing with regard to childcare? At a time when working families in Vermont and all across this country are searching desperately for quality, affordable childcare, the Bush budget reduces the number of children receiving childcare assistance by 300,000 kids. Mr. Bush tells us he believes no child should be left behind. By this proposal, however, he is not only leaving 300,000 children behind, but, because of inadequate funding for childcare, he is denying millions of children the opportunities they need so they can succeed in school.

Amazingly, childcare fees today are higher than college tuition at a 4-year public university in 42 States in this country. In other words, we have a major childcare crisis in America. The President needs an OMB Director to tell him and explain to him that you don't cut childcare when working families all over this country are desperately searching out affordable childcare. Will Mr. Nussle be doing that? I doubt that.

Madam President, what I wish to do at this time is reserve the remainder of my time. There are some other issues I want to raise regarding the nomination of Mr. Nussle, but I think the key point I want to make is that what this debate is about is do we need another OMB Director who continues to support and push policies which benefit the wealthiest people in this country at the expense of the vast majority of working families or do we need an OMB Director who will speak truth to power and who, in fact, explains to the American people the reality facing the economic lives of working families in this country.

There are some other points I want to make, Madam President, but I am going to reserve the remainder of my time at this point.

Mr. CONRAD. Madam President, Senator LIEBERMAN has indicated he wishes to give back his time and that I might consume it, so I ask unanimous consent at this point that be done.

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

Mr. CONRAD. Madam President, I am going to take a few minutes, but I will state for the information of my colleague, Senator ALLARD of Colorado, who is going to then take some time, that Senator SANDERS has said it very well. First, I want to say he is a valuable member of the Senate Budget Committee. He is thoughtful, he does his homework, and he has come here with a message that I think is very clear.

I think of my own family. I think of growing up in Bismarck, ND. My parents were killed when I was young, so I was sort of a group project. I was raised by my grandparents and my three uncles and aunts and their families, so I was raised in four families. When I was growing up, we had a middle-class family. We were in the newspaper business, the printing and publishing business, and my family were middle class. In every case, the woman of the household stayed home until the kids were away in school. And we had a lot of kids. We had 13 kids in our family, and that includes cousins of mine. Every one of them got a college education. Every one of them got an advanced degree, and that was on middle-class income.

Now, you think about that today. There is no middle-class family who could have the things we had, who grew up the way we grew up, who had the opportunity to get an advanced education. And every single one of these—my two brothers and my cousins—every single one of them got an advanced degree on middle-class incomes,

and yet the women stayed home. They did not work in the workplace. They did not work for a wage. They worked at home. They worked very hard raising these kids. They did a spectacular job of that. But that can't happen today. The woman or the man can't stay home while raising the kids before they go to school because they need the income to get by, to pay the mortgage, to pay for the car, and to save some money to help kids go to school.

Our society has been transformed. Talk about family values. Those were family values, because there was a value on being able to raise kids and give them a happy and healthy home life and have the resources to go to school.

Now I heard some claims here by the other side earlier that are truly astounding—absolutely astounding. They are talking about how successful this fiscal policy has been. Where have they been? Here is the result of the fiscal policy of this administration, and the fiscal policy for which Mr. Nussle was a key architect. It is a policy of debt, deficits, and decline—the three Ds. Here is the record on debt. They took the debt after the President's first year, $5.8 trillion, and at the end of this year it is going to be almost $9 trillion. Now this is a fact. This is no projection. This is what has happened.

Then I heard, well, the Democratic budget has got the biggest tax increase in history. It was remarkable to listen to some of the comments. We heard variously that the tax increase in the Democratic budget was $200 billion, then it got to be $700 billion, and then it was $900 billion. Well, whoa. Talk about variation. We had a $200 billion tax increase, a $700 billion tax increase, and a $900 billion tax increase. Which is it?

I tell you the reason they can't tell you is because there is no tax increase. There is no tax increase proposed in this budget. None. In fact, there is substantial tax relief, tax relief for middle-class families, because they are the ones who truly need it.

Here are the facts. This is the revenue over 5 years in the budget resolution that passed the Senate—$14,828 trillion. It is a big number, isn't it? How much do you think the President said his budget would raise over that same period? Here is what he said his budget would raise—$14,826 trillion. Do you notice there is almost no difference? The President said his budget would raise $14,826 trillion. That is not my claim about his budget, that is his claim about his budget. Our budget, according to the Congressional Budget Office, will raise $14,828 trillion. Where is this huge tax increase? Where is it?

If we look at the Congressional Budget Office to evaluate both budgets, here is what we see. The green line is the revenue of our budget. The red line is the President's. There is a small difference—a 2-percent difference. A 2-percent difference. That is according to the Congressional Budget Office. Now, let us assume for a moment their way. Let's say there is 2 percent more revenue. Where would we get it without a tax increase? Well, the first place we would go is the tax gap. The IRS estimates that the tax gap for a single year, the difference between what is owed and what is paid, is $345 billion. That is for 1 year. If we got just that, we would completely eliminate the difference between the revenue in our proposal and the revenue in the President's. Of course, this is a 5-year budget. We just need 1 year of the tax gap.

The Senator from New Hampshire says we cannot get that much. Let's assume he is right. Let's say you can't get that much. Is that the only place you can look for revenue without a tax increase? Oh, no.

There is a place down in the Cayman Islands called the Ugland House. It is a five-story building. It is the home to 12,748 companies. Isn't that amazing? All those companies, 12,748 companies, claim they are doing business out of this little five-story building. Does anybody believe that the 12,748 companies are engaged in business out of this little building?

They are not engaged in business. They are engaged in monkey business, and the monkey business they are engaged in is avoiding taxes here. What are they doing? Here is what they are doing. They are engaged in offshore tax haven scams. Here is what they say. Go on the Internet and you know what you will find? You put in the words about tax havens, here is what you get—1.2 million hits. A lot of people out there are being inventive about how to avoid taxes. Hear is what they say.

> Your money belongs to you and that means that it belongs offshore.

Why do they want to put the money offshore? Because they don't want to pay any taxes here. Here is my favorite:

> Live tax free and worldwide on a luxury yacht—moving offshore and living tax free just got easier.

Come on, do you know how much money the Government of the United States says is being lost to this kind of scam? Here is the Senate Homeland Security and Governmental Affairs Permanent Subcommittee on Investigations from February of this year. They said:

> Experts have estimated that the total loss to the Treasury from offshore tax evasion alone approaches $100 billion per year.

Some of us say we ought to shut it down and stop this outrage. That is tax increase? No. That is no tax increase. That is requiring people to pay taxes they already owe. If we got just half of this money, half of it, we could meet our budget numbers with no tax increase.

Some don't want to do a thing around here. They want these scams to continue. Let them stand up and defend them. And while they are at it, defend this. Abusive tax shelters—what is this a picture of? That is a sewer system in Europe. What does that have to do with the budget of the United States? It turns out it has a lot to do with it because we have companies in the United States and wealthy investors who have bought sewer systems in Europe. Why? Do they want to run sewer systems in Europe? Oh, no, they don't run the sewer system. They buy it and depreciate it on their books for U.S. tax purposes and lease it back to the European cities that built it in the first place.

Do you know that is costing us $40 or $50 billion a year, tax shelter scams? If we shut those down, we could meet our budget with no tax increase. So please don't come out here and give me this about the biggest tax increase in history. There is no tax increase. Is there more revenue? According to the President there is no difference in revenue between our plan and his plan. If you look at what he would claim his revenue system would produce, it is virtually identical to what we say ours will produce.

But let's accept Congressional Budget Office numbers. They say there is 2 percent more revenue in your plan. Let me say, I believe you could achieve that by closing down these abusive tax shelters, closing down these offshore tax havens that the Permanent Subcommittee on Investigations says is costing us $100 billion a year, or at least reducing the tax gap, the difference between what is owed and what is paid. The vast majority of us pay what we owe. How are we allowing $340 billion a year to go unpaid by others?

When I hear people say this is the biggest tax increase, that is just not true. There is no proposed tax increase in the budget that we offered—none. And that is a fact.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Madam President, I rise today to speak in support of Congressman Jim Nussle, the President's nominee to be Director of the Office of Management and Budget, referred to commonly as OMB.

I am pleased the President chose someone with such an extensive knowledge of the Federal budget process to succeed the very able Director, Rob Portman. I had the pleasure of serving under Congressman Nussle when he was chairman of the House Budget Committee. I came into the House the same time he did, so I have had an opportunity to work extensively with what I think is an outstanding individual. There I witnessed firsthand his expertise in the budget process.

As chairman of the House Budget Committee, Congressman Nussle worked effectively with fellow House Members, Senators, and the President to shape the Federal budget—much like he will be required to do if confirmed as Director of OMB. Moreover, throughout his service in Congress, Congressman Nussle demonstrated a firm commitment to fiscal responsibility, restoring and maintaining fiscal

discipline, starting with this year's appropriations process.

It is essential to keeping our economy strong and growing. The fact is, today's economy is strong. More than 8 million jobs have been created since August of 2003, unemployment is at historical lows, and paychecks are rising. One of the reasons we are enjoying a strong economy today is because the Republican Congress and the President created conditions for individuals and small businesses to thrive. These progrowth economic policies included reducing income tax rates, reducing capital gains and dividend tax rates, reducing the estate and gift taxes, and increasing incentives for small business investment.

If we neglect extending all these taxes that I just ran off—they all have a termination date on them. If we neglect extending these tax reductions, the end result is it is going to be the largest tax increase in the history of this country by neglect. The chairman of the Budget Committee is right. They don't have any overt proposal to increase taxes. But by neglect and refusing to renew these taxes that are going to be expiring in a few years, the net result is that the tax rates are going to increase on our progrowth, economic tax reduction provisions that we put in place, which was reducing the income tax, reducing capital gains and dividend taxes, reducing estate and gift taxes, and increasing incentives for small business investment.

My view is in this country, if you really want to see economic growth, you target the small business sector. That is what the proeconomic growth policy did, and we saw the results of that, resulting in sizable revenue increases to the Federal Government as well as our States throughout this country. The economic growth stimulated by these policies not only led to more money in the pockets of the American people, it has led to increased Federal revenue and reduced deficits. Since 2003, revenues have rebounded sharply, following several years of decline. Last year, revenues were up almost 12 percent, to $2.4 trillion, the highest in our Nation's history. As a result, we cut the budget deficit in half several years ahead of schedule and put ourselves on a path toward balancing the budget. That is important to me, and I think it is important to the American people to have us on a path toward balancing the budget. I think it is important to the American people that we continue our progrowth policies. After all, that means more jobs.

In addition to its well-known budgetary function, the Office of Management and Budget is also charged with an equally important, albeit I would say lesser known function, and that is management responsibility. President Bush, with initiatives like the President's Management Agenda and the Program Assessment Rating Tool, referred to by many as PART, has given the Office of Management and Budget and the Congress the management tools they need as overseers of a large and complex and sometimes cumbersome bureaucracy. In fact, if the American people want to see how these various agencies are performing, all they need to do is get on the Internet and go to expectmore.gov. You are going to find an assessment of the agencies and how they are doing, whether they are operating efficiently, spending taxpayer dollars in a responsible way, or whether they are being ineffective, and various grades in between that, or are they absolutely ignoring any attempt to be accountable to the way in which the taxpayer dollars are being spent.

As a result, on that Web page you are going to see ''no results demonstrated.'' They just kind of thumbed their noses at the taxpayers and the President and anybody out here trying to build accountability to agency spending. This program helps Members of Congress, helps members of the administration, and helps the taxpayer out here if they want to take the time to look it up on the Internet, just to see how the various agencies are performing. You might be surprised as to which agencies show up as not even making an effort to be accountable to the taxpayers as to how their tax dollars are being spent.

OMB's management tools are critical to Congress's ability to hold agencies and programs accountable and ensure that taxpayer dollars are being spent wisely. Congressman Nussle has assured me that he will give due deference to the ''M'' which stands for ''management'' in the OMB. I have impressed upon him how important it is that we encourage the agencies to continue to try to demonstrate results on their effectiveness and not ignore it because it is what we need to responsibly put forward legislation in budgets and appropriations bills.

I think this vote is a referendum on the economy, but let's look and see what is happening with the economy. It is doing well. New jobs are being created. Income is coming in at record high rates. America is doing well.

I encourage my colleagues to join me in supporting Congressman Nussle who, I believe, is a highly qualified nominee who is deserving of Senate confirmation. I am pleased the Budget Committee favorably reported Congressman Nussle with broad bipartisan support. I urge my colleagues to vote in favor of this confirmation today.

It is important that we move forward with budget accountability. We need to confirm the Director of the OMB quickly, so he can get moving forward with his responsibilities. I am here to strongly endorse my good friend and colleague, Congressman Nussle. I hope the other Members of this body will join me in voting to support his confirmation.

Mr. LEVIN. Madam President, this nomination of Congressman Nussle as Director of the Office of Management and Budget will put him at a critical place at a critical time. The OMB has been a powerful part of this administration, making key decisions on revenue, spending, transparency and regulation. And the new Director will play a major role in shaping both the remainder of this President's term as well as the outlook of the next.

One of OMB's most important functions each year is to help generate the President's budget request. With unprecedented levels of debt mounting ever higher, the Nation's budget blueprint must begin to reflect wise choices.

Unfortunately, the pattern of this administration so far has been one of fiscal recklessness. The President's tax cuts have reduced revenue to the Treasury by $1 trillion and will cost an additional $300 billion in 2007 alone. Over the past 5 years we have spent half a trillion dollars in Iraq, and we are continuing to spend $10 billion a month for that war.

Our current total debt is closing in on $9 trillion, which means that each American's share is nearly $30,000. And the budget President Bush submitted to Congress in February would continue that trend. It would increase the gross Federal debt by nearly $3 trillion to $11.5 trillion by 2012. That means each American's share of the debt would rise to a whopping $38,000.

The administration needs to turn over a new leaf of fiscal responsibility, and the new Director of OMB must be at the forefront of that effort. Digging out of this ditch of debt will take serious bipartisan cooperation and it will require Congress and the administration to work together. This includes deciding how to most fairly raise revenue and on which priorities to spend it. And it will mean putting aside partisanship of the moment to tackle the long-term economic challenges. We need an OMB Director who is fully committed to working with Congress to tackle this difficult and pressing problem.

Another critical function of OMB for which Congressman Nussle will be responsible is the management side. OMB plays an important role in the Federal Government's efforts to prevent waste, fraud, and abuse by pursuing management reforms, evaluating the effectiveness of Federal programs, and providing oversight of agency reports, rules, testimony and proposed legislation. OMB can exert great influence on public policy and I believe it is imperative that the person selected to run OMB be willing and able to work with both parties in Congress to face the extraordinary challenges ahead.

I will support this nomination, and I am hopeful that Congressman Nussle can meet the many challenges OMB faces at this critical time.

Mr. FEINGOLD. Madam President, I will vote for former Congressman Nussle to be Director of the Office of Management and Budget. As a former

Chairman of the House Budget Committee, he is clearly qualified, and as I have indicated in the past, the President is entitled to great deference when it comes to executive branch nominations, especially those for positions which are so close to the President himself. In this respect, the President's nomination for Director of Office of Management and Budget should receive even greater deference than a Cabinet position. Of course, this deference decreases as the position is more distanced from the policymaking functions of the administration.

Given the emphasis I have placed on the need to budget more responsibly, however, I want to make clear my strong disagreement with the administration's budget policies that have featured an unbroken record of massive deficits and increased debt. And while I hope this nominee represents a new period of better relations with Congress on budget matters, I do not vote for Congressman Nussle with the expectation that the President will finally see the light and adopt a more fiscally responsible budget.

When his term of office is complete, this President will leave behind a fiscal mess so massive that it may take decades to clean up. I will continue my efforts during the remaining 15 months of this administration to make sure that it does not make matters even worse.

Ms. MIKULSKI. Madam President, I come to the floor today to voice my opposition to Mr. Nussle's nomination to be head of the Office of Management and Budget. This nomination is another effort by President Bush to obstruct Congress from doing its job and to prevent us from passing fiscally responsible budget and appropriations bills.

We need an OMB Director who can help the President understand that the fiscal problems our country faces are too important and too big for political gamesmanship. And we need an OMB Director who understands that past policies have failed and that the time for change is now. Unfortunately, Mr. Nussle is not the man for the job.

As chairman of the House Budget Committee, he repeatedly failed in his biggest responsibility—to pass the annual budget resolution, which protects the integrity of the appropriations process and provides the blueprint for how we spend taxpayer dollars. Not passing a budget puts the healthy functioning of the Federal Government at risk. Before the nominee took control of the committee, Congress had only failed to pass the budget resolution once since 1974. When Mr. Nussle was chairman of that committee, it happened 3 out of his 6 years leading that committee.

Given the President's refusal to cooperate so far during this year's appropriations process, we need an OMB Director who can build consensus. Mr. Nussle's inability to manage the budget resolution process shows that he clearly lacks this essential skill.

Mr. Nussle also presided over a runup in debt unprecedented in our Nation's history. In 2001, when President Bush came to office and Congressman Nussle took over the Budget committee, there was a projected $5.6 trillion surplus. But today, huge tax cuts for the rich and reckless spending have left America $9 trillion in debt. To cover this debt, President Bush has had to borrow more than $1.1 trillion from foreigners, more than the previous 42 Presidents combined.

This means that our grandchildren will have to pay part of their wages and salaries for our tax cuts. This is not only bad policy, it is immoral.

To this day, Nussle continues to support these and other failed Bush fiscal policies that, for the sake of the next generation of Americans, we need to reverse.

The Bush administration has threatened to veto almost every one of our spending bills. These threats are stopping us from doing what the American people want us to do—from working together on the important issues facing our country and changing the priorities and tone of debate in Washington.

As a member of the Appropriations Committee, I pride myself on making sure taxpayer dollars are wisely spent on programs that make a difference. The spending bills we wrote in the spring are built on these values. They are fiscally responsible and support the programs that protect our country and improve the lives of American citizens.

But because we reject President Bush's harmful cuts to housing, law enforcement, education and other critical programs, this administration and some Republicans accuse Democrats of wasteful spending. That is outrageous.

Democrats passed a budget that reflected Americans' priorities: no new taxes, restored funding for critical domestic programs, balance the budget by 2012 and contained pay-go for fiscal discipline. We fought to increase funding for education, children's health care, veterans benefits, and crime reduction.

President Bush says he wants to veto our appropriations bills because we increase funding for critical domestic programs. Democrats increased funding for the Department of Education when the President wanted to cut 44 education programs. Democrats increased funding for the National Institutes of Health when Bush wanted to cut it by more than $300 million. The President wanted to cut first responder grants and we wanted to increase them. We proposed increasing domestic spending by just 1.4 percent over last year. That is lower than the growth rate of the economy and the growth rate in taxes collected.

These appropriations bills fund every single Federal education, law enforcement, transportation, and housing activity in our country and they were passed out of the Appropriations Committee with bipartisan support. Despite this bipartisan support, the President refuses to negotiate with Congress and is threatening to veto our bills and bring this Nation into a state of gridlock.

It is past time for the President to start facing the facts and to realize that the only way forward is by working together. Ours is the richest country in the history of the world and we have more than enough to provide decent public services on a balanced budget. My Democratic colleagues and I are eager to come to the table and hammer out our differences for the sake of the American people but progress takes political leadership and a willingness to compromise.

November's election showed that Americans want Congress to change the direction and change the tone of politics. Democrats got the message and in May we passed a bipartisan budget that funded the programs America needs while balancing the federal checkbook over 5 years. Our budget provides the blueprint for extending middle-class tax cuts, expanding children's and veterans' health care, and investing in education. We also provided funds to protect our homeland and fully support our men and women serving in the Armed Forces.

We've had 6 years of undisciplined and unprincipled budget leadership from the White House and congressional Republicans. Representative Nussle does not seem to understand that the time for a major change is now and he doesn't seem likely to push President Bush to come to the table. For this reason, I oppose his nomination and I urge my colleagues to do the same.

Ms. LANDRIEU. Madam President, I rise in support of the nomination of Jim Nussle to be our Nation's next Director of the Office of Management and Budget. My support comes, however, with serious reservations about the administration's financial commitment to rebuilding the gulf coast in the wake of Hurricanes Rita and Katrina.

While the President repeatedly speaks of his commitment to rebuilding the gulf coast, at every turn, this administration places financial roadblocks to the region's recovery. For months, the administration refused to waive the Stafford Act requirement that hurricane-ravaged States and localities match 10 percent of the funds that they receive. Similarly, the Office of Management and Budget has refused to allow the State of Louisiana to use the Hazard Mitigation Grant Program to fund its Road Home Program. Finally, the administration has threatened to veto the Water Resources Development Act, which takes the first vital steps towards creating a comprehensive program for the restoration of the Louisiana coast.

Notwithstanding the administration's claims of financial support, we still have a long way to go in rebuilding the gulf coast. The Government Accountability Office, for example, recently concluded that of the $110 million that the Federal Government has

committed to reconstruction, only a small portion of the Federal assistance has been targeted toward long-term needs such as the restoration of the gulf coast's infrastructure. In fact, the Brookings Institution has concluded that only $35 billion of the $110 million has been dedicated to long-term rebuilding efforts. Only a small portion of this amount is dedicated to reconstructing the gulf coast's levees and floodwalls.

The bottom line is that the rebuilding is nowhere near complete and neither is the need for Federal aid. The people of the gulf coast appreciate the generosity of the American people. We all know where we'd be without the Federal Government lending a hand to help bring back the gulf coast. That being said, the President promised in his speech at Jackson Square in New Orleans that the Federal Government would be there until the job is complete. While it is a reality that no one enjoys facing, the fact that the rebuilding of the gulf is only in its infancy—is reality nonetheless. More needs to be done and it is critical that the Director of the Office of Management and Budget recognize that fact.

In conclusion, I will support the nomination of Jim Nussle but with the caveat that the administration must grapple seriously with the long-term financial needs of the gulf coast.

I thank the Chair and ask that my entire statement appear in the RECORD.

Mr. BYRD. Madam President, I oppose the nomination of Jim Nussle to be the Director of the Office of Management and Budget.

During his tenure as chairman of the House Budget Committee, he not only embraced but helped to enact the woefully misguided and disastrous budget policies of this administration, which have resulted in massive deficits, including the highest three on record. Those dangerous policies have resulted in the loss of hundreds of billions of dollars from the Social Security trust funds, and draconian cuts in domestic investments that have left the infrastructure of our Nation to deteriorate, and agencies, such as the Federal Emergency Management Agency, FEMA, unprepared to protect the American people.

When I met with Mr. Nussle in July, I also was taken aback by his lack of knowledge about funding the military operations in Iraq, suggesting that it is common and routine to fund such operations through supplemental appropriations bills. He asserted that the United States has always funded its wars through supplementals. This is simply not true, and certainly something that the nominee for the White House budget office ought to have known. Many times the Congress has passed supplemental war funding bills at the beginning of a conflict, but then budgeted for that war spending as part of the regular appropriations process. That is something that this administration has stubbornly declined to do, despite overwhelming votes in the Senate calling for regular budgeting for the Iraq war. Instead, the administration continues to ask the Congress to rubberstamp its emergency supplemental funding requests.

I have repeatedly warned against this administration's budget and spending policies. I have watched the disastrous results that they have brought about. I am not about to endorse a continuation of that kind of record today. I am heartened by Mr. Nussle's pledge to work in a cooperative way with the Congress and the Appropriations Committees. However, I do not foresee any real change in policy in the offing, and so I must oppose this nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa seeks recognition. Who yields time?

Mr. CONRAD. Madam President, might I ask the Senator from Maine if she might give 5 minutes to the Senator from Iowa for a statement in support of the nominee?

Ms. COLLINS. I will be happy to yield that time. I note Senator GRASSLEY also is requesting time. Perhaps I can find out from Senator GRASSLEY how much time he needs as well so we could accommodate both of the Senators from Iowa.

Madam President, how much time is remaining of the time that I have been allotted?

The PRESIDING OFFICER. The Senator has 11 minutes remaining.

Ms. COLLINS. Madam President, I will be happy to yield 5 minutes to Senator HARKIN. I will yield the remainder of my time to Senator GRASSLEY, but I hope we can only find an additional few minutes so he could complete his statement.

Mr. CONRAD. Madam President, we will ask another Senator who controls time if we can get additional time for Senator GRASSLEY. We will do that while Senator HARKIN and Senator GRASSLEY are speaking.

Ms. COLLINS. Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. Madam President, I thank the Senator from Maine for yielding me this time.

In July, in testimony before the Senate Homeland Security and Governmental Affairs Committee, I spoke strongly in favor of President Bush's nomination of former Congressman Jim Nussle to serve as the Director of the Office of Management and Budget.

In his testimony before the committee and in a subsequent appearance before the Senate Budget Committee, Congressman Nussle impressed all of us with his forthrightness and his obvious expertise on budget issues. This should come as no surprise. The fact is that Congressman Nussle is superbly qualified for the job of Budget Director. First elected to represent Iowa's First Congressional District in 1990, he served honorably for eight terms. He joined the House Budget Committee in January of 1995 and was elected chairman in January of 2001, a position he served in for the next 6 years.

Congressman Nussle is a genuine expert and a recognized expert on the budget and a master of the budgeting process. I have known Jim Nussle and worked with him for more than 16 years. I can tell you that he is a skilled and savvy operator. He is a straight shooter whose word is his bond and who can be counted on to follow through with the commitments he makes. As chairman of the Budget Committee, he reached out to majority and minority members and he gave everyone a fair hearing.

In addition, Congressman Nussle will bring to the job an impressive array of political skills. As Senators saw firsthand during his appearances before the two committees this summer, he is open and responsive. He is an excellent communicator, and he is a formidable advocate for the causes in which he believes.

As members of different political parties, Congressman Nussle and I have often disagreed on principles and priorities. But in Jim Nussle, the President has chosen a person of exceptional intelligence, competence, and experience.

As we enter the final month of the fiscal year, we face enormous challenges with regard to the budget. I have had and continue to have sharp disagreements with President Bush over his budget priorities, in particular his shortchanging of children's health insurance, education, and biomedical research. And, of course, I believe we need to work to eliminate abusive tax breaks enjoyed by multinational companies and the very wealthy, as was just outlined by the Senator from North Dakota a few moments ago. Now, we all understand that the Director of the Office of Management and Budget is not the initiator but the implementer of the President's agenda. However, it is my hope that in Congressman Nussle, we will have a voice of moderation and corporation.

Finally, I would add that those of us who represent rural America, rural areas, small towns and communities, could have no better advocate for rural America, for our farmers, our farm families, and those who live in small towns and communities than Congressman Jim Nussle. He has always been there fighting for their interests, and it is kind of good to have someone like that in the position of Director of the Office of Management and Budget.

I intend to vote yes on Congressman Nussle's nomination. I urge all of my colleagues to do likewise.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. CONRAD. Madam President, I ask that the Senator withhold.

How much time does Senator GREGG have remaining?

The PRESIDING OFFICER. Thirteen minutes.

Mr. CONRAD. Thirteen minutes. If the Senator would be willing to reserve 10 of his minutes and give the additional 3 minutes to the Senator from Iowa so the Senator from Iowa can have a total of 9 minutes? At least that gets us close to the Senator's request.

Mr. GRASSLEY. I am pleased the Senate is considering the nomination of Jim Nussle to be Director of the Office of Management and Budget.

I thank Chairman LIEBERMAN and Ranking Member COLLINS of the Homeland Security and Governmental Affairs Committee for their quick action on the nomination, and I also thank Chairman CONRAD and Ranking Member GREGG of the Budget Committee for helping to move this nomination along very quickly. Also, of course, I thank the majority leader, Senator REID, for making time in the Senate's hectic schedule for the consideration of this most important nomination.

I have known Jim Nussle for nearly 27 years. I first met him when, as a student at Luther College, he drove me around the State as I campaigned in my first run for the Senate. He was elected to the U.S. House in 1991 at the age of 30. Congressman Nussle quickly rose through the ranks as chairman of a committee, and he excelled in that very important leadership role as chairman of the Budget Committee.

Congressman Nussle and I share a strong belief that we here in Washington hold a great responsibility to be wise stewards of the taxpayers' money. He took this responsibility very seriously and acted on it early in his congressional career. Few have worked as hard as Congressman Nussle to ferret out wasteful and unnecessary Federal spending. If confirmed for the OMB Director, I am certain he will continue to be one of the taxpayers' advocates there in that new position.

When he was chairman of the House Budget Committee, Jim Nussle did not just focus on short-term goals; he looked down the road at long-term challenges. As an example, in the Deficit Reduction Act, with Jim's leadership at the Budget Committee, Congress took an important first step in reforming our entitlement spending. This step saved taxpayers nearly $40 billion over a 5-year period of time.

Jim Nussle also understands that the Federal budget process can and needs to be improved. He chaired a bipartisan task force in the late 1990s and developed a bipartisan initiative termed the ''Comprehensive Budget Process Reform Act of 1998,'' and he did it in a bipartisan way with then-Congressman and fellow Senator BEN CARDIN. In working with then-Congressman CARDIN, he demonstrated his abilities to work across the aisle and develop bipartisan products.

This respect for the other side continued during his time as Budget chairman. During the Senate Budget Committee's hearings to consider his nomination, House Budget Chairman SPRATT attested to the respectful manner in which Congressman Nussle handled the Budget Committee under his chairmanship. Chairman SPRATT, then the ranking member, spoke to the fair and collegial treatment the minority received while Jim Nussle was its chairman and to Congressman Nussle's knowledge of the budget process.

I believe it is Congressman Nussle's qualifications and respect from all sides that led to a unanimous vote in favor of his nomination by the Homeland Security Committee and by the 22-to-1 vote in the Budget Committee. Yet some have chosen to use Congressman Nussle's nomination to take issue with the President's fiscal and economic policies. So I would point out to my colleagues that while they portray the economy as nothing but doom and gloom, the facts suggest otherwise.

Unemployment remains at historically low levels. Most recently, the unemployment rate stood at 4.6 percent. July was the 47th consecutive month with job gains, and over 8.3 million new jobs have been created during those 47 months. The fact is, the economy is resilient and growing. We have had 23 consecutive quarters of growth in the gross domestic product.

Contrary to the arguments of some of my colleagues, the budget deficit has been coming down year by year. This year's deficit is estimated to be 1.5 percent of our gross domestic product, and that is lower than the 40-year average of 2.4 percent of GDP. The reduction in the deficit is largely due to the higher than anticipated revenues coming into the Federal Treasury, and this increase in Federal revenue has occurred since the bipartisan tax relief plans passed in 2001 and 2003.

While those on the other side may argue that we are undertaxed, I would like to point out that this year's receipts are projected at 18.8 percent of gross domestic product. That is higher than the historic norm over a 30-year average of 18.3 percent. So while Congress and the President acted in a bipartisan way in response to the economic effects of the tech bubble burst and the attacks of September 11, 2001, we are still generating the necessary revenues to operate the Federal budget at historic levels.

Where would our economy be today if Congress had not enacted a bipartisan economic stimulus tax package? Would our economy have weathered the crash of the NASDAQ in 2000 when it lost 50 percent of its value or the economic shock after the 9/11 attacks in 2001? Would we have come out of it with such resilience as we have without those tax bills having passed? Would we have such low unemployment, strong GDP growth, or the creation of those over 8 million jobs without that tax relief? Now, these are fair questions that the critics of the President's economic policies ought to consider.

Regardless, we are here today to consider the nomination of Congressman Nussle to be Director of the Office of Management and Budget. However you feel about the President's economic policies, I think we should all agree that the President has the right to choose his Director for the Office of Management and Budget. Rather than delay and object to considerations of this nominee, I believe it makes more sense to confirm the President's highly qualified choice and get to the work of finishing the peoples' business.

We have a serious challenge ahead of us. With only 1 of 12 annual appropriations bills having even been considered by the Senate, we find ourselves less than 4 weeks away from the end of the fiscal year. In order for this process to get underway in earnest, it is important that the President has his choice of Budget Director in place. Given Congressman Nussle's experience, knowledge, and commitment to public service, it is fitting that he has been nominated to be the Director of the Office of Management and Budget.

Jim Nussle is highly qualified. He knows the budget. He understands Congress, and he is a decent, honorable public servant. So I hope the Senate will see fit to confirm Jim Nussle to OMB Director.

I think the people who gave me the additional time ought to have it back.

The PRESIDING OFFICER. Who yields time? The Senator from Vermont.

Mr. SANDERS. I yield 6 minutes to the Senator from New York.

Mr. SCHUMER. I thank my friend and colleague from Vermont for yielding me time. I will speak for a brief moment on this nomination and then talk a little bit about Iraq.

First, I will oppose the nomination of Jim Nussle to OMB Director. Why? Because our country is in a new world and a new time and a new place. Our health care system, our education system, and our infrastructure are lagging, and those who put continued tax cuts for the very wealthy above rebuilding America are at the wrong time, in the wrong place. That is what Jim Nussle has done. I understand it is a heartfelt belief of his.

We Democrats have adopted a more responsible position of pay-go. We Democrats believe, yes, we must restore our infrastructure, both physical and human, in America to stay great. And with an OMB Director who remains rigidly wedded to the policies of the past, tax cuts to the very wealthy above everything, above rebuilding our schools and restoring health care and getting our bridges and roads built—we are headed in the wrong direction. So I must vote against him and urge my colleagues to do the same.

IRAQ

Now, I rise today to discuss the situation in Iraq and the continuing efforts of this administration to paint a rosy picture, to cling to straws when the situation on the ground suggests just the opposite.

I first thank my colleague, JACK REED, who has done great work on MILCON, veterans affairs, which we

have just considered, and for his work on Iraq.

Some have argued that the surge in Iraq is working, but all you have to do is look at the facts to know that is not the case. The President went to Anbar Province, which at the moment he is touting as a measure of success, but we all know what has happened in Iraq. You push on one end of the balloon, and it pops out on another. Anbar may be a little better; other places are worse. And the fallacy of Anbar is just amazing. Are we placing our faith in the future in Iraq on a handful of warlords who at the moment dislike al-Qaida more than they dislike us? And they certainly dislike us. What kind of policy is that? What are the odds that 6 months from now, the fragile and perilous situation in Anbar will reverse itself and collapse? We heard about success in Baghdad, we heard about success in Fallujah, and we heard about success in this province and that province, and it vanishes. Success vanishes like the wind. Why? Because the fundamentals in Iraq stay the same. That is, that there is no central government, that the Shiites and the Sunnis and the Kurds dislike one another far more than they like any central government, and that dooms our policy in Iraq to fail. When the President began the surge he said it was to give the Government breathing room, to strengthen the present Government. We have more troops there, more military action, more deaths this summer, more than any other, and the Government is weaker. So why isn't it apparent to the President and my colleagues on the other side of the aisle that the stated goal of the surge is failing? Because the goal is not a military goal but, by the President's own words, it is to give the Government of Iraq greater strength, breathing room, as he put it. That Government, by just about every standard, is worse off than it was before.

Again, Anbar Province? Because a few warlords, tribal leaders are now on our side for the moment, even though they are not loyal to us, they don't like us and they dislike the central government, that is why we should continue the present course in Iraq? It makes no sense.

What happened to the great call for democracy in Iraq? Are the tribal leaders in Anbar Province our apostles of democracy? Of course not. I admit that is realpolitik. That is fine. But it is not going to solve the problem.

If you look at the benchmarks, today the independent GAO report due to be delivered to Congress showed little progress being made in meeting the 18 military and security benchmarks set out by the Congress. A draft report showed that only three of the benchmarks had been met. However, over the weekend, the Pentagon revised the draft GAO report and now, miraculously, an additional four benchmarks were ''partially met.'' Despite the apparent efforts by the Pentagon to edit this independent report, it will take much more than a red pen to correct the failures of the President's Iraq policy. So the surge by the President's own stated goal is failing. The Government is weaker. The fundamentals on the ground are the same. There is no loyalty to a central government.

The temporary stasis in Anbar Province is not because of the surge but because the surge was unable to protect these tribal leaders from al-Qaida.

The PRESIDING OFFICER (Mr. SALAZAR). The time of the Senator has expired.

Mr. SCHUMER. I ask unanimous consent for an additional 30 seconds.

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

Mr. SCHUMER. The bottom line is very simple. We are worse off today in Iraq than we were 6 months ago. The position of America, democracy, stability continues to deteriorate. If there were ever a need for a change in course in Iraq, it is now.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Vermont.

Mr. SANDERS. Mr. President, we have heard over the last few moments from some of our Republican friends, again, the assertion of how strong this economy is doing and how we have to continue going along this same path with an OMB Director who is supportive of these policies. Let me reiterate, I do not believe the economy is stronger when, over the last 6 years, 5 million more Americans have become poor, slipped into poverty, including a million children. I do not believe this economy is strong when median income for working age families has declined by about $2,400 since the year 2000. I do not believe this economy is strong when the personal savings rate has been below zero for eight consecutive quarters. I do not believe this economy is strong when 8.6 million Americans have lost their health insurance since President Bush has been in office. I do not believe this economy is strong when 35 million Americans struggled to put food on the table last year and hunger in America is growing. I do not believe this economy is strong when home foreclosures are now the highest on record, turning the American dream of home ownership into a nightmare.

We need a new direction in economic policy, policies which protect the interests of ordinary Americans and not just the wealthy and the powerful. We need an OMB Director to tell this President the reality of economic life for tens of millions of our families rather than continue a mythology which essentially represents the interests of the people on top who, in fact, are doing very well. Maybe government should represent all rather than just the wealthy and the powerful.

When I talked before about the budget priorities of President Bush, we should continue that discussion and talk about how he treats our veterans. The war in Iraq, something which I strongly opposed, has given us now over 27,000 soldiers who have been wounded, many of them seriously. Studies tell us that many of the soldiers returning home from Iraq are coming home with post-traumatic stress disorder, PTSD. How did the President's budget, a budget which we turned around, how did his initial budget treat the veterans? His budget proposed cutting the VA by $3.4 billion over 5 years after adjusting for inflation. That does not say thank you to our veterans and their families and all they have gone through.

We have a President who in his budget has said we don't have enough money to address the needs of the middle class, working families, senior citizens, children, and veterans. We don't have enough money to do that, to pay attention to the people who are hurting. But amazingly enough, President Bush has told us we do have enough money to provide $739 billion in tax breaks over the next decade to households with incomes exceeding $1 million per year. Under President Bush's proposal, the average tax break for this group of millionaires would total $162,000 by the year 2012. So if you are a millionaire or a billionaire, the good news is, we have enough money for you. But if you are a veteran coming home from Iraq with PTSD, if you are a mother trying to find quality childcare for your kids, if you are a worker trying to find health insurance, sorry. This country does not have enough money for you.

Let me be very blunt. In my view, it is wrong to be giving huge tax breaks to the very wealthiest people, the people who need them the least, while cutting back on the needs of the middle class and working families. I should say that Mr. Nussle's record as chairman of the Budget Committee tells us clearly he supports these tax breaks for the very rich while, at the same time, he has been prepared over the years to cut programs for those who need them the most. That is wrong. That is why I will be voting against Mr. Nussle's confirmation.

Included in President Bush's budget is the complete repeal of the estate tax which would take effect at the end of 2010. The complete repeal of the estate tax, we should be clear, because sometimes people have not been quite so clear about it, would benefit the wealthiest three-tenths of 1 percent of our population, the top three-tenths of 1 percent, and 99.7 percent of the American people would not benefit, their families would not benefit by one nickel from the repeal of the estate tax. Obviously, if you are in the top three-tenths of 1 percent, you are already a millionaire or a billionaire, and you are already in a family which is doing very well and has been doing well in recent years. In other words, 99.7 percent of Americans would not receive one nickel. The wealthiest people, who are

doing very well, would get all the benefits.

According to the President's budget, this repeal of the estate tax will reduce receipts for the Treasury by more than $91 billion over the next 5 years and more than $442 billion over the next decade. But the long-term damage to our fiscal solvency is even worse. According to the Center on Budget and Policy Priorities, repealing the estate tax would cost over $1 trillion from 2012 to 2021, all of which benefit goes to the wealthiest three-tenths of 1 percent. In other words, if the President's plan to permanently repeal the estate tax succeeds, the children and family members of the most privileged families in America will reap a massive tax break. Paris Hilton, you are in luck, if the President gets his way. You are going to do very well. But for other Americans, the deficit will go up, and the argument will be raised that we don't have enough money to take care of our kids, our seniors, and our veterans.

What has Mr. Nussle's position been as chairman of the Budget Committee on repeal of the estate tax? He is there alongside the President. So we have every reason to believe he will be recommending to the President that we continue this extremely unfair and disastrous policy.

When we talk about repealing the estate tax, which the President wants to do, which Mr. Nussle wants to do, which many of our Republican friends want to do, I think we should see who benefits in a more specific sense. Yes, it is the wealthiest three-tenths of 1 percent who will get all of the benefits, the people who need it the least. Let's look at one particular family who does have the best. Let's put this thing into perspective. The reality is the big winner, the people who need this money the most—not the kids, not our seniors, not low-income people, not our veterans, no, they get at the end of the line—the people who receive a significant amount of the benefits from repeal of the estate tax is the Walton family that owns Wal-Mart. In fact, today—and these things change; they go up and down—the estimated net worth of the Sam Walton family is about $83.2 billion. From where I come, that is pretty good, $83.2 billion. You are a family that is doing fine. You will probably be able to pay the rent next month. If the estate tax is repealed for this one family, they will receive a benefit of $32.7 billion, one family, $32.7 billion.

We do not have enough money, says the President, to increase health insurance for our children. Oh, he is going to repeal that $32 billion to take care of 3 million more kids? We cannot afford that, but we can afford to give $32 billion in tax breaks to a family worth $83 billion.

Those priorities are wrong. In my view, they are immoral. We need an OMB Director who begins to explain to the American people this is not what America is about, who begins to explain to the American people we need a budget that reflects the needs and deals with the needs of millions of families, where people are working longer hours for lower wages, that deals with the problems of our senior citizens, deals with the problems of our crumbling infrastructure, deals with the problems of kids who cannot afford to go to college, deals with all of the problems our people face every single day. That is the kind of budget we need. That is the kind of OMB Director we need. What we do not need are policies which give obscene benefits to the very wealthiest people in this country.

Let me simply say at this point that in fact what this debate is about is whether we are going to have an OMB Director who can advise the President about the reality facing our working families or will we continue the same failed policies?

Having said that, Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

The Senator from Maine.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. GREGG. Mr. President, I rise to discuss a little bit what has been talked about at length in this debate. I think it has been a very helpful and good debate. It has not been about Congressman Nussle and his qualifications. That seems to be universally agreed upon. It has been about the issue of policy and how we approach fiscal policy in this country.

The other side of the aisle, for whatever reason, seems to think 24 quarters of economic growth, with the addition of 8.4 million new jobs over the last few years, a tax law which was put into place which has caused us to generate more receipts as a Federal Government than we ever received before over a 3-year period relative to growth and as a percent of gross national product, is something we should not have, that this is bad policy for some reason, that giving people jobs, creating economic activity, having a tax policy that is fair, is not good. Therefore, they are attacking Congressman Nussle for him being proposed to become OMB Director and for the fact he happens to ascribe to those approaches.

Now, I would say to my colleagues on the other side of the aisle, I am not sure what they expect. Maybe they are sort of like Claude Rains in ''Casablanca,'' where he comes out of the room and says: I'm shocked—shocked—to find out that there's gambling going on in Rick's. What? Are they shocked to find out the President nominated a Director of OMB who agrees with him? I mean, really. Obviously, he is going to nominate a Director of OMB who agrees with him. For as much as I admire the Senator from Vermont, his philosophies, which he of his own accord has described as socialist—although he affiliates with the Democratic Party—are not necessarily the philosophies of the President. So I do not expect he is going to nominate somebody with the philosophy of the Senator from Vermont. Even France, quite honestly, has rejected the philosophy of the Senator from Vermont. So I do not think the President is going to subscribe to it.

What is hard to accept, however, is this argument that for some reason the tax cut the President has put in place has been regressive, that it has been unfairly distributed.

Let's go back to the record. The simple fact is today the top 20 percent of earned income or taxable income under the income tax laws—the top 20 percent of earners in those categories is paying 85.3 percent of the burden of Federal taxes. That is more than was paid under the Clinton administration when those same people, the top 20 percent, were paying 81 percent of the burden of Federal taxes.

People of lower income or moderate income who do not pay income taxes basically—individuals do, but as a group they do not pay a net income tax—the bottom 40 percent of income earners in this country is actually getting more back from the Federal Government in the form of earned income tax credit and other benefits than they received under the Clinton years—almost twice as much back.

So you have the highest income people in this country paying more than under the Clinton years, who are bearing a larger share of the burden, and you have the lower income people or the moderate income people getting more back from the Federal Government. That, ladies and gentlemen, is called progressivity. That is a tax law that is working.

Why is it working? Why are the people with higher incomes paying more taxes? That is called human nature. It is called human nature. If you say to someone: ''I am going to take the next 90 cents of the $1 you earn, and take it to the Federal Government and the State Government and the local government''—I do not know that Vermont reaches 90 percent. They are probably pretty close. That is why people come to New Hampshire to buy liquor and other goods; they are not subject to a sales tax. That is just a bit of PR for our State. But if you say that to a person, they are not going to go out and make the effort to earn that extra dollar, whether it is 90 percent, 70 percent, or 50 percent.

Why? Because they do not want to pay the taxes. They do not want to work for the Government half the year. Actually, everybody is working for the Government half the year, but they

don't want to work for it for two-thirds of the year.

So if you put in place a tax law that is fair, where you say to a person: ''You go out and invest, you take a risk, you become an entrepreneur, and as a result you create jobs, and we are going to tax you fairly,'' then you get more economic activity that is taxable. As a result, you get more money to the Federal Government. That is what has happened over the last 3 years. We are now receiving more revenue than we have historically. In fact, we have had the largest increase in the history of our Government in the last 3 years as a percentage, and we are getting more in than what has been the historical norm. Usually, we have been getting, since World War II, about an 18.2-percent raise in revenues from the gross national product. Now we have gone up to 18.6 percent and 18.7 percent, and those are big increases.

Why are we getting those increases? Because people are willing to participate in the taxable economy. Because there is a fair tax rate that is in place today. What is the other side of the aisle suggesting? Let's raise those taxes. Let's raise those taxes way up so we can spend the money—not to put it to debt reduction, as the Senator from North Dakota talks about—so we can raise taxes on the American people to spend the money.

Their budget suggests we increase taxes by somewhere between $400 billion and $900 billion over 5 years. Their budget suggests we increase spending on the discretionary side by around $200 billion over the next 5 years. Their budget suggests we increase spending on the entitlement side by a number that is so astronomical I cannot even calculate it, but I think it is around $1 trillion. It is a classic tax-and-spend approach. Its purpose is not to make the economy stronger. Its purpose is not to reduce the debt. Its purpose is to raise taxes, to spend the money on interest, which the other side of the aisle finds attractive.

Well, that is reasonable if you do it in a way that is fair. But what they are suggesting is you raise taxes on working Americans, and specifically on seniors. Do you know who most benefits from the capital gains rate? Senior citizens. Do you know who most benefits from the dividends rate? Senior citizens. Logic tells you that; also statistics do. The fact is, when you are a senor citizen, you do not have earned income. You are probably not subject to the income tax rate for the most part, but you might have dividend income from one of the pension funds you invested in or that the company you worked for invested in. And you probably have capital gains income because you probably sold some asset such as your house to move into another lifestyle.

So not only are they suggesting we raise taxes in a manner which will undermine what has been a clear economic benefit to this country, in that we have seen 24 months of economic expansion and we have added 8.4 million jobs, we have seen revenues jump dramatically. In fact, the capital gains revenues are now $100 billion over what they were estimated to be—$100 billion. Why is that? Because people are willing to take risks. They are willing to take their capital out that was locked up and put it into more productive activity, the result of which is to create jobs.

People are investing in starting new restaurants and starting new software companies, starting new small businesses all across this country because there is a reasonable tax rate on doing that. As a result, we are creating jobs. What is the result of that? We generate revenues to the Federal Government. The other side of the aisle does not like that, I guess. The only way they want to generate revenue to the Federal Government is to raise taxes on people. Well, it doesn't work very well, quite honestly. President Kennedy showed the best way to do it is the way we have done it. President Reagan showed us the best way to do it is the way we have done it. And now President Bush has shown it one more time.

It is hard to accept this philosophy which continues to be paraded out by the other side of the aisle, which we, regrettably, in New Hampshire are hearing a great deal of—actually, we do not regret it. We love it. We love to have the folks come to New Hampshire who are running for President and listen to their positions. But as you listen to people, your head has to spin as to the number of new programs that are being proposed by the front runners of the Democratic Party. It is program after program after program. If you listen to one of their speeches—and I have listened to all the major candidates on their side of the aisle give speeches in New Hampshire over the last few weeks—it is a litany, more or less like a merry-go-round, of ideas of how to spend money, followed by ideas as to how to tax people.

The list goes on and on, but right at the top of the list is raise the capital gains rate, raise the dividend rate, raise the taxes on earning Americans, raise the taxes on productive Americans, which will result in a reduction of job activity, a reduction of revenues to the Federal Government, and it will be an unfortunate decision to reverse some very good economic news we have had over the last few years.

Mr. President, at this time I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GREGG. Mr. President, I believe we sort of agreed casually on an order that the Senator from Vermont will speak, then I will speak, and then the Senator from North Dakota will wrap up.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, the Senator from New Hampshire talks about program after program. Yes, we want to take care of our veterans, we want to provide health insurance to our children, and we do not want to give tax breaks to billionaires.

Mr. President, I yield 1 minute to my friend from California.

Mr. CONRAD. Mr. President, I also yield 1 minute to the Senator from California.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thank my colleagues.

I have never seen the Senator from New Hampshire so emotional and so excited. You would think the record we have seen in terms of this economy has been stellar. It reminds me of the expressions: ''He doth protest too much'' and ''the best defense is a strong offense. Get excited and wave your hands.'' Let's talk about what has happened here. This President and the Republicans in this Senate are trying to claim the mantle of fiscal responsibility. In fact, they turned a $236 billion surplus inherited from the Clinton administration into a $248 billion deficit. They oversaw the three largest budget deficits in U.S. history, and they are responsible for a $3 trillion increase in the national debt. Now, let me say this: Who owns that debt? Foreign countries—China, Japan. I don't hear the Senator from New Hampshire bemoaning the fact that they can hold us hostage.

We need a change here. We need fiscal responsibility. We need investments in things that help our children, education, for one, and help our families, health care, for two, and a way to make sure our veterans truly get what they need. Instead, the President gives us as head of the OMB Mr. Nussle, who is closely associated with all of these policies and failed as chairman of the Budget Committee three out of six times to get a budget and work with Democrats. This is an absolute outrage.

Now, I voted for so many of the President's appointees. I didn't vote for Alberto Gonzales, but I did vote for most.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. BOXER. I will not vote for a man who put a bag over his head in the House of Representatives. That, to me, shows complete hostility to this great democracy. I urge a ''no'' vote.

The PRESIDING OFFICER. Who yields time? The Senator from Vermont has 1 minute.

Mr. SANDERS. Mr. President, let me conclude by applauding Majority Leader HARRY REID, Chairman KENT CONRAD, and Senators SCHUMER, DORGAN, and BOXER for publicly expressing their opposition to the Nussle nomination.

The bottom line is today the economy is doing very well if you are in the top 1 percent, if you are a millionaire or a billionaire. But if you are in the

middle class, if you are a working person, the likelihood is you work longer hours for lower wages.

We need a change in economic policy. We need an OMB Director who can advise the President about the reality of the vast majority of the people, and not just the very wealthiest people in our country.

I yield the floor.

Mr. CONRAD. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. There is 1½ minutes remaining.

Mr. CONRAD. Does the Senator from New Hampshire ask to speak for an additional 30 seconds?

Mr. GREGG. I thought I had some time reserved. I don't. I ask unanimous consent for 30 seconds.

Mr. CONRAD. Without objection.

The PRESIDING OFFICER. Without objection, the Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I simply wish to note we are about to vote on the nomination for the Director of OMB, who is a man of high integrity and high quality, and who has the expertise to do this job well. I think we should presume that the President should have the right to appoint the person of his choosing to this office which is so uniquely part of the White House to begin with.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, let me end where I began. This is not about a personality; this is about policy. The fiscal policy of this administration has exploded the debt of our country at the worst possible time—right before the baby boom generation retires. Here is the record. It is undisputed. It is uncontradicted. It is a simple fact. The debt of this country under this policy—and Mr. Nussle is one of the architects of this policy—has skyrocketed from $5.8 trillion at the end of the President's first year to $8.9 trillion at the end of this year. So much of that debt is now held abroad. When this President came into office, there was $1 trillion of U.S. debt held by foreign interests. That has now reached over $2.1 trillion, a more than doubling of U.S. debt held abroad. That puts this country at risk.

We saw during the last few weeks the Chinese Minister indicate they might start to diversify out of dollar-denominated securities. Economists said if they chose to do that, they would push the United States into recession. In many ways, our economic future is now less in our hands and more in the hands of the people who hold our debt.

I ask my colleagues on the basis of policy to reject this nomination.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. All time has expired.

Mr. CONRAD. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The question is, Will the Senate advise and consent to the nomination of Jim Nussle, of Iowa, to be Director of the Office of Management and Budget?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. DODD), the Senator from South Dakota (Mr. JOHNSON), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from Idaho (Mr. CRAIG), the Senator from Arizona (Mr. MCCAIN), and the Senator from Alaska (Ms. MURKOWSKI).

The PRESIDING OFFICER (Mr. MENENDEZ). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 69, nays 24, as follows:

[Rollcall Vote No. 311 Ex.]

YEAS—69

Akaka	Dole	Lugar
Alexander	Domenici	Martinez
Allard	Durbin	McCaskill
Barrasso	Ensign	McConnell
Baucus	Enzi	Murray
Bayh	Feingold	Nelson (NE)
Bennett	Feinstein	Pryor
Bond	Graham	Roberts
Bunning	Grassley	Salazar
Burr	Gregg	Sessions
Cantwell	Hagel	Shelby
Cardin	Harkin	Smith
Carper	Hatch	Snowe
Casey	Hutchison	Specter
Chambliss	Inhofe	Stevens
Coburn	Isakson	Sununu
Cochran	Kohl	Tester
Coleman	Kyl	Thune
Collins	Landrieu	Vitter
Corker	Levin	Voinovich
Cornyn	Lieberman	Warner
Crapo	Lincoln	Webb
DeMint	Lott	Wyden

NAYS—24

Biden	Inouye	Nelson (FL)
Bingaman	Kennedy	Reed
Boxer	Kerry	Reid
Brown	Klobuchar	Rockefeller
Byrd	Lautenberg	Sanders
Clinton	Leahy	Schumer
Conrad	Menendez	Stabenow
Dorgan	Mikulski	Whitehouse

NOT VOTING—7

Brownback	Johnson	Obama
Craig	McCain	
Dodd	Murkowski	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

The majority leader.

TRIBUTE TO SENATOR EDWARD KENNEDY ON CASTING HIS 15,000TH VOTE

Mr. REID. Mr. President, earlier this morning, I made a very brief statement indicating that in the rush of business when we went home for the summer work period, the last vote cast that day was Senator KENNEDY's 15,000th vote. There was a lot going on here at that time, and no one said anything. But I think it certainly is noteworthy—and that is an understatement—to recognize that this good man has passed everyone, except Senator BYRD, in the number of votes cast. Senator BYRD has cast over 18,000 votes, but there is no close second other than Senator KENNEDY.

We all recognize the tremendous work this man has done. As I said this morning, what a family. They have done so much for our country. Two of his brothers were assassinated. One of his other brothers was killed in the line of duty during World War II. Senator KENNEDY has done so much to leave a legacy in the Kennedy name that is remarkable.

We all admire the work he has done. As I said this morning, one of my pleasures in life is being able to come to the Senate and work with this great man. Working with him is such a pleasure because he can get on this floor and speak very loudly, and we all listen. But when you are working with him on legislation, he has so much humility, never wanting to take the limelight, always willing to step back and let those who are his junior move forward, and I include myself in that lot.

So congratulations to Senator KENNEDY.

(Applause, Senators rising.)

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, more than half a century ago, a right end—this is in the days before a tight end was invented—on the Harvard football team caught the eye of the head coach of the Green Bay Packers. The coach wrote the young man to ask if he might consider a pro career. But EDWARD MOORE KENNEDY had other ideas. He responded that he was flattered by the attention, but that he had already decided to go to law school and then go into another contact sport—politics.

I rise this afternoon in tribute to a man who is known to most people for his famous name but who is famous among his colleagues in the Senate for his warmth, good humor, and his simply astonishing ability and will to get things done.

Senator KENNEDY, as the majority leader just indicated, cast his 15,000th vote just before we broke for recess, solidifying his place as the third most prolific voter in the history of this body.

It was just the latest milestone in a storied 45-year career marked by countless others. And it surprised no one who has ever witnessed him speaking on the floor or off on the issues he cares about. The Senate has been his arena for more than four decades, and in the course of pushing thousands of pieces of legislation, he has worn out hundreds of staffers, committee members, and stenographers. He ignites

every debate and issue he ever decided to touch. Let no one ever accuse this man of simply punching the clock.

Thousands of visitors to the Capitol have instantly known that this is a place of momentous deeds when they have seen Senator KENNEDY jabbing the air or wheeling around, voice rising, even in an empty Chamber, to make a point. He is not a man who ever depended on a microphone to get his point across.

His reputation as an aisle-crosser is also well known. Less well known is his graciousness off the floor, as when he accepted an invitation of mine to speak to the students at the McConnell Center at the University of Louisville last year, or when he insisted that Senator MCCAIN accept an award in Boston despite the fact it was his son's 11th birthday, assuring him he would make that day special for him and for his son, which he did, with a personal Coast Guard tour around Boston Harbor and, according to Senator MCCAIN, at least two birthday cakes.

Senator KENNEDY is one of the most visible men of our time. He has every reason to let people come to him. Yet when we had a reception earlier this year for our most recent Republican member, Senator BARRASSO, it was Senator KENNEDY who approached Senator BARRASSO and sat with him and his family, talking, sharing stories, and welcoming them with all the warmth and affection of a grandfather long after the other Senators had cleared the room.

Senator KENNEDY, as we all know, is a famous story teller. But one of the greatest stories in American politics is his own. We honor him today for reaching yet another milestone along the way, and we wish him many more.

One of my own personal political heroes, Ronald Reagan, was for 8 years a great political nemesis of Senator KENNEDY's. Yet Senator KENNEDY said he always admired our 40th President because, as he once put it, ''Ronald Reagan stood for a set of ideas, and he had something to communicate.''

Senator KENNEDY's friends on the other side admire the same quality in him. We may disagree with his policies, and we do, but we respect him for his remarkable commitment and persistence in pursuit of those ideas, those principles. And we honor him today for this particularly impressive achievement. Congratulations.

(Applause, Senators rising.)

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, it is my privilege to join in saying a few words about my senior colleague, the Senator from Massachusetts. The special words that have been spoken about TED KENNEDY are obviously more than appropriate. But let me say, if I may, it is interesting that when we take a measure of TED KENNEDY's work here, which is an unparalleled record of achievement, and we look at the public record, that public record is actually full of comparisons to the greatest Senators who have ever served in the United States Senate or even some of the greatest who have served in Washington.

The Boston Globe wrote of our senior Senator:

> In actual measurable impact on the lives of tens of millions of working families, the elderly, the needy, TED belongs in the same sentence with Franklin Roosevelt.

Time magazine said:

> TED KENNEDY has amassed a titanic record of legislation affecting the lives of virtually every man, woman, and child in the country.

And in his comprehensive book just a couple of years ago, Adam Clymer wrote that TED KENNEDY is a lawmaker of skill, experience, and purpose rarely surpassed since 1789. He has been compared to Henry Clay for his skill as a legislator and to Lyndon Johnson for his efforts in creating a more egalitarian, more inclusive America that leaves no one behind.

Mr. President, 15,000 votes is a remarkable number. No one knows that more than the Senator sitting in front of me, the Senator from West Virginia, Mr. BYRD, who is the only other member of that exclusive club. He knows, as we all know, that 15,000 is not just a statistic representing those votes. It represents and encapsulates countless legislative battles in the trenches, in the committee rooms, in offices, tough negotiations, thankless committee hearings, inspired ideas, setbacks and, to a greater degree than almost any other lawmaker alive, laws that improve the lives of everyday Americans.

From his maiden speech in the Senate demanding an end to the filibuster of the original Civil Rights Act, there has not been a significant policy accomplishment in Washington over four decades that has not borne his fingerprints and benefited from his legislative skill and leadership. His is the record of progressive politics in our era.

In all of the great fights that call us to stand up and be counted, from the minimum wage year in and year out, to Robert Bork and Sam Alito, TED Kennedy did not just hear the call, he led the charge. You can run down the list. The rights of the disabled who for far too long were left in the shadows or left to fend for themselves, TED KENNEDY wrote every single landmark piece of legislation that today prohibits discrimination against those with a disability.

AIDS—when a whole lot of politicians were even afraid to say the word, TED KENNEDY passed a bill providing emergency relief to the 13 cities hardest hit by the AIDS epidemic.

Mr. President, 300,000 young people today have jobs every single summer because of TED KENNEDY. Guaranteed access to health coverage for 25 million Americans who move from one job to another or who have a preexisting medical condition—they wouldn't have gotten that coverage without TED KENNEDY.

Without TED KENNEDY, there wouldn't have been bilingual education in the United States for the 5 million students who today have a brighter future because they are learning English in our schools.

Without TED KENNEDY, we wouldn't have lowered the voting age to 18 and ended the hypocrisy that 18-year-olds were old enough to die for our country in Vietnam but not old enough to vote for the leadership.

Without TED KENNEDY, we wouldn't be the world's leader in cancer research and prevention.

Without TED KENNEDY, we wouldn't have had title IX, which opened the doors of competition and opportunity for a generation of women athletes all across our country.

The list goes on, and I am not going to go through the whole list. But ever since he entered this body at the age of 30, he has stood up again and again to be counted in support of his beliefs. He stood up to be counted. He stood up to lead again and again. He has already secured his place as one of the great legislators in the history of our country.

And then after casting that 15,000th vote before we went away, he celebrated by doing the same thing that made him a legend in the first place. He rolled up his sleeves and he went back to work. That is why a lot of us look forward to seeing these next years with him and watch as he continues to help write the history of the Senate and the history of our progressive politics and the history of our country.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I am happy to join in this chorus of praise for the senior Senator from Massachusetts on the occasion of the 15,000th vote he has cast—a historic milestone in this historic body and a milestone reached by only two other Senators, only one of whom continues to serve with great distinction, the man from West Virginia, SENATOR ROBERT C. BYRD. Senator EDWARD MOORE KENNEDY has now added his name to this roster of distinction.

He is the ninth child of Joseph and Rose Kennedy, born on February 22, 1932—200 years to the day after George Washington. In a family such as the Kennedys, I am sure that coincidence did not go unnoticed. Years ago, TED KENNEDY made the Senate the focus of his public life. Some say that decision has helped him to become one of the best Senators ever to serve this body. His dedication to principle and his willingness to delve deeply into tough issues really have been the hallmarks of his public service.

In his biography of Senator TED KENNEDY, former New York Times reporter Adam Clymer recalls a hearing in the 1960s in the Senate Labor and Public Welfare Committee on which both TED and his brother, Bobby Kennedy, then Senator from New York, served. Clymer describes how the two Kennedys had to wait 2 hours to question a

witness because they were both junior members of the Senate at the time. Bobby Kennedy seemed almost pained by the tedium of sitting there hour after hour waiting his turn. TED was more patient.

Exasperated, Bobby Kennedy leaned over and asked his brother: Is this the way I become a good Senator, sitting here and waiting my turn?

TED KENNEDY replied to his brother: Yes.

Bobby shot back: How many hours do I have to sit here to be a good Senator?

And TEDDY said: As long as necessary.

Well, when it comes to 15,000 votes, I am sure that will be a record which will be hard to match. But when it comes down to it, it is not about the quantity of TED KENNEDY's votes, it is about the quality of his politics. He really cares. He cares about people. He cares about the people who can't afford a lobbyist to stand out in the hallway and beg for a vote. He cares about the people who get up every morning and worry that nobody has noticed their lives, lives of sacrifice and lives of difficulty. He cares about those people. They won't be holding big fundraisers with political action committees, but they are the people who have energized him in his public career.

He also cares about the people with whom he works. I can't think of another colleague with whom I have ever served in the House or Senate who really reaches out in so many different ways to each of us on a personal level to show that he cares. If you have a child in the hospital, an illness in the family, the loss of a loved one, you can count on a telephone call from Ted Kennedy. If no one else remembers, he will.

He also works every single day. I think that is the thing which surprised me my 10 years in the Senate, was just the energy level of Senator TED KENNEDY. He never stops. And now, in his majority position as chairman of the HELP Committee, he has an agenda he has been waiting on for way too long, an agenda which included increasing the minimum wage in America for the first time in 10 years, an agenda which is going to lead us into the kind of help for students across America to go to college that we haven't seen since the passage of the GI bill after World War II. Time and again, this Senator has used his commitment and combined it with an energy that has produced dramatic results.

I have had the honor of serving on the Judiciary Committee with him, and I know that from time to time he has stood up and taken a lonely and sometimes difficult political position for what he believed was right. It is that kind of courage and dedication to principle which leads me to believe he is one of the finest colleagues with whom I have ever had the honor to serve.

Finally, he knows that life here in the Senate is a privilege. It is a privilege for each of us. Although he has been here longer than most—perhaps only one other Senator has been here longer—he understands that for each of us this is a great privilege, to represent great States in a great nation. It is a source of great pride for me to have once sat in that gallery as a college student and looked down on Senator TED KENNEDY on the floor, wondering if I would ever meet him, and to be able to stand here today on the occasion of his 15,000th vote and to count him as a friend and an inspiration.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, this is a great pleasure—a great pleasure—that I congratulate my very highly esteemed colleague and dearest friend, Senator EDWARD KENNEDY, upon the casting of his 15,000th vote. Senator KENNEDY has now become a member, an illustrious member, of one of the most exclusive clubs in the whole wide world. Throughout the entire history of the Senate, only 2 other Senators have cast 15,000 votes—I and the late Senator Strom Thurmond of South Carolina. As a charter member of this exclusive club, I welcome Senator KENNEDY aboard.

This latest achievement is only one of many for this fine son of Massachusetts. He has spent more than half his life in the Senate, and he is the third longest serving Senator in U.S. history. As I have said before on this floor, history will be kind to Senator KENNEDY. I have no doubt that history will not only regard Senator TED KENNEDY as one of the most effective national legislators of the 20th and now the 21st century but also as one of the great Senators ever to have graced this illustrious Chamber.

Although born to a life of privilege, Senator KENNEDY has dedicated his life to serving others. Senator KENNEDY represents the heart and the conscience of American liberalism. Senator KENNEDY is responsible for much, indeed much of the progressive legislation of the last four decades. He is always a powerful and eloquent voice for the poor and the oppressed, expressing his views in soaring speeches and passionate struggles for the rights of labor, for health care reform, and for strengthening the social safety net for America's less fortunate.

In the Senate, he has demonstrated that it is through public service—to paraphrase his late brother, President John F. Kennedy—that Americans can stop asking what their country can do for them and actually do something for their country.

Senator TED KENNEDY gave me unstinting support during the years when it was my privilege to serve as the Senate Democratic majority leader and minority leader at different times. When times got tough, I knew that I could always count on TED KENNEDY's advice and his support. It may have been a needed vote; it may not have been. It may have been assistance in building approval for legislative proposals. But whatever was needed, TED KENNEDY was always there, and I was always grateful.

Thank you, TED.

I shall always value TED KENNEDY's friendship not only to me but to the great people of the great State—E Pluribus Unum—of West Virginia. And I am quite pleased and I am proud—proud, TED—to have had the pleasure and the honor and the great privilege of serving with this extraordinarily great Senator in the Senate.

Congratulations, congratulations, congratulations, Senator TED KENNEDY, on casting your 15,000th vote. But even more importantly, congratulations on being such a needed advocate for the powerless in our great and powerful country. Americans are a compassionate people, and the senior Senator from Massachusetts has no intention of ever, ever, letting the Senate forget that. Amen.

Thank you, sir.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, it is such an honor for me to be here and hear the Senator who has served the longest and cast the greatest number of votes heap high praise on the Senator who is No. 3 in that category. It is such an honor for every one of us, the other 98 who are here, to serve with both of them.

I will be brief because so much has been said, but TED KENNEDY has been a beacon, he has been a mentor, he has been almost a father figure to so many of us in the Senate. He is so committed to the things he believes in, and you hear it in his speeches and you see it even more so in the great craft with which he yields the legislative pen. But unlike some who may love mankind in the abstract, TED KENNEDY also has a quintessential kindness and decency to the individuals of this body and to individuals he just meets. We all see it in him as he walks the halls. TED KENNEDY is a special human being. He would be a special human being in any craft or vocation because of who he is, what he knows, where he comes from. But I think every one of us—from Senator BYRD, No. 1 in seniority in the Senate, to Senator BARRASSO, No. 100—count our lucky stars that we are able to serve with and know a great man such as TED KENNEDY.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I would not want all the accolades to Senator KENNEDY to come from that side of the aisle. Forty years ago, in 1967, I came to this body as a very young legislative aide to Senator Howard Baker, and TED KENNEDY was a very young Senator but already in his second term. All the talk for the first few months—and I imagine Senator BYRD can remember this—was about how long would it take for Senator Baker, a new Republican Senator, to

break on some important issue with father-in-law, the Republican leader, Senator Everett Dirksen and after a few months we knew because Senator Baker walked across the aisle and joined with Senator TED KENNEDY and they fought against Senator Dirksen, Baker's father-in-law, and Sam Ervin, the most respected constitutional lawyer in the Senate, on the issue of one man one vote.

I remember working with Jim Fluge, Senator KENNEDY's friend who came back to work in the Senate 3 or 4 years ago. The upstarts won that debate; Baker and KENNEDY beat Dirksen and Ervin on the one man one vote issue. That was my first exposure to working with Senator KENNEDY.

Several years passed and President Bush the first asked me to be the Education Secretary, and I came to Washington and what did I discover? I have to be confirmed by a committee chaired by Senator TED KENNEDY. That was 1991. That was 16 years ago. I was eventually confirmed and then we worked together for nearly 2 years on educational issues.

Then, 4 years ago I came back and I am in the Senate and today I am serving on the committee that once confirmed me, and who is the chairman 40 years later? Senator TED KENNEDY. So I have had a very special privilege of working with Senator KENNEDY and admiring him, both as a legislative aide and a Cabinet member and now as a colleague in the Senate.

I can say as a practicing Republican what every Senator in this body already knows: Nothing will bring a Republican audience to its feet faster than a speech against high taxes, against Federal control, and against TED KENNEDY. But those outside the Senate might wonder, then, how could the Republican leader and others here hold him in such affection? I can give you one example. We have a tradition in the Senate still called the maiden speech. We think about what we might say when we first come here and make it a special occasion. My first speech was about what it means to be an American, how could we put the teaching of American history and civics back in its rightful place in our classrooms so our children could grow up learning what it means to be an American. This is the subject the Senator from West Virginia has worked on, spoken about, and legislated on many times.

But after I made that remark and introduced a piece of legislation, who was the first Senator to come over and volunteer to go around among his Democratic colleagues and round up enough cosponsors so the legislation could pass and eventually funds be appropriated? It was Senator KENNEDY. Who is the Senator who at least once a year takes his entire family to some part of American history and helps them all understand that? I remember his coming back and telling me how excited he was when the family went to Richmond and were in the church, I believe it was, where Patrick Henry was down on his knees and gave his speech about American liberty.

That is a part of TED KENNEDY that those of us in the Senate, on both sides of the aisle, know. It is a part we respect and a part we appreciate. He cares about what it means to be an American because he and his family are such an important part of American history.

It is a great privilege to serve in this body with Senator KENNEDY.

The PRESIDING OFFICER. The senior Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I want to express appreciation to all my colleagues for their generous comments this evening, in particular to the two leaders, Senator REID and Senator MCCONNELL, for their kindnesses tonight and other times where they have been generous of spirit and thought.

I want the people of Massachusetts to know this is not an ending; 15,000 votes is not an ending. No one could demonstrate that better than my friend and colleague from West Virginia who still speaks with such eloquence and such passion and does such an extraordinary job in preserving this institution the way our Founding Fathers wanted it to be. He has no peer—certainly in my lifetime and I think probably in the history of this body.

The greatest public honor of my life has been representing the people of Massachusetts. I love the State. I love the people. I have been greatly honored by their confidence and their support over the many years—joyous years, sad years. They have been extraordinary in terms of their support of a voice in the Senate and a vote to try to recognize that America is not just a land, it is a promise. It is a never-ending promise about strengthening our families and about strengthening our country and about being a fair country and creating greater opportunity and leading the world when we basically reflect our greatest values.

I have been greatly honored in working in the Senate with extraordinary men and women over the period of years. I include so many who are here now, so many of those who have worked with me over the period of years, men and women of great integrity and strong commitment and caring about this Nation. They have demonstrated extraordinary courage, extraordinary leadership, and have helped to make the country a much better and fairer land; many on our side, many on the other side—many on the other side.

When we think back on the great battles and challenges we have had over the period of years, we made progress when we came together. That has been true.

I am very grateful to my friend, and he is my friend, JOHN KERRY, my colleague. I thank him for his friendship and support over many years. He has pointed out he has helped me in my first campaign. I tried to help him on his last campaign. We are friends and colleagues and have a good deal of respect for each other. I have a great deal of affection and respect for JOHN.

I thank the Senator from West Virginia, Senator BYRD. As we know, he is not only the President of the Senate, but he has devoted his life to this institution. On so many different occasions and on so many different times—I know many in this body can remember it—when this institution was teetering on whether we were going to maintain our position as the Founding Fathers wanted it and tried to devise it or whether we were going to move off track, he has reminded us, particularly in the great debate we had on the Iraq war, about that role of this institution and its role in American life and its role in the world. We are all mindful of that.

He has been a friend. We have a time where we go back and remind each other of the times we differed, but what we also, I think, have valued is the fact that our friendship I believe is stronger because of the times that we did differ. We have great affection for each other, respect for each other. I thank him for his extremely kind and generous remarks.

Mr. BYRD. And I thank you, TED.

Mr. KENNEDY. Mr. President, finally, I could not take this moment without thinking back about, personally, the service in this Chamber. When I first arrived in this Chamber, I was fortunate to have two brothers, one a President and another an Attorney General. I had the opportunity to work with them on those responsibilities in that regard. Then, to have a brother who served in the Senate was a golden time for me during that period of time.

I have been enormously proud of the work my nephew, Congressman KENNEDY, serving in the House of Representatives, and now PATRICK, my son, who serves in the House of Representatives and is a leading voice in terms of the mental health issues for our country—I am so proud of all his good work.

We grew up in a family that believed in public service, that elective office can make a difference but also understood that other people make extraordinary differences in advancing the cause of fairness and decency in the Nation. I think of the work of my sisters in that undertaking, all of whom have been involved—whether Special Olympics or Very Special Arts or other programs in which they have all been involved.

We still believe in the importance of public service and the honor, the high honor that one has in elective office. There are many of those who dismiss that concept as an old-fashioned viewpoint, but I think any of us who have read the history of this Nation and who understood its history know there is no higher personal honor than to have that opportunity.

Finally, I welcomed the opportunity to come back to serve as a Senator

from Massachusetts, to try to be a voice of what I call the march for progress in this country. Thomas Jefferson used to say every 25 years a nation redefines itself. He talked about the continuing expansion of the real cause of liberty in this Nation—not in ways that so frequently are overused and overstate that word but in its core, principal meaning.

As I mentioned, this Nation is a country that is a continuing process. That is why each day that I wake up, I think of a new opportunity to try to have some constructive impact. People will agree, and some will differ, on the directions. Sure, programs change—and that is understandable—but basic, fundamental values about what this Nation is all about and what so many of us who have the great honor of service in this body understand is that America is a continuing discovery and a continuing promise and a continuing opportunity for each and every one of us to make some contribution.

I thank the Senator from Tennessee for his comments. I remember that debate very well. It was a rather basic and fundamental issue about one person one vote. The question at that time was, is that going to be continued or whether there was going to be such flexibility that we were going to continue the gerrymandering of different districts. Senator Baker, with the very strong assistance of Senator ALEXANDER, reminded this body and helped maintain and insist about what the Supreme Court had said about that issue. I thank him for his comments and also for his continued work in the areas of education and so many other areas.

I have been fortunate to have a number of my colleagues here from Massachusetts, a number of members of the delegation.

There were some former colleagues here as well. Senator Riegle was here, and Senator Culver. I was reminded actually over the August recess that I had cast the 15,000th vote. I was talking with Senator Culver, and we were reminiscing. He was here when I cast my first vote, which goes back over a very long, considerable period of time. I am grateful for his presence as well as my other colleagues, BILL DELAHUNT, JIM MCGOVERN. We saw many of those who were here earlier from our Massachusetts delegation. I thank them very much.

People ask me how long I will continue to serve in the Senate. I give the same response, that is, I am going to stay here until I get the hang of it.

I look forward to that. I would never get the hang of it if I did not have the wonderful love, affection, and warmth my wife Vicky, the joy of my life, gives to me every single day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

IRAQ

Mr. ALEXANDER. Mr. President, during August, as many Members of this body did, I traveled to Iraq, met with Tennesseans there, met with General Petraeus, General Odierno. Then I traveled to Tennessee and discussed my visit and listened.

I want to talk for a few minutes about where I believe we should go from here in Iraq. The strongest message I received, both in Iraq and in Tennessee, was this—not that we get out, not that we even win a victory of the kind we won in Japan or Germany, but it is time for the United States Government to speak with one voice on Iraq.

A retired four star general from Tennessee, who has a lot of experience with the special forces, put it this way to me: He said our biggest problem in Iraq is we are divided and the enemy knows it.

It is inexcusable that we in the Senate should spend so much time lecturing political leaders in Baghdad for their failure to come up with a consensus when we ourselves have not been able to come up with a consensus about Iraq.

It is time for the Government to speak with a single voice about where we go from here in Iraq. Our troops deserve it and our enemy needs to hear it. I believe that one voice would be a new strategy to change our mission in Iraq from combat to supporting, equipping, and training the Iraqi troops, and then stabilizing Iraq province by province, neighborhood by neighborhood, tribe by tribe.

If we adopt this new strategy as a nation, and if we speak clearly to our troops and to the enemy with one voice, I believe this would likely bring home half our troops within a year or two.

Such a new strategy would put us on a path to finish responsibly what we have undertaken in Iraq. I believe there is a consensus within this body for such a new strategy. I believe that consensus is sitting there staring us in the face.

The strategy I am describing would implement the unanimous recommendations of the bipartisan Iraq Study Group chaired by former Secretary of State Jim Baker, a Republican, and former Congressman Lee Hamilton, a Democrat. It would take into account the lessons and successes of the last few months under the leadership of General Petraeus in Iraq.

Basically the new strategy I am describing would implement the recommendations of Baker-Hamilton province by province. The Baker-Hamilton strategy, the one I am describing, would be grounded upon three basic principles. First, the United States will begin immediately to move our forces in Iraq out of direct combat and into roles of support, training, and providing equipment as security conditions on the ground permit.

This will proceed province by province as Iraqis demonstrate their capacity to manage their own security as they have, for example, in Anbar Province where President Bush visited yesterday.

Generals Petraeus and Odierno told a group of us Senators about 10 days ago that they believe that 6 or 7 provinces are on the way to being ready for this sort of mission change and this sort of stabilization. We have seen it in Anbar. We saw it in northern Baghdad where we flew by helicopter to an edge of Baghdad where about 70 American troops were living in a neighborhood. We had dinner with two Sunni sheiks, two Shiite sheiks, and we talked about the progress there.

What had happened is that the Iraqis had simply become exhausted with terrorists of various kinds killing their relatives and terrorizing their neighborhoods. One of the sheiks with whom we had dinner had seen his teenage son murdered in his front yard.

When sufficient American forces, coalition forces, had come to the neighborhood to work with the fed-up Iraqis, they had proceeded basically to run the terrorists out of town. It was much easier for them to tell, as they said, who are bad guys than for us to tell who they are. They described them as various groups of thugs, criminals, insurgents, militias, all there for no good. But when the Iraqis began to man the checkpoints and when Iraqis worked on the neighborhood watch, and when 600 of their sons were sent to Baghdad to the police academy, as had been done with the prospect that they would then come back and help, then the American officers there said: It may not be long before we are able to shift our mission from combat to support, equipping, and training of the Iraqi troops for this area.

Now, that is not to say that means instantly in every part of Iraq things will be safe. They certainly were not while we were there. Two province governors were assassinated within a 2-week period of time just before we came. Fourteen Americans lost their lives in a helicopter crash 2 days before we were there. On the day we were there, we found out later, two suicide bombers had gone to the nearest other outpost such as the one we visited and killed 4 people and wounded 11 others.

There is plenty of danger left in Iraq. But there is no mistaking the fact that when we begin to see—and under Petraeus's leadership we begin to have—those outposts around Baghdad, and work with the Iraqis in certain parts of the country, significant military progress is being made.

So the first principle of a new strategy would be to change the mission of

our troops province by province. The second principle would be to maintain a long-term presence in Iraq but one that would steadily diminish over time.

The troops who would remain would be there to keep Iraq from turning into a terrorist haven—troops who would be embedded with training Iraqi Army units and police, those troops necessary for force protection and for search and rescue and for intelligence.

The final principle would be we would step up regional and diplomatic efforts to press others in the region to help Iraq succeed. Those efforts are now well underway with a more expansive United Nations assistance mission for Iraq.

There is plenty of evidence that a new strategy such as the one I have described can attract a consensus here in the Senate and in the Congress, and I believe in the country. To begin with, while he has not adopted the Baker-Hamilton recommendation, the President has praised the report and has adopted parts of the report. The Democratic leadership has adopted many parts of the report and, in fact, the main difference, it seems, separating that side and this side in coming to a consensus is whether there should be a specific deadline, which the Baker-Hamilton commission rejects.

Some have said, well, that means the Baker-Hamilton recommendations are toothless, do not have effect. Well, I see the Senator from West Virginia here. He will remember exactly what I am about to say. My grandfather was a railway engineer for the Santa Fe Railway. His job was to drive large locomotives onto what was then called a roundtable. The roundtable's job was to turn that huge locomotive around and head down a different track in a different direction. Once the roundtable had turned the locomotive around and put it on a different track, there was no getting on the other track. You might not know exactly how fast it would go down the new track, and you might have different engineers, but it was headed down a different track. I believe the Baker-Hamilton recommendations, as updated by General Petraeus's experiences, would begin to put our country on a new track with a new strategy in Iraq that would cause us responsibly to finish our job there and could begin to develop a consensus on both sides of the aisle.

In the Congress there is now bipartisan legislation that would make the Iraq Study Group recommendations our national policy. In the Senate, the legislation sponsored by the Senator from Colorado, Senator SALAZAR, a Democrat, and myself, has 15 sponsors, 8 Democrats and 7 Republicans. In the House of Representatives, the Udall-Wolf legislation, the same legislation as Salazar-Alexander, has 60 sponsors, 26 Democrats, and 34 Republicans.

If the President of the United States and the Democratic leadership in the Senate supported this bipartisan legislation, I am convinced it would get 75 votes and we would speak with one voice on Iraq to our troops and to our enemy. If the President and the Democratic leadership simply did not oppose this legislation, I believe it would attract a majority of votes in the Senate, maybe 60 votes. The Congress could enact this legislation by the end of the month. The President could sign it immediately. He could then begin to implement its recommendations moving us in a new strategy down a different track in Iraq and report to us, as the legislation requires, every 90 days.

This is not a perfect option. The Baker-Hamilton group is 10 distinguished Americans—including Ed Meese, President Reagan's Attorney General; Vernon Jordan, from the National Urban League; Larry Eagleburger, Sandra Day O'Connor, President Clinton's Secretary of Defense, President Clinton's former chief of staff, Secretary Baker, Chairman Hamilton; Chuck Robb, a former Member of this body; Alan Simpson, a former Member of this body—a very diverse group, five Democrats, five Republicans. They met for 9 months. They were unanimous on their 79 recommendations. That did not mean they agreed with every single recommendation. But, taken as a whole, they said we can go from here to there in Iraq. This is how we do it. This is how we go.

What are the other options? I can understand the Democratic leader wanting to have a vote on withdrawal immediately with a deadline. Many Members, maybe every Member on the other side, would vote for that. I respect that. But I would respectfully say we are not going to have a consensus on that approach. Too many of us believe it would strand people who had been loyal in Iraq. Too many of us believe it would not sufficiently honor the lives and the treasure we have invested in Iraq. Too many of us believe there is too great a risk of turning over Iraq to terrorists. And if none of those arguments make a difference, it is simply logistically impossible to move 160,000 American soldiers and marines and airmen out of Iraq overnight. So for all those reasons, while we might have a vote on withdrawal immediately with a deadline, there can't be the kind of consensus that we need in the Senate.

On the other hand, I can understand those, many on this side, who say we should stay the course for a victory in Iraq. But this is not Japan or Germany. After World War II, we had millions of troops in Japan and Germany for a long time. We had an entire division in Germany which did nothing but wait to see where their might be trouble and then go to snuff it out. We were working with two countries which were homogeneous and which had been nations for a long time. We didn't have there the same circumstances we have in Iraq. There is not the possibility of the same kind of victory in Iraq that we had in Japan and Germany. We are spending $2 billion plus a week. We are losing two to three American lives each day. Our armed services are stretched thin. Most of the soldiers I talked with—and they are not complaining—were there for their second or third tour of duty, and some were expecting to come back again.

Finally, I don't believe we can sustain a stay-the-course policy in Iraq because there is not the support for that among the American people.

I suppose there is another option that one could try. The President and some on the ground in Iraq might be tempted to simply say: Let's continue the surge for a while longer because already in some places, as I have described—in Anbar Province, in four or five others, in northern Baghdad where we were—already in some places there is demonstration that we are having some military success. But a surge would be open-ended, a surge by itself. A surge is a tactic; it is not a strategy. We need a strategy about where we go from here.

When I go back to Tennessee, I don't have Tennesseans rushing up to me to tell me what to do about Iraq. They expect me to have some idea about what to do about Iraq, to say where we go from here, and then they will critique that and tell me whether they agree.

I believe there is not sufficient public support for the President simply to go before the American people and say: Let's continue the surge. We know if we put 25,000, 30,000, 40,000, 50,000 of our tremendous American troops in a particular place in Iraq, there will be some good results. We have already seen it. But a surge by itself does not answer the question. In fact, it never has answered the question: Where do we go from here in Iraq? How do we finish the job responsibly? That is the question.

The surge can be a part of the new strategy. The Baker-Hamilton recommendations in December specifically said that as they called for a new strategy that included change of mission. But a surge was a tactic, a part of the strategy, not the strategy itself.

If none of those options are promising for a consensus within this body and in the House of Representatives and the country, then where does that leave us? It leaves us somewhere in the middle, which is often, in a democracy, the right place to be. My father used to say: Finish what you start. We need to finish the job in Iraq.

George Reedy, Lyndon Johnson's Press Secretary, wrote a book, ''Twilight of the Presidents,'' in which he described the job of the President—see an urgent need, develop the right strategy, but, third, persuade at least half the people he is right. We can and no doubt will have votes in this body on withdrawal with a deadline. We will probably have votes on stay the course and victory. We will probably have a vote on indefinite continuation of the surge. But there is not a possibility of consensus on any of these approaches.

There is a good prospect for consensus on a strategy based upon the

Baker-Hamilton principles, updated by the lessons and successes of General Petraeus. If the 10 members of the Iraq Study Group, the Baker-Hamilton group, over 9 months could agree unanimously on where we go from here in Iraq, surely 50 or 60 or 70 of us can agree on where we go from here in Iraq.

I look forward to the President's report. I look forward to General Petraeus's recommendations. He has demonstrated that he is an exceptional leader. We Tennesseans have a special pride in him because of his leadership of the 101st Airborne Division. But once General Petraeus has made those recommendations, I hope the President takes a page from a former President of this country whom President Bush admires, Harry Truman.

In 1947, Harry Truman found himself in about the same shape President Bush finds himself today. Americans were tired of war, even though in that case we had won it. The President's poll numbers were very low. The President had lost both Houses of Congress in the preceding election. The President had an urgent overseas mission that he hoped our country would adopt. According to David McCullough, the biographer of President Truman, Truman said if he sent a plan with his name on it up there to the Senate and the House, it would quiver a couple of times and die. So he called in General George C. Marshall who was his Secretary of State, and he called in Dean Acheson. He said: Let's call it the Marshall plan and go up to Arthur Vandenberg, the leader of the opposition in the Senate, and try to persuade him it is the right thing to do.

We got the Marshall plan, and Truman today is remembered as a near great President. I am certain that President Bush believes as firmly in his heart that finishing the job in Iraq is as essential today as President Truman believed the Marshall plan was essential in 1947. But President Bush, I hope, will also remember the lesson of Harry Truman and borrow the recommendations and the prestige of the Baker-Hamilton group and borrow the lessons and successes of a distinguished general—in this case General Petraeus—and give us a plan that is a genuinely new strategy, one that can attract significant support on that side of the aisle as well as this, one that, like my grandfather's big round table with the locomotive, can take our country and put it on a different track in Iraq that will assure us of that and that will cause us to change our mission for our troops from combat to supporting, equipping, and training, province by province, as soon as we honorably can.

If it does, as I said earlier, I believe we will see about half our troops come home within a year or two. The principles also include a long-term but steadily diminishing presence in Iraq to fight counterterrorism and a stepped-up effort for diplomatic and political efforts especially in the region. But if the President were to do this, and if the Democratic leadership would make room for consensus in this body, we could end this spectacle of the U.S. Congress lecturing Baghdad for being in a political stalemate when we are in one ourselves. We can speak with a single voice. We are elected to be able to do so. Our troops deserve it. The enemy needs to hear it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I am loath to close the proceedings on this very special day when such a special milestone has been achieved by a very special man, the senior Senator from Massachusetts, whom I am privileged to count as a colleague. But toil we must.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

RETIREMENT OF SENATOR JOHN WARNER

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the President's statement in relation to the retirement of Senator JOHN WARNER be printed in the RECORD.

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

PRESIDENT BUSH CONGRATULATES JOHN WARNER ON SENATE CAREER

John Warner is one of the most dedicated Senators in American history. Five Presidents have relied on his steady judgment, wise counsel, and candid advice. With Senator Warner's retirement, the Senate will lose one of its most independent and widely-respected voices and the Commonwealth of Virginia will lose one of its fiercest advocates.

John Warner has served our country in many roles throughout his distinguished career, always putting the American people's needs first. He enlisted in the Navy shortly before his 18th birthday and chose to interrupt his law studies to commence a second tour of active military duty as an officer in the Marine Corps, volunteering for duty in Korea. He went on to practice law, serve as an Assistant U.S. Attorney, and serve as Secretary of the Navy before his election to the Senate. Our Military had no greater friend than Senator Warner during his service as Chairman of the Senate Committee on Armed Forces.

I look forward to working with Senator Warner in the coming months as we assess the situation in Iraq and pursue policies to keep our country safe.

John Warner is a true statesman. Laura and I wish Senator Warner, his wife Jeanne, and the rest of his family all the best.

OUR ARMED FORCES

HONORING CORPORAL WILLARD M. POWELL

Mr. BAYH. Mr. President, today, with a heavy heart, I honor the life of the brave Army corporal from Evansville, IN. Willard M. Powell, 21 years old, died on August 16, 2007, in Balad, Iraq, from injuries sustained during combat operations in Taramiyah, Iraq. With an optimistic future before him, Will risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Will's ambition was to become a marine, and he joined the Army at the age of 19 after graduating from Reitz High School. He passionately felt the call to duty as he left for basic training, looking forward to his long-anticipated career in the military. Will was deployed to Iraq April 2007, where he worked diligently in his infantry unit, awaiting his promotion to corporal. It was during his assignment to the 4th Battalion, 9th Infantry Regiment of the 4th Brigade, 2nd Infantry Division Strykers from Fort Lewis, WA, that he was killed while serving his country.

Today, I join Will's family and friends in mourning his death. Will was a loving son to his mother and stepfather, Sunny-Kay and Mark Powell, and to his father and stepmother, Willard and Linda Kerchief. He will be greatly missed by his grandparents, Barbara Poodry, Gloria, and Tim Thibodeau, Larry and Patti Powell, and Raymond Kerchief and his great-grandmother Marcetis ''Cedi'' Milton.

In Evansville, Will was an active member of the First Christian Church, where he attended Bible study classes with friends and fellow church-goers. Will bonded with the other members of the church's youth group and built important friendships. He was passionate about sports and a skilled athlete himself, qualifying for the Junior Olympics in bowling. Those who knew him best say he taught them the meaning of true friendship and possessed an extraordinary pride in his service to our country.

Today and always, Will will be remembered by family members, friends, and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Will, a memory that will burn brightly during these continuing days of conflict and grief.

As I search for words to do justice in honoring Will's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: ''We cannot dedicate, we cannot consecrate, we

cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.'' This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Will's actions will live on far longer that any record of these words.

It is my sad duty to enter the name of Willard M. Powell in the official record of the United States Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that Will's family can find comfort in the words of the prophet Isaiah who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Will.

TRAGEDY IN GREECE

Mr. BIDEN. Mr. President, I wish to take a moment to recognize the people of the Republic of Greece who have demonstrated great bravery in the midst of terrible tragedy this summer. More than 5 people have died in the fires ravaging Greece during the past month. The scope of these fires is shocking. The flames showed no mercy to the elderly, young children, or the treasures of antiquity. Our sympathy and condolences go out to the families of the dozens of people who have died as a result of this tragedy and to the many people driven from their homes by the disaster.

As in New Orleans after Katrina, or in the wake of any terrible disaster, emergency aid is critical, but focus on the long-term needs of the victims is essential. The Greek people have responded bravely to the crisis. I understand that the Government of the United States has provided assistance and is in the process of working with the Greek Government, Greek-American organizations, and the Greek Orthodox Church to determine what those needs are. I urge the administration to continue to demonstrate our commitment to our Greek allies in the wake of these horrific events. Our allies can and should rightly judge us by our concern and commitment for them in times of adversity. Greece has been there for us; America must be there for Greece.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

SUSTAINED LEADERSHIP IN THE ASIA-PACIFIC REGION

• Mr. OBAMA. Mr. President, as President Bush arrives in Sydney to take part in the Asia-Pacific Economic Cooperation, APEC, leaders meeting, it is appropriate to take stock of America's role in the Asia-Pacific region.

America's future prosperity and security is directly tied to Asia. The region contains the world's fastest growing major economies, largest militaries, largest energy consumers and importers, and biggest contributors to global climate change. Some of the most critical items on our international agenda—such as ending North Korea's nuclear weapons program, developing ties to moderate Muslim states, building a sound global economy, achieving energy security, combating climate change, and responding to pandemic disease—are impossible to achieve without robust U.S. partnerships and sustained engagement in Asia.

But despite the region's obvious importance, we have lost ground over the past seven years. The war in Iraq that should never have been authorized or waged has been an enormous distraction from the fight against al-Qaida, which has reconstituted itself in Afghanistan and Pakistan. In addition to the enormous costs in lives and resources, the war has also set back our standing and leadership in the world, and made it far more difficult for America to lead on critical issues. In Asia, a region that both wants and expects United States' leadership, this inattention has led to a decline in U.S. prestige and influence and has placed our national security interests in jeopardy.

While America has been increasingly absent in Asia, China has promoted itself as an alternative to U.S. leadership. And with fundamental shifts in Asia's security and economy underway—a rising China, emerging India, a Japan seeking to become a more ''normal'' and assertive nation, and North Korea and South Korea presenting dangers and opportunities the United States cannot afford to stay on the sidelines.

U.S. engagement is vital to maintaining the balance, and therefore peace, among potentially competing powers. In particular, the rise of China requires a clear-sighted view of our interests. A policy that seeks cooperation with China on security, economic, energy and environmental issues, maintains our military strength in the western Pacific, and strengthens our ability to compete must be a foundation of any successful policy.

While APEC may be primarily an economic forum, it also offers the opportunity to engage all the region's leaders in a single setting—and to further our agenda across the range of key challenges. Too often, the U.S. has missed this opportunity.

North Korea's nuclear ambitions already have had a profound impact on the region, and we must work to achieve a complete and verifiable elimination of all the DPRK's nuclear weapons capabilities and programs. I welcome the recent statement that North Korea will declare and disable its nuclear programs by the end of the year. For far too long, the administration's disdain for diplomacy allowed the threat from North Korea to grow. While clearly the best time to negotiate with North Korea would have been before it tested a nuclear weapon, we must now verify North Korean compliance with their commitments. This will demand principled, aggressive, direct and sustained American diplomacy and leadership in the region.

To build support against terrorists and prevail in the long-term battle against violent extremism, the U.S. must work closely with Asia, and Southeast Asia in particular, to develop effective strategies that both prevent acts of terrorism and root out al-Qaida elements. In addition to cooperative military, intelligence, and law enforcement efforts, this will require recognition that our relationships in the region are more complex and multidimensional than a narrow approach to counterterrorism. We should use the opportunity of the APEC forum to explore new initiatives to increase political, diplomatic, economic, educational, and cultural engagement.

In terms of our shared prosperity, nowhere is America's sustained leadership more important in ensuring that the global economy remains vibrant. Together the economies of the APEC region account for over half the world's output and trade. It is essential that Asian countries work with us to ensure balanced growth and openness of the global trading system. This means shifting away from their traditional dependence on export-led growth and weak currencies toward stronger consumption at home and greater absorption of imports. The United States should negotiate only ''gold standard'' agreements with our Asian trading partners that stimulate growth and jobs and contain binding labor and environmental standards and intellectual property protections.

With the nations of East Asia working together through ASEAN, the ASEAN Regional Forum, APEC, the East Asia Summit and other regional arrangements, Asia is moving ahead—with or without us—to create a new regional architecture. Our interests demand that we re-engage to ensure trans-Pacific linkages are relevant and strong. That means developing new arrangements to meet new and rising challenges and transnational threats that stem from globalization—especially in the areas of pandemic disease, climate change, and energy security. The latest pandemic, an unidentified, highly contagious virus affecting pigs, is sweeping Asia. We must ensure that China and other affected countries cooperate in research and containing this and future outbreaks of disease. We should use the opportunity of APEC to further the dialogue about the growing problem of pandemics.

On climate change and energy, the U.S. and Asia face many of the same

challenges, and we ought to capitalize on those areas where our interests intersect. We have a mutual interest, for instance, in assuring adequate oil supplies, preventing disruptions in oil and gas exporting states and in the sea lanes, promoting greater efficiency, developing and expanding clean sources of energy, coordinating build-up and release of strategic stockpiles to prevent price spikes during supply emergencies, and reducing emissions of greenhouse gases. The time is ripe for U.S. leadership on a serious and comprehensive energy and climate initiative in Asia that would ramp-up the development and deployment of efficiency-related technologies, establish an adequate research and development fund for carbon sequestration and related technologies, increase opportunities for U.S. businesses to capture a share of the region's burgeoning clean energy market, and create a forum to address supply security-related concerns.

We will not be able to fight global climate change effectively unless the United States is able to lead the world toward a post-Kyoto Protocol framework that includes binding limits on the large projected growth in greenhouse gas emissions from China, India, and other Asian countries. The Bush administration's prolonged refusal to confront the challenges of climate change at home has robbed the United States of its ability to lead effectively in such efforts abroad. We should use the opportunity of APEC to discuss a new, comprehensive energy initiative in Asia to address the twin challenges of energy security and climate change.

The U.S. also should work with its Asian partners to strengthen democracy. Nowhere is the need for building consensus more pressing than in Burma. Peaceful pro-democracy activists continue to put their lives on the line for freedom, and democratic nations should stand in solidarity with them. U.S. leadership is vital to any regional effort to press the military junta to achieve national reconciliation.

The U.S. must resume an active leadership role in Asia. We cannot sit on the sidelines. We have too much at stake in Asia, in terms of our prosperity, security, energy, and health. If we are to protect and advance these interests, America must be a reliable and engaged partner. It is good that President Bush is traveling to Sydney for APEC, and I know we all wish him success at this important summit. But the time has long since passed to pursue a new path that reflects the importance of Asia to our national interests and enables the United States to play a greater and appropriate leadership role in the region. We cannot afford any more missed opportunities.●

ADDITIONAL STATEMENTS

TRIBUTE TO COBB ENERGY PERFORMING ARTS CENTRE

● Mr. ISAKSON. Mr. President, today I wish to honor in the RECORD the grand opening of the Cobb Energy Performing Arts Centre.

The Cobb Energy Performing Arts Centre is the first major performing arts facility built in metro Atlanta in four decades and upon opening will immediately become the new home of the Atlanta Opera.

A great deal of planning has gone into the development of this state-of-the-art landmark on Atlanta's horizon by great friends and community leaders such as Earl Smith, Travis Duke, Johnny Gresham, Max Bacon, Bill Dunaway, Sam Olens, Robert Voyles, and Michele Swann. Special gratitude also goes to John Williams, a great benefactor and the namesake of this grand 2,750-seat theatre.

The arts are an essential ingredient for the quality of life of a community and the Cobb Energy Performing Arts Centre will improve the quality of life not just for the community of Cobb but for the entire metropolitan Atlanta region and the Southeastern United States.

It gives me a great deal of pleasure and it is a privilege to recognize on the floor of the Senate the grand opening of the Cobb Energy Performing Arts Centre. I congratulate the community on this wonderful new crown jewel.●

CONGRATULATING THE BRIDGEPORT PUBLIC SCHOOL SYSTEM

● Mr. LIEBERMAN. Mr. President, I speak today to congratulate the Bridgeport Public School System, which for the second year in a row has been selected as a finalist for the Broad Prize for Urban Education. The $1 million Broad Prize, the largest education prize given to school districts, is awarded each year to honor urban school districts that demonstrate the greatest overall performance and improvement in student achievement while reducing achievement gaps for poor and minority students.

That Bridgeport has been nominated for this award 2 years in a row speaks volumes about the progress Bridgeport has made educating its students. The city's schools serve the highest percentage of low-income students in Connecticut, with 95 percent of its students eligible for either free or reduced-price school lunches. Yet in 2006, Bridgeport students outperformed their peers in demographically similar districts in the State in reading and math at all grade levels. In fact, Bridgeport is the only one of those school districts to improve in reading and math at all grade levels from 2003 to 2006. This improvement was seen across all subgroups of students, including low-income, African-American and Hispanic students.

The city has also done a remarkable job in closing the achievement gap between White and minority students. Bridgeport has reduced achievement gaps between Hispanic students and their White peers in high school reading and math, as well as in elementary school reading, and the district has reduced achievement gaps for African-American students in high school math. In addition, Bridgeport has closed the Hispanic achievement gap faster than the State average in elementary and high school reading and high school math. This is no small feat, considering that almost 90 percent of the district's students are racial minorities.

The Broad Foundation has praised the district's willingness to take a hard look at the data it collects on student performance, and using it to identify where it is succeeding and where it needs to improve. In fact, Bridgeport uses this data to put together quarterly assessments that are tightly aligned to State standards. Data from these assessments is available in real time, allowing for immediate diagnostics and subsequent adjustments. Given the proliferation of data, administrators and teachers have become more comfortable using it and district administrators have reported that school principals have been using the data to determine their schools' needs and plans. Teachers have also reported that they too analyze the data when meeting together in teams to determine their strengths and weaknesses.

This results-based approach, where the main focus is on student performance, has so far been a rousing success. I would like to congratulate Superintendent John J. Ramos, Sr., and all the teachers, principals, administrators, and other school personnel of the Bridgeport public schools not just for the nomination, but for all the hard work they have done to provide a better education to their students. They have proven that it is possible to give all children a fair opportunity to receive a high-quality education. May other districts follow their example.●

SWEARING IN OF MAURICE DUBÉ

● Ms. SNOWE. Mr. President, today I honor Maurice ''Moe'' Dubé whom I had the privilege to on August 14 welcome home to Maine and officially swear in as Maine's district director of the U.S. Small Business Administration, SBA. I was incredibly honored to be able to celebrate Moe's appointment with him and his family in Lewiston-Auburn, where both of our roots run so deep.

Moe's return to Maine is wonderful news for the numerous small businesses and manufacturers in our state who depend on the SBA and the valuable programs it administers. In my capacity as the ranking member of the Senate Committee on Small Business and Entrepreneurship, I have had the

privilege of working with Moe during his previous service with the SBA and know that his experience, expertise, and dedication will be a true asset for Maine's robust small business community.

Because our State so depends on small businesses and entrepreneurship for our economic livelihood, I have long believed that the district director position is one of Maine's most critical appointments. Indeed, according to the SBA, in 2005, Maine had an estimated 151,000 small businesses of which over 111,000 were led by self-employed entrepreneurs. Of the 40,000 Maine firms with employees, an overwhelming 97.5 percent were small businesses employing fewer than 500 employees. Clearly, Maine small businesses are the job creators and drivers of our economy, so it is critical to have a district director who will help our state make the most of the SBA's vital programs.

In his new capacity as district director, Moe will, among other things, be responsible for the administration of the SBA business loan portfolio; the oversight of the Maine Small Business Development Center Network; the coordination of Maine's SCORE chapters; and oversight of the Women's Business Center at Coastal Enterprises, Inc.

Although Moe will clearly have a lot on his plate as he takes the reins as district director, I am confident that his long experience at the SBA, which he joined in 1987, makes him eminently qualified. Moe began his SBA career as a liquidation loan officer in the SBA's Maine district office before moving to the business development division, where he was promoted to assistant district director for business development and later to deputy district director. His most recent assignment prior to relocating to Maine was as district director of the SBA's Massachusett district office.

When Moe was with the Maine SBA, I and my staff had the pleasure of working hand-in-glove with him on a variety of issues on behalf of our State's small businesses. I can tell you firsthand that his comprehensive background, keen acumen, and tireless dedication will be outstanding assets for Maine's small business community. And perhaps most importantly, in an ideal ''one-two punch'' for our small businesses, Moe not only knows how to deliver SBA programs as effectively as possible—but Moe also knows Maine. I look forward to continuing to collaborate with Moe as he advances the SBA's agenda.

I know Moe will make a fine district director, and I am so pleased that a man of his talents has accepted this position, which is so vital to Maine's economy. I look forward to working with him closely to ensure that Maine small businesses will continue to thrive and create opportunities for all Mainers.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations, treaties, and withdrawals which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of January 4, 2007, the Secretary of the Senate, on August 4, 2007, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 2272. An act to invest in innovation through research and development, and to improve the competitiveness of the United States.

Under the authority of the order of January 4, 2007, the enrolled bill was signed on August 4, 2007, during the adjournment of the Senate, by the President pro tempore (Mr. BYRD).

Under the authority of the order of January 4, 2007, the Secretary of the Senate, on August 5, 2007, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House had passed the following bill, without amendment:

S. 1927. An act to amend the Foreign Intelligence Surveillance Act of 1978 to provide additional procedures for authorizing certain acquisitions of foreign intelligence information and for other purposes.

The message also announced that the House had agreed to the following concurrent resolution, without amendment:

S. Con. Res. 43. Concurrent resolution providing for a conditional adjournment or recess of the Senate, and a conditional adjournment of the House of Representatives.

The message further announced that the House agreed to the amendment of the Senate to the bill (H.R. 3311) to authorize additional funds for emergency repairs and reconstruction of the Interstate I–35 bridge located in Minneapolis, Minnesota, that collapsed on August 1, 2007, to waive the $100,000,000 limitation on emergency relief funds for those emergency repairs and reconstruction, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had signed the following enrolled bills:

S. 1927. An act to amend the Foreign Intelligence Surveillance Act of 1978 to provide additional procedures for authorizing certain acquisitions of foreign intelligence information and for other purposes.

H.R. 2863. An act to authorize the Coquille Indian Tribe of the State of Oregon to convey land and interests in land owned by the Tribe.

H.R. 2952. An act to authorize the Saginaw Chippewa Tribe of Indians of the State of Michigan to convey land and interests in land owned by the Tribe.

Under the authority of the order of January 4, 2007, the enrolled bill (S. 1927) was signed on August 5, 2007, during the adjournment of the Senate, by the President pro tempore (Mr. BYRD).

ENROLLED BILLS SIGNED

Under the authority of the order of January 4, 2007, the following enrolled bills, previously signed by the Speaker of the House, were signed on August 6, 2007, during the adjournment of the Senate, by the President pro tempore (Mr. BYRD):

H.R. 2863. An act to authorize the Coquille Indian Tribe of the State of Oregon to convey land and interests in land owned by the Tribe.

H.R. 2952. An act to authorize the Saginaw Chippewa Tribe of Indians of the State of Michigan to convey land and interests in land owned by the Tribe.

ENROLLED BILLS SIGNED

Under the authority of the order of January 4, 2007, the Secretary of the Senate, on August 6, 2007, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

H.R. 1260. An act to designate the facility of the United States Postal Service located at 6301 Highway 58 in Harrison, Tennessee, as the ''Claude Ramsey Post Office''.

H.R. 1335. An act to designate the facility of the United States Postal Service located at 508 East Main Street in Seneca, South Carolina, as the ''S/Sgt Lewis G. Watkins Post Office Building''.

H.R. 1384. An act to designate the facility of the United States Postal Service located at 118 Minner Street in Bakersfield, California, as the ''Buck Owens Post Office''.

H.R. 1425. An act to designate the facility of the United States Postal Service located at 4551 East 52nd Street in Odessa, Texas, as the ''Staff Sergeant Marvin ''Rex'' Young Post Office Building'' .

H.R. 1434. An act to designate the facility of the United States Postal Service located at 896 Pittsburgh Street in Springdale, Pennsylvania, as the ''Rachel Carson Post Office Building''.

H.R. 1617. An act to designate the facility of the United States Postal Service located at 561 Kingsland Avenue in University City, Missouri, as the ''Harriett F. Woods Post Office Building''.

H.R. 1722. An act to designate the facility of the United States Postal Service located at 601 Banyan Trail in Boca Raton, Florida, as the ''Leonard W. Herman Post Office''.

H.R. 2025. An act to designate the facility of the United States Postal Service located at 11033 South State Street in Chicago, Illinois, as the ''Willye B. White Post Office Building''.

H.R. 2077. An act to designate the facility of the United States Postal Service located at 20805 State Route 125 in Blue Creek, Ohio, as the ''George B. Lewis Post Office Building''.

H.R. 2078. An act to designate the facility of the United States Postal Service located at 14536 State Route 136 in Cherry Fork, Ohio, as the ''Staff Sergeant Orner T. 'O.T.' Hawkins Post Office'' .

H.R. 2127. An act to designate the facility of the United States Postal Service located at 408 West 6th Street in Chelsea, Oklahoma, as the ''Clem Rogers McSpadden Post Office Building''.

H.R. 2309. An act to designate the facility of the United States Postal Service located at 3916 Milgen Road in Columbus, Georgia, as the ''Frank G. Lumpkin, Jr. Post Office Building''.

H.R. 2563. An act to designate the facility of the United States Postal Service located at 309 East Linn Street in Marshalltown, Iowa, as the ''Major Scott Nisely Post Office''.

H.R. 2570. An act to designate the facility of the United States Postal Service located at 301 Boardwalk Drive in Fort Collins, Colorado, as the ''Dr. Karl E. Carson Post Office Building''.

H.R. 2688. An act to designate the facility of the United States Postal Service located at 103 South Getty Street in Uvalde, Texas, as the ''Dolph S. Briscoe, Jr. Post Office Building''.

H.R. 3006. An act to improve the use of a grant of a parcel of land to the State of Idaho for use as an agricultural college, and for other purposes.

H.R. 3311. An act to authorize additional funds for emergency repairs and reconstruction of the Interstate I–35 bridge located in Minneapolis, Minnesota, that collapsed on August 1, 2007, to waive the $100,000,000 limitation on emergency relief funds for those emergency repairs and reconstruction, and for other purposes.

Under the authority of the order of January 4, 2007, the enrolled bills were signed on August 6, 2007, during the adjournment of the Senate, by the President pro tempore (Mr. BYRD).

MESSAGE FROM THE HOUSE

At 3:07 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. 2419. An act to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

H.R. 3162. An act to amend titles XVIII, XIX, and XXI of the Social Security Act to extend and improve the children's health insurance program, to improve beneficiary protections under the Medicare, Medicaid, and the CHIP program, and for other purposes.

H.R. 3221. An act moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure.

H.R. 3222. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, 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. 3222. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; to the Committee on Appropriations.

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. 3162. An act to amend titles XVIII, XIX, and XXI of the Social Security Act to extend and improve the children's health insurance program, to improve beneficiary protections under the Medicare, Medicaid, and the CHIP program, and for other purposes.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 2419. An act to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

H.R. 3221. An act moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure.

ENROLLED BILL PRESENTED DURING ADJOURNMENT OF THE SENATE

The Secretary of the Senate reported that on August 5, 2007, she had presented to the President of the United States, the following enrolled bill:

S. 1927. An act to amend the Foreign Intelligence Surveillance Act of 1978 to provide additional procedures for authorizing certain acquisitions of foreign intelligence information and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, September 4, 2007, she had presented to the President of the United States the following enrolled bill:

S. 1. An act to provide greater transparency in the legislative process.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2800. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Witchweed Quarantine Regulations; Regulated Areas in North and South Carolina'' (Docket No. 2006–0170) received on August 11, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2801. A communication from the Under Secretary of Agriculture (Food, Nutrition, and Consumer Services), transmitting, pursuant to law, the report of a rule entitled ''Afterschool Snacks in the Child and Adult Care Food Program'' (RIN0584–AD27) received on August 8, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2802. A communication from the Chairman of the Joint Chiefs of Staff, transmitting, pursuant to law, two reports relative to terrorist threats to military installations; to the Committee on Armed Services.

EC–2803. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, a report on the approved retirement of General Peter Pace, United States Marine Corps, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–2804. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, a report on the approved retirement of Admiral Edmund P. Giambastiani, Jr., United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

EC–2805. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Department's intent to close the Defense commissary stores at Buedingen and Gelnhausen, Germany; to the Committee on Armed Services.

EC–2806. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, the report of (14) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2807. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, the report of (3) officers authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2808. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, the report of the authorization of Colonel Rex C. McMillian, United States Marine Corps Reserve, to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2809. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, the report of the authorization of Brigadier General Anthony A. Cucolo III to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2810. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, the report of (13) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2811. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Limitations on Tiered Evaluation of Offers'' (DFARS Case 2006–D009) received on August 5, 2007; to the Committee on Armed Services.

EC–2812. A communication from the Director, Defense Procurement and Acquisition

Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Berry Amendment Notification Requirement'' (DFARS Case 2006–D006) received on August 5, 2007; to the Committee on Armed Services.

EC–2813. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Berry Amendment Restrictions—Clothing Materials and Components Covered'' (DFARS Case 2006–D031) received on August 5, 2007; to the Committee on Armed Services.

EC–2814. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report entitled ''Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account''; to the Committee on Armed Services.

EC–2815. A communication from the Chief, Programs and Legislation Division, Department of the Air Force, transmitting, pursuant to law, a report relative to the initiation of a standard competition of the Precision Measurement Equipment Laboratory function at Andrews Air Force Base, Maryland, Dover AFB, Delaware, Pope AFB, North Carolina, and Scott AFB, Illinois; to the Committee on Armed Services.

EC–2816. A communication from the Acting Chief of Legislative Affairs, Department of the Navy, transmitting, pursuant to law, notification of the Department's intent to begin a study of functions performed at the Fleet and Industrial Supply Centers and detachments; to the Committee on Armed Services.

EC–2817. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report relative to the initiation of preliminary planning of multi-functions including household goods; to the Committee on Armed Services.

EC–2818. A communication from the Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, an annual report relative to the National Guard ChalleNGe Program for fiscal year 2006; to the Committee on Armed Services.

EC–2819. A communication from the Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Adjustable Rate and Home Equity Conversion Mortgages—Additional Index'' ((RIN2502–AI32) (FR–4969–F–02)) received on August 8, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2820. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Anti-Money Laundering Programs; Special Due Diligence Programs for Certain Foreign Accounts'' (RIN1506–AA29) received on August 8, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2821. A communication from the Interim Chief Financial Officer, Federal Home Loan Bank of Atlanta, transmitting, pursuant to law, the management reports and statements relative to the Bank's system of internal controls for fiscal year 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–2822. A communication from the Secretary of Housing and Urban Development, transmitting, proposed legislation entitled, ''Voucher and Rent Simplification Act of 2007''; to the Committee on Banking, Housing, and Urban Affairs.

EC–2823. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving exports to Mexico including goods and services to be used in the Cantarell oil field; to the Committee on Banking, Housing, and Urban Affairs.

EC–2824. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Cote d'Ivoire that was declared in Executive Order 13396 of February 7, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–2825. A communication from the Executive Director, U.S. Interagency Council on Homelessness, transmitting, proposed legislation that would extend the Council's authorization; to the Committee on Banking, Housing, and Urban Affairs.

EC–2826. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Prohibition of Fraud by Advisers to Certain Pooled Investment Vehicles'' (RIN3235–AJ67) received on August 6, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2827. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Definition of the Term Significant Deficiency'' (RIN3235–AJ58) received on August 6, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2828. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Rule 105 of Regulation M'' (RIN3235–AJ75) received on August 6, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2829. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Rules 200 and 203 of Regulation SHO'' (RIN3235–AJ57) received on August 27, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2830. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to the lapse of the Export Administration Act of 1979, as amended; to the Committee on Banking, Housing, and Urban Affairs.

EC–2831. A communication from the Acting Assistant Administrator for Legislative and Intergovernmental Affairs, National Aeronautics and Space Administration, transmitting, pursuant to law, an annual report relative to the category rating system; to the Committee on Commerce, Science, and Transportation.

EC–2832. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sikorsky Aircraft Corporation Model S–76A, B, and C Helicopters'' ((RIN2120–AA64) (Docket No. 2007–SW–07)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2833. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Front Royal-Warren County, VA'' ((RIN2120–AA66) (Docket No. 07–AEA–01)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2834. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Marshalltown, IA'' ((RIN2120–AA66) (Docket No. 07–ACE–4)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2835. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Red Dog, AK'' ((RIN2120–AA66)(Docket No. 06–AAL–40)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2836. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company CF34–10E Series Turbofan Engines'' ((RIN2120–AA64) (Docket No. 2006–NE–44)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2837. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Hawker Beechcraft Corporation Model 390 Airplanes'' ((RIN2120–AA64) (Docket No. 2007–CE–049)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2838. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Air Tractor, Inc. Model AT–602 Airplanes'' ((RIN2120–AA64) (Docket No. 2007–CE–01)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2839. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, Weather Takeoff Minimums; Miscellaneous Amendments'' ((RIN2120–AA65) (Amdt. No. 3216)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2840. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, Weather Takeoff Minimums; Miscellaneous Amendments'' ((RIN2120–AA65) (Amdt. No. 3217)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2841. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Kodiak, AK'' ((RIN2120–AA66) (Docket No. 07–AAL–01)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2842. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Port Heiden, AK'' ((RIN2120–AA66) (Docket No. 07–AAL–02)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2843. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Canby, MN'' ((RIN2120–AA66) (Docket No. 07–AGL–2)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2844. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Manhattan, KS'' ((RIN2120–AA66) (Docket No. 07–ACE–2)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2845. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Monticello, IA'' ((RIN2120–AA66)(Docket No. 07–ACE–3)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2846. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A330 and A340 Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–076)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2847. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A340–211, -212, -311, and -312 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–245)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2848. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Middlesboro, KY'' ((RIN2120-AA66) (Docket No. 07–ASO–1)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2849. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Marshalltown, IA'' ((RIN2120–AA66) (Docket No. 07–ACE–4)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2850. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model DC–9–81, DC–9–82, DC–9–83, DC–9–87, and MD–88 Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–103)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2851. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Reims Aviation S.A. Model F406 Airplanes'' ((RIN2120–AA64) (Docket No. 2007–CE–002)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2852. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dornier Luftfahrt GmbH Model 228 Series Airplanes'' ((RIN2120–AA64) (Docket No. 2007–CE–013)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2853. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Robinson Helicopter Company Model R44 and R44 II Helicopters'' ((RIN2120–AA66)(Docket No. 2006–SW–19)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2854. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300-600 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–184)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2855. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Diamond Aircraft Industries GmbH Model DA 40 Airplanes'' ((RIN2120–AA64)(Docket No. 2007–CE–015)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2856. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company CF6–80C2B Series Turbofan Engines'' ((RIN2120–AA64)(Docket No. 2006–NE–27)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2857. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Hugoton, KS'' ((RIN2120–AA66)(Docket No. 07–ACE–6)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2858. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Dean Memorial Airport, IA'' ((RIN2120–AA66)(Docket No. 07–ANE–91)) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2859. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pelagic Shelf Rockfish in the West Yakutat District of the Gulf of Alaska'' (RIN0648–XB63) received on August 27, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2860. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker Rockfish in Statistical Area 610 of the Gulf of Alaska'' (RIN0648–XB52) received on August 27, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2861. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska'' (RIN0648–XB59) received on August 27, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2862. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closed Area I Scallop Access Area Closure for General Category Scallop Vessels'' (RIN0648–AU47) received on August 27, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2863. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''2007 Scup Winter II Quota Period Inseason Adjustment'' (RIN0648–XB60) received on August 27, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2864. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XB68) received on August 27, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2865. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pelagic Shelf Rockfish in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XB67) received on August 27, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2866. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XB66) received on August 27, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2867. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Temporary Rule; Inseason Restoration of Black Sea Bass and Loligo Squid Quota from Unused Research Set-Aside'' (RIN0648–XA94) received on August 27, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2868. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XB58) received on August 27, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2869. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Aleutian District of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XB41) received on August 27, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2870. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska'' (RIN0648–XB43) received on August 27, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2871. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Bering

Sea Subarea of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XB51) received on August 27, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2872. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Extension of Emergency Fishery Closure Due to the Presence of the Toxin that Causes Paralytic Shellfish Poisoning'' (RIN0684–AT48) received on August 27, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2873. A communication from the Director, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report entitled, ''Estimates of the Natural Gas and Oil Reserves, Reserves Growth, and Undiscovered Resources in Federal and State Waters off the Coasts of Louisiana, Texas, Alabama, and Mississippi''; to the Committee on Energy and Natural Resources.

EC–2874. A communication from the Chairman, Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the Commission's Inventory of Commercial and Inherently Governmental Activities for fiscal year 2007; to the Committee on Energy and Natural Resources.

EC–2875. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Regulations to Implement the Captive Wildlife Safety Act'' (RIN1018–AT69) received on August 11, 2007; to the Committee on Environment and Public Works.

EC–2876. A communication from the Chief of Management Authority, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Revisions of Regulations Implementing the Convention on International Trade in Endangered Species of Wild Fauna and Flora'' (RIN1018–AD87) received on August 11, 2007; to the Committee on Environment and Public Works.

EC–2877. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plan; Alaska'' (FRL No. 8447–2) received on August 11, 2007; to the Committee on Environment and Public Works.

EC–2878. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; State of Montana; Missoula Carbon Monoxide Redesignation to Attainment, Designation of Areas for Air Quality Planning Purposes, and Approval of Related Revisions'' (FRL No. 8452–9) received on August 11, 2007; to the Committee on Environment and Public Works.

EC–2879. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; State Implementation Plan Revision Variance for International Paper, Franklin Paper Mill, Virginia'' (FRL No. 8452–6) received on August 11, 2007; to the Committee on Environment and Public Works.

EC–2880. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Implementation Plans of Tennessee; Clean Air Interstate Rule; Alaska'' (FRL No. 8453–6) received on August 11, 2007; to the Committee on Environment and Public Works.

EC–2881. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Determination of Attainment, Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Redesignation of the Toledo Area 8-Hour Ozone Nonattainment Area to Attainment'' (FRL No. 8451–9) received on August 11, 2007; to the Committee on Environment and Public Works.

EC–2882. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Determination of Attainment, Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Redesignation of the Dayton-Springfield 8-Hour Ozone Nonattainment Area to Attainment'' (FRL No. 8452–3) received on August 11, 2007; to the Committee on Environment and Public Works.

EC–2883. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Authorization of State Hazardous Waste Management Program Revision'' (FRL No. 8451–8) received on August 11, 2007; to the Committee on Environment and Public Works.

EC–2884. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Operator Training Grant Guidelines for States; Solid Waste Disposal Act, Subtitle I, as amended by Title XV, Subtitle B of the Energy Policy Act of 2005'' (FRL No. 8451–6) received on August 11, 2007; to the Committee on Environment and Public Works.

EC–2885. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pyrasulfotole; Pesticide Tolerance'' (FRL No. 8141–8) received on August 11, 2007; to the Committee on Environment and Public Works.

EC–2886. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Kentucky: Redesignation of the Kentucky Portion of the Louisville 8-Hour Ozone Nonattainment Area to Attainment for Ozone; Technical Amendment'' (FRL No. 8460–6) received on August 27, 2007; to the Committee on Environment and Public Works.

EC–2887. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New Jersey; Low Emission Vehicle Program'' (FRL No. 8441–7) received on August 27, 2007; to the Committee on Environment and Public Works.

EC–2888. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation of the Reading 8-Hour Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan and 2002 Base-Year Inventory'' (FRL No. 8459–3) received on August 27, 2007; to the Committee on Environment and Public Works.

EC–2889. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Texas; Shipyard Facilities and Provisions for Distance Limitations, Setbacks, and Buffers in Standard Permits'' (FRL No. 8460–2) received on August 27, 2007; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD, from the Committee on Appropriations:

Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2008'' (Rept. No. 110–149).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment and with a preamble:

S. Res. 22. A resolution reaffirming the constitutional and statutory protections accorded sealed domestic mail, and for other purposes.

REPORTS OF COMMITTEES DURING ADJOURNMENT OF THE SENATE

Under the authority of the order of the Senate of August 3, 2007, the following reports of committees were submitted on August 29, 2007:

By Mr. BAUCUS, from the Committee on Finance:

Report to accompany S.J. Res. 16, A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003 (Rept. No. 110–146).

By Mr. AKAKA, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 1233. A bill to provide and enhance intervention, rehabilitative treatment, and services to veterans with traumatic brain injury, and for other purposes (Rept. No. 110–147).

S. 1315. A bill to amend title 38, United States Code, to enhance life insurance benefits for disabled veterans, and for other purposes (Rept. No. 110–148).

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. LEVIN:

S. 2016. A bill for the relief of Sopuruchi Chukwueke; to the Committee on the Judiciary.

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

S. 2017. A bill to amend the Energy Policy and Conservation Act to provide for national energy efficiency standards for general service incandescent lamps, and for other purposes; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 60

At the request of Mr. INOUYE , the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 60, a bill to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children.

S. 65

At the request of Mr. INHOFE , the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 65, a bill to modify the age-60 standard for certain pilots and for other purposes.

S. 507

At the request of Mr. CONRAD , the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 507, a bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services.

S. 561

At the request of Mr. BUNNING , the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 561, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs.

S. 582

At the request of Mr. SMITH , the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 582, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 673

At the request of Mr. SALAZAR , the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor 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 South Carolina (Mr. GRAHAM) 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. 773

At the request of Mr. WARNER , the name of the Senator from Alabama (Mr. SHELBY) 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. 790

At the request of Mr. LUGAR , the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 790, a bill to amend the Richard B. Russell National School Lunch Act to permit the simplified summer food programs to be carried out in all States and by all service institutions.

S. 819

At the request of Mr. DORGAN , the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 819, a bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes.

S. 829

At the request of Ms. MIKULSKI , the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 829, a bill to reauthorize the HOPE VI program for revitalization of severely distressed public housing, and for other purposes.

S. 849

At the request of Mr. LEAHY , the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 849, a bill to promote accessibility, accountability, and openness in Government by strengthening section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), and for other purposes.

S. 886

At the request of Mr. BINGAMAN , the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 886, a bill to amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records.

S. 910

At the request of Mr. KENNEDY , the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 910, a bill to provide for paid sick leave to ensure that Americans can address their own health needs and the health needs of their families.

S. 959

At the request of Mrs. CLINTON , the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 959, a bill to award a grant to enable Teach for America, Inc., to implement and expand its teaching program.

S. 961

At the request of Mr. SPECTER , his name was added as a cosponsor of S. 961, a bill to amend title 46, United States Code, to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II, and for other purposes.

S. 1015

At the request of Mr. COCHRAN , the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1015, a bill to reauthorize the National Writing Project.

S. 1033

At the request of Mr. LIEBERMAN , the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1033, a bill to assist in the conservation of rare felids and rare canids by supporting and providing financial resources for the conservation programs of nations within the range of rare felid and rare canid populations and projects of persons with demonstrated expertise in the conservation of rare felid and rare canid populations.

S. 1125

At the request of Mr. LOTT , the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1125, a bill to amend the Internal Revenue Code of 1986 to provide incentives to encourage investment in the expansion of freight rail infrastructure capacity and to enhance modal tax equity.

S. 1166

At the request of Mr. WARNER , the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1166, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain zone compensation of civilian employees of the United States.

S. 1200

At the request of Mr. DORGAN , the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1200, a bill to amend the Indian Health Care Improvement Act to revise and extend the Act.

S. 1246

At the request of Mr. LIEBERMAN , the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1246, a bill to establish and maintain a wildlife global animal information network for surveillance internationally to combat the growing threat of emerging diseases that involve wild animals, such as bird flu, and for other purposes.

S. 1254

At the request of Ms. MIKULSKI , the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1254, a bill to amend title II of the Social Security Act to provide that the reductions in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds $1,200, adjusted for inflation.

S. 1306

At the request of Mr. DURBIN , the names of the Senator from Massachusetts (Mr. KERRY), the Senator from

New York (Mr. SCHUMER), the Senator from Vermont (Mr. SANDERS) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1306, a bill to direct the Consumer Product Safety Commission to classify certain children's products containing lead to be banned hazardous substances.

S. 1328

At the request of Mr. LEAHY , the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors 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. 1338

At the request of Mr. ROCKEFELLER , the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1338, a bill to amend title XVIII of the Social Security Act to provide for a two-year moratorium on certain Medicare physician payment reductions for imaging services.

S. 1356

At the request of Mr. BROWN , the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1356, a bill to amend the Federal Deposit Insurance Act to establish industrial bank holding company regulation, and for other purposes.

S. 1394

At the request of Ms. STABENOW , the names of the Senator from New York (Mr. SCHUMER) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. 1394, a bill to amend the Internal Revenue Code of 1986, to exclude from gross income of individual taxpayers discharges of indebtedness attributable to certain forgiven residential mortgage obligations.

S. 1398

At the request of Mr. REID , the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1398, a bill to expand the research and prevention activities of the National Institute of Diabetes and Digestive and Kidney Diseases, and the Centers for Disease Control and Prevention with respect to inflammatory bowel disease.

S. 1413

At the request of Ms. MIKULSKI , the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1413, a bill to provide for research and education with respect to uterine fibroids, and for other purposes.

S. 1476

At the request of Mrs. FEINSTEIN , the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1476, a bill to authorize the Secretary of the Interior to conduct special resources study of the Tule Lake Segregation Center in Modoc County, California, to determine suitability and feasibility of establishing a unit of the National Park System.

S. 1638

At the request of Mr. LEAHY , the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1638, a bill to adjust the salaries of Federal justices and judges, and for other purposes.

S. 1693

At the request of Mr. KENNEDY , the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. 1693, a bill to enhance the adoption of a nationwide interoperable health information technology system and to improve the quality and reduce the costs of health care in the United States.

S. 1744

At the request of Mrs. BOXER , the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. 1744, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 1755

At the request of Mr. CASEY , the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1755, a bill to amend the Richard B. Russell National School Lunch Act to make permanent the summer food service pilot project for rural areas of Pennsylvania and apply the program to rural areas of every State.

S. 1840

At the request of Mrs. CLINTON , the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1840, a bill to amend the Internal Revenue Code of 1986 to provide recruitment and retention incentives for volunteer emergency service workers.

S. 1843

At the request of Mr. KENNEDY , the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1843, a bill to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967 to clarify that an unlawful practice occurs each time compensation is paid pursuant to a discriminatory compensation decision or other practice, and for other purposes.

S. 1848

At the request of Mr. BAUCUS , the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 1848, a bill to amend the Trade Act of 1974 to address the impact of globalization, to reauthorize trade adjustment assistance, to extend trade adjustment assistance to service workers, communities, firms, and farmers, and for other purposes.

S. 1880

At the request of Mr. KERRY , the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Illinois (Mr. OBAMA) were added as cosponsors of S. 1880, a bill to amend the Animal Welfare Act to prohibit dog fighting ventures.

S. 1924

At the request of Mr. CARPER , the names of the Senator from Maine (Ms. COLLINS), the Senator from Ohio (Mr. BROWN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1924, a bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any of certain diseases is the result of the performance of such employee's duty.

S. 1958

At the request of Mr. CONRAD , the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 1958, a bill to amend title XVIII of the Social Security Act to ensure and foster continued patient quality of care by establishing facility and patient criteria for long-term care hospitals and related improvements under the Medicare program.

S.J. RES. 13

At the request of Mr. LEAHY , the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S.J. Res. 13, a joint resolution granting the consent of Congress to the International Emergency Management Assistance Memorandum of Understanding.

S. RES. 118

At the request of Mr. LEVIN , the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. Res. 118, a resolution urging the Government of Canada to end the commercial seal hunt.

S. RES. 178

At the request of Mr. BINGAMAN , the names of the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. Res. 178, a resolution expressing the sympathy of the Senate to the families of women and girls murdered in Guatemala, and encouraging the United States to work with Guatemala to bring an end to these crimes.

S. RES. 222

At the request of Mrs. CLINTON , the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. Res. 222, a resolution supporting the goals and ideals of Pancreatic Cancer Awareness Month.

S. RES. 305

At the request of Mr. HARKIN , his name was withdrawn as a cosponsor of S. Res. 305, a resolution to express the sense of the Senate regarding the Medicare national coverage determination

on the treatment of anemia in cancer patients.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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

S. 2017. A bill. to amend the Energy Policy and Conservation Act to provide for national energy efficiency standards for general service incandescent lamps, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, I rise today to introduce legislation that will transform the lighting market in the U.S.

Beginning in 2012 and continuing through 2014, the current 40, 60, 75, and 100 watt incandescent bulbs will be phased out and replaced by lower wattage bulbs that produce the equivalent amount of light. For example, bulbs that currently consume 100 watts of electricity would be just as bright but would consume only 72 watts of electricity.

By 2014, the traditional incandescent light bulbs found in approximately 4 billion U.S. light sockets will be virtually obsolete. Their 125 year old technology will be replaced by new technologies such as LEDS, light emitting diodes, halogen incandescent bulbs, improved compact fluorescent lamps and higher efficiency incandescent bulbs.

When fully implemented, the new efficiency standards for incandescent lighting will save 65 billion kilowatt hours of electricity per year. This is the equivalent of shutting down 24 new 500 mw coal plants a year and would save consumers almost $6 billion a year in electricity costs. The light bulb standards will save nearly as much energy as of the Federal appliance standards from 1987 to 2000. Energy savings from this one standard are two to three times larger than savings from any other single appliance standard. Unlike the energy savings from longer-lived appliances which are replaced on a 10 to 15 year cycle, the full savings from efficient light bulbs will roll in much sooner, about 1 to 3 years after enactment.

My legislation requires the Secretary of Energy to conduct two additional rulemakings to consider imposing more stringent efficiency standards for lighting. The secretary is required to consider a standard of 45 lumens per watt in the first rulemaking and to adopt that standard or an alternative standard that results in equivalent or greater energy savings. If the Secretary fails adopt a standard with the equivalent savings or fails to complete the first rulemaking on time, a 45 lumens per watt standard will become effective in 2020.

The legislation also includes detailed provisions aimed at preventing unscrupulous manufacturers from finding ways to avoid the efficiency regulations.

The bill seeks to help consumers make their lighting purchasing decisions based on lifecycle cost, lamp lifetime and lighting quality by improving the labeling requirements for light bulbs. In addition, the Secretary of Energy, in cooperation with EPA, Commerce, and the FTC is required to provide an annual assessment of the market for general service lamps and compact fluorescents. The Secretary is also required to work with the lighting industry, utilities and other parties to carry out a national consumer awareness program to help consumers make energy efficient lighting choices.

Many of the provisions in my bill were hammered out in negotiations between major lighting manufacturers and efficiency advocates. In fact, Philips Lighting was the initiator of the negotiations on phasing out inefficient incandescent lamps, and Osram Sylvania and General Electric were actively engaged in the process. Many efficiency advocates participated in the negotiations including the Alliance to Save Energy, ACEEE, and NRDC. The negotiators made a great deal of progress but were unfortunately unable to reach consensus on all of the issues involved before the energy bill was considered by the Senate.

My bill sets forth a reasonable process that will save a significant amount of energy and also allow manufacturers to plan for and implement major changes in an orderly way. The House energy bill includes a similar lighting provision authored by Representatives HARMAN and UPTON.

I intend to hold a hearing on this legislation next week. I hope that what we learn at the hearing will facilitate reaching a consensus on efficient lighting standards during the House-Senate conference H.R. 6, the energy bill. We must take action to assure that the potential energy savings from these standards become a reality.

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. 2017

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Energy Efficient Lighting for a Brighter Tomorrow Act of 2007''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definition of Secretary.

TITLE I—GENERAL SERVICE INCANDESCENT LAMPS

Sec. 101. Energy efficiency standards for general service incandescent lamps.
Sec. 102. Consumer education and lamp labeling.
Sec. 103. Market assessments and consumer awareness program.
Sec. 104. General rule of preemption for energy conservation standards before Federal standard becomes effective for a product.
Sec. 105. Prohibited acts.
Sec. 106. Enforcement.
Sec. 107. Research and development program.
Sec. 108. Report on mercury use and release.

TITLE II—STANDARDS FOR METAL HALIDE LAMP FIXTURES

Sec. 201. Definitions.
Sec. 202. Coverage.
Sec. 203. Test procedures.
Sec. 204. Labeling.
Sec. 205. Energy conservation standards.
Sec. 206. Effect on other law.

SEC. 2. FINDINGS.

Congress finds that—

(1) there are approximately 4,000,000,000 screw-based sockets in the United States that contain traditional, energy-inefficient, incandescent light bulbs;

(2) incandescent light bulbs are based on technology that is more than 125 years old; and

(3) it is in the national interest to encourage the use of more energy-efficient lighting products in the market through energy conservation standards that become effective during the 8-year period beginning on the date of enactment of this Act and—

(A) establish the efficiency requirements to ensure that replacement lamps will provide consumers with the same quantity of light while using significantly less energy;

(B) ensure that consumers will continue to have multiple product choices, including energy-saving halogen, incandescent, compact fluorescent, and LED light bulbs; and

(C) work with industry and key stakeholders on measures that can assist consumers and businesses in making the important transition to more efficient lighting.

SEC. 3. DEFINITION OF SECRETARY.

In this Act, the term ''Secretary'' means the Secretary of Energy.

TITLE I—GENERAL SERVICE INCANDESCENT LAMPS

SEC. 101. ENERGY EFFICIENCY STANDARDS FOR GENERAL SERVICE INCANDESCENT LAMPS.

(a) DEFINITION OF GENERAL SERVICE INCANDESCENT LAMP.—Section 321(30) of the Energy Policy and Conservation Act (42 U.S.C. 6291(30)) is amended—

(1) by striking subparagraph (D) and inserting the following:

''(D) GENERAL SERVICE INCANDESCENT LAMP.—

''(i) IN GENERAL.—The term 'general service incandescent lamp' means a standard incandescent or halogen type lamp that—

''(I) is intended for general service applications;

''(II) has a medium screw base;

''(III) has a lumen range of not less than 200 lumens and not more than 3,000 lumens;

''(IV) has a voltage range at least partially within 110 and 130 volts;

''(V) has an A–15, A–19, A–21, A–23, A–25, PS–25, PS–30, BT–14.5, BT–15, CP–19, TB–19, CA–22, or equivalent shape (as defined in ANSI C78.20–2003); and

''(VI) has a bulb finish of the frosted, clear, soft white, or modified spectrum type.

''(ii) EXCLUSIONS.—The term 'general service incandescent lamp' does not include the following incandescent lamps:

''(I) An appliance lamp.

''(II) A black light lamp.

''(III) A bug lamp.

''(IV) A colored lamp.

''(V) An infrared lamp.

''(VI) A left-hand thread lamp.

''(VII) A marine lamp.

''(VIII) A marine signal service lamp.
''(IX) A mine service lamp.
''(X) A plant light lamp.
''(XI) A reflector lamp.
''(XII) A rough service lamp.
''(XIII) A shatter-resistant lamp (including a shatter-proof lamp and a shatter-protected lamp).
''(XIV) A sign service lamp.
''(XV) A silver bowl lamp.
''(XVI) A showcase lamp.
''(XVII) A 3-way incandescent lamp.
''(XVIII) A traffic signal lamp.
''(XIX) A vibration service lamp.''; and
(2) by adding at the end the following:
''(T) APPLIANCE LAMP.—The term 'appliance lamp' means any lamp that—
''(i) is specifically designed to operate in a household appliance, has a maximum wattage of 40 watts, and is sold at retail, including an oven lamp, refrigerator lamp, and vacuum cleaner lamp; and
''(ii) is designated and marketed for the intended application, with—
''(I) the designation on the lamp packaging; and
''(II) marketing materials that identify the lamp as being for appliance use.
''(U) CANDELABRA BASE INCANDESCENT LAMP.—The term 'candelabra base incandescent lamp' means a lamp that uses candelabra screw base as described in ANSI C81.61–2006, Specifications for Electric Bases, common designations E11 and E12.
''(V) INTERMEDIATE BASE INCANDESCENT LAMP.—The term 'intermediate base incandescent lamp' means a lamp that uses an intermediate screw base as described in ANSI C81.61–2006, Specifications for Electric Bases, common designation E17.
''(W) MODIFIED SPECTRUM.—The term 'modified spectrum' means, with respect to an incandescent lamp, an incandescent lamp that—
''(i) is not a colored incandescent lamp; and
''(ii) when operated at the rated voltage and wattage of the incandescent lamp—
''(I) has a color point with (x,y) chromaticity coordinates on the Commission Internationale de l'Eclairage (C.I.E.) 1931 chromaticity diagram that lies below the blackbody locus; and
''(II) has a color point with (x,y) chromaticity coordinates on the C.I.E. 1931 chromaticity diagram that lies at least 4 MacAdam steps (as referenced in IESNA LM16) distant from the color point of a clear lamp with the same filament and bulb shape, operated at the same rated voltage and wattage.
''(X) ROUGH SERVICE LAMP.—The term 'rough service lamp' means a lamp that—
''(i) has a minimum of 5 supports with filament configurations similar to but not limited to C–7A, C–11, C–17, and C–22 as listed in Figure 6–12 of the 9th edition of the IESNA Lighting handbook, where lead wires are not counted as supports; and
''(ii) is designated and marketed specifically for 'rough service' applications, with—
''(I) the designation appearing on the lamp packaging; and
''(II) marketing materials that identify the lamp as being for rough service.
''(Y) 3-WAY INCANDESCENT LAMP.—The term '3-way incandescent lamp' includes an incandescent lamp that—
''(i) employs 2 filaments, operated separately and in combination, to provide 3 light levels; and
''(ii) is designated on the lamp packaging and marketing materials as being a 3-way incandescent lamp.
''(Z) SHATTER-RESISTANT LAMP, SHATTER-PROOF LAMP, OR SHATTER-PROTECTED LAMP.—The terms 'shatter-resistant lamp', 'shatter-proof lamp', and 'shatter-protected lamp' mean a lamp that—
''(i) has a coating or equivalent technology that is compliant with NSF/ANSI 51 and is designed to contain the glass if the glass envelope of the lamp is broken; and
''(ii) is designated and marketed for the intended application, with—
''(I) the designation on the lamp packaging; and
''(II) marketing materials that identify the lamp as being shatter-resistant, shatter-proof, or shatter-protected.
''(AA) VIBRATION SERVICE LAMP.—The term 'vibration service lamp' means a lamp that—
''(i) has filament configurations that are similar to but not limited to C–5, C–7A, or C–9, as listed in Figure 6–12 of the 9th Edition of the IESNA Lighting Handbook;
''(ii) has a maximum wattage of 60 watts;
''(iii) is sold at retail in packages of 4 lamps or less; and
''(iv) is designated and marketed specifically for vibration service or vibration-resistant applications, with—
''(I) the designation appearing on the lamp packaging; and
''(II) marketing materials that identify the lamp as being vibration service only.''.

(b) COVERAGE.—Section 322(a)(14) of the Energy Policy and Conservation Act (42 U.S.C. 6292(a)(14)) is amended by inserting '', general service incandescent lamps,'' after ''fluorescent lamps''.

(c) ENERGY CONSERVATION STANDARDS.—Section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295) is amended—
(1) in subsection (i)—
(A) in the section heading, by inserting '', GENERAL SERVICE INCANDESCENT LAMPS, INTERMEDIATE BASE INCANDESCENT LAMPS, CANDELABRA BASE INCANDESCENT LAMPS,'' after ''FLUORESCENT LAMPS'';
(B) in paragraph (1)—
(i) in subparagraph (A)—
(I) by inserting '', general service incandescent lamps, intermediate base incandescent lamps, candelabra base incandescent lamps,'' after ''fluorescent lamps'';
(II) by inserting '', new maximum wattage,'' after ''lamp efficacy''; and
(III) by inserting after the table entitled ''INCANDESCENT REFLECTOR LAMPS'' the following:

''CLEAR, INSIDE FROST, AND SOFT WHITE GENERAL SERVICE INCANDESCENT LAMPS

Rated Lumen Ranges	Maximum Rate Wattage	Minimum Rate Lifetime	Effective Date
1490–2600	72	1,000 hrs	1/1/2012
1010–1489	53	1,000 hrs	1/1/2013
730–1009	43	1,000 hrs	1/1/2014
310–729	29	1,000 hrs	1/1/2014

''MODIFIED SPECTRUM GENERAL SERVICE INCANDESCENT LAMPS

Rated Lumen Ranges	Maximum Rate Wattage	Minimum Rate Lifetime	Effective Date
1118–1950	72	1,000 hrs	1/1/2012
758–1117	53	1,000 hrs	1/1/2013
548–757	43	1,000 hrs	1/1/2014
232–547	29	1,000 hrs	1/1/2014''

; and
(ii) by striking subparagraph (B) and inserting the following:
''(B) COLOR RENDERING INDEX.—
''(i) APPLICATION.—This subparagraph applies to each lamp that—
''(I) is intended for a general service or general illumination application (whether incandescent or not);
''(II) has a medium screw base;
''(III) has a voltage range that is at least partially within 110 and 130 volts;
''(IV) has no external bulb or a bulb of the frosted, clear, soft white, or modified spectrum type; and
''(V) is manufactured or imported after December 31, 2011.
''(ii) REQUIREMENT.—For purposes of this paragraph, each lamp described in clause (i) shall have a color rendering index that is greater than or equal to—
''(I) 80 for frosted, clear, and soft white lamps; or
''(II) 75 for modified spectrum lamps.
''(C) CANDELABRA INCANDESCENT LAMPS AND INTERMEDIATE BASE INCANDESCENT LAMPS.—
''(i) CANDELABRA BASE INCANDESCENT LAMPS.—A candelabra base incandescent lamp shall not exceed 60 rated watts.
''(ii) INTERMEDIATE BASE INCANDESCENT LAMPS.—An intermediate base incandescent lamp shall not exceed 40 rated watts.
''(D) EXEMPTIONS.—
''(i) PETITION.—Any person may petition the Secretary for an exemption for a type of general service lamp from the requirements of this subsection.
''(ii) CRITERIA.—The Secretary may grant an exemption under clause (i) only to the extent that the Secretary finds, after a hearing-

and opportunity for public comment, that it is not technically feasible to serve a specialized lighting application (such as a military, medical, public safety, or certified historic lighting application) using a lamp that meets the requirements of this subsection.

''(iii) ADDITIONAL CRITERION.—To grant an exemption for a product under this subparagraph, the Secretary shall include, as an additional criterion, that the exempted product is unlikely to be used in a general service lighting application.

''(E) EXTENSION OF COVERAGE.—

''(i) PETITION.—Any person may petition the Secretary to establish standards for lamp types that are excluded from the definition of general service lamps.

''(ii) INCREASED SALES OF EXEMPTED LAMPS.—The petition shall include evidence that the availability or sales of exempted incandescent lamps have increased significantly since the date on which the standards on general service incandescent lamps were established.

''(iii) CRITERIA.—The Secretary shall grant a petition under clause (i) if the Secretary finds that the petition presents evidence that (assuming no other evidence is considered) demonstrates that sales of exempted incandescent lamp types have increased significantly since the standards on general service lamps were established and are being widely used in general lighting applications.

''(iv) NO PRESUMPTION.—The grant of a petition under this subparagraph shall create no presumption with respect to the determination of the Secretary with respect to any criteria under a rulemaking conducted under this section.

''(v) EXPEDITED PROCEEDING.—If the Secretary grants a petition for a lamp type under this subparagraph, the Secretary shall—

''(I) conduct a rulemaking to determine standards for the exempted lamp type; and

''(II) complete the rulemaking not later than 18 months after the date on which notice is provided granting the petition.

''(F) DEFINITION OF EFFECTIVE DATE.—In this paragraph, except as otherwise provided in a table contained in subparagraph (A), the term 'effective date' means the last day of the month specified in the table that follows October 24, 1992.'';

(C) in paragraph (5), in the first sentence, by striking ''and general service incandescent lamps'';

(D) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(E) by inserting after paragraph (5) the following:

''(6) STANDARDS FOR GENERAL SERVICE INCANDESCENT LAMPS.—

''(A) RULEMAKING BEFORE JANUARY 1, 2015.—

''(i) IN GENERAL.—Not later than January 1, 2015, the Secretary shall initiate a rulemaking procedure to determine whether—

''(I) standards in effect for general service incandescent lamps should be amended to establish more stringent maximum wattage than the standards specified in paragraph (1)(A); and

''(II) the exemptions for certain incandescent lamps should be maintained or discontinued.

''(ii) SCOPE.—The rulemaking—

''(I) shall not be limited to incandescent lamp technologies; and

''(II) shall include consideration of a minimum efficacy standard of 45 lumens per watt.

''(iii) AMENDED STANDARDS.—If the Secretary determines that the standards in effect for general service incandescent lamps should be amended, the Secretary shall publish a final rule not later than January 1, 2017, with an effective date that is not earlier than 3 years after the date on which the final rule is published.

''(iv) PHASED-IN EFFECTIVE DATES.—The Secretary shall consider phased-in effective dates under this subparagraph after considering—

''(I) the impact of any amendment on manufacturers, retiring and repurposing existing equipment, stranded investments, labor contracts, workers, and raw materials; and

''(II) the time needed to work with retailers and lighting designers to revise sales and marketing strategies.

''(v) BACKSTOP REQUIREMENT.—If the Secretary fails to complete a rulemaking in accordance with clauses (i) through (iv) or if the final rule does not produce savings that are greater than or equal to the savings from a minimum efficacy standard of 45 lumens per watt, effective beginning January 1, 2020, the Secretary shall prohibit the sale of any general service lamp that emits less than 300 percent of the average lumens per watt emitted by a 100-watt incandescent general service lamp that is commercially available on the date of enactment of this clause.

''(B) RULEMAKING BEFORE JANUARY 1, 2020.—

''(i) IN GENERAL.—Not later than January 1, 2020, the Secretary shall initiate a rulemaking procedure to determine whether—

''(I) standards in effect for general service incandescent lamps should be amended to reflect lumen ranges with more stringent maximum wattage than the standards specified in paragraph (1)(A); and

''(II) the exemptions for certain incandescent lamps should be maintained or discontinued.

''(ii) SCOPE.—The rulemaking shall not be limited to incandescent lamp technologies.

''(iii) AMENDED STANDARDS.—If the Secretary determines that the standards in effect for general service incandescent lamps should be amended, the Secretary shall publish a final rule not later than January 1, 2022, with an effective date that is not earlier than 3 years after the date on which the final rule is published.

''(iv) PHASED-IN EFFECTIVE DATES.—The Secretary shall consider phased-in effective dates under this subparagraph after considering—

''(I) the impact of any amendment on manufacturers, retiring and repurposing existing equipment, stranded investments, labor contracts, workers, and raw materials; and

''(II) the time needed to work with retailers and lighting designers to revise sales and marketing strategies.''; and

(2) in subsection (l), by adding at the end the following:

''(4) ENERGY EFFICIENCY STANDARDS FOR CERTAIN LAMPS.—

''(A) IN GENERAL.—The Secretary shall prescribe an energy efficiency standard for rough service lamps, vibration service lamps, 3-way incandescent lamps, 150-watt general service incandescent lamps, and shatter-resistant lamps only in accordance with this paragraph.

''(B) BENCHMARKS.—Not later than 1 year after the date of enactment of this paragraph, the Secretary, in consultation with the National Electrical Manufacturers Association, shall—

''(i) collect actual data for United States unit sales for each of calendar years 1990 through 2006 for each of the 5 types of lamps described in subparagraph (A) to determine the historical growth rate of the type of lamp; and

''(ii) construct a model for each type of lamp based on coincident economic indicators that closely match the historical annual growth rate of the type of lamp to provide a neutral comparison benchmark to model future unit sales after calendar year 2006.

''(C) ACTUAL SALES DATA.—

''(i) IN GENERAL.—Effective for each of calendar years 2010 through 2025, the Secretary, in consultation with the National Electrical Manufacturers Association, shall—

''(I) collect actual United States unit sales data for each of 5 types of lamps described in subparagraph (A); and

''(II) not later than 90 days after the end of each calendar year, compare the lamp sales in that year with the sales predicted by the comparison benchmark for each of the 5 types of lamps described in subparagraph (A).

''(ii) CONTINUATION OF TRACKING.—

''(I) DETERMINATION.—Not later than January 1, 2023, the Secretary shall determine if actual sales data should be tracked for the lamp types described in subparagraph (A) after calender year 2025.

''(II) CONTINUATION.—If the Secretary finds that the market share of a lamp type described in subparagraph (A) could significantly erode the market share for general service lamps, the Secretary shall continue to track the actual sales data for the lamp type.

''(D) ROUGH SERVICE LAMPS.—

''(i) IN GENERAL.—Effective beginning with the first year that the reported annual sales rate for rough service lamps demonstrates actual unit sales of rough service lamps that achieve levels that are at least 100 percent higher than modeled unit sales for that same year, the Secretary shall—

''(I) not later than 90 days after the end of the previous calendar year, issue a finding that the index has been exceeded; and

''(II) not later than the date that is 1 year after the end of the previous calendar year, complete an accelerated rulemaking to establish an energy conservation standard for rough service lamps.

''(ii) BACKSTOP REQUIREMENT.—If the Secretary fails to complete an accelerated rulemaking in accordance with clause (i)(II), effective beginning 1 year after the date of the issuance of the finding under clause (i)(I), the Secretary shall require rough service lamps to—

''(I) have a shatter-proof coating or equivalent technology that is compliant with NSF/ANSI 51 and is designed to contain the glass if the glass envelope of the lamp is broken and to provide effective containment over the life of the lamp;

''(II) have a maximum 40-watt limitation; and

''(III) be sold at retail only in a package containing 1 lamp.

''(E) VIBRATION SERVICE LAMPS.—

''(i) IN GENERAL.—Effective beginning with the first year that the reported annual sales rate for vibration service lamps demonstrates actual unit sales of vibration service lamps that achieve levels that are at least 100 percent higher than modeled unit sales for that same year, the Secretary shall—

''(I) not later than 90 days after the end of the previous calendar year, issue a finding that the index has been exceeded; and

''(II) not later than the date that is 1 year after the end of the previous calendar year, complete an accelerated rulemaking to establish an energy conservation standard for vibration service lamps.

''(ii) BACKSTOP REQUIREMENT.—If the Secretary fails to complete an accelerated rulemaking in accordance with clause (i)(II), effective beginning 1 year after the date of the issuance of the finding under clause (i)(I), the Secretary shall require vibration service lamps to—

''(I) have a maximum 40-watt limitation; and

''(II) be sold at retail only in a package containing 1 lamp.

''(F) 3-WAY INCANDESCENT LAMPS.—

''(i) IN GENERAL.—Effective beginning with the first year that the reported annual sales rate for 3-way incandescent lamps demonstrates actual unit sales of 3-way incandescent lamps that achieve levels that are at least 100 percent higher than modeled unit sales for that same year, the Secretary shall—

''(I) not later than 90 days after the end of the previous calendar year, issue a finding that the index has been exceeded; and

''(II) not later than the date that is 1 year after the end of the previous calendar year, complete an accelerated rulemaking to establish an energy conservation standard for 3-way incandescent lamps.

''(ii) BACKSTOP REQUIREMENT.—If the Secretary fails to complete an accelerated rulemaking in accordance with clause (i)(II), effective beginning 1 year after the date of issuance of the finding under clause (i)(I), the Secretary shall require that—

''(I) each filament in a 3-way incandescent lamp meet the new maximum wattage requirements for the respective lumen range established under subsection (i)(1)(A); and

''(II) 3-way lamps be sold at retail only in a package containing 1 lamp.

''(G) 150-WATT GENERAL SERVICE INCANDESCENT LAMPS.—

''(i) IN GENERAL.—Effective beginning with the first year that the reported annual sales rate demonstrates actual unit sales of 150-watt general service incandescent lamps in the lumen range of 2,601 through 3,300 lumens (or, in the case of a modified spectrum, in the lumen range of 1,951 through 2,475 lumens) that achieve levels that are at least 100 percent higher than modeled unit sales for that same year, the Secretary shall—

''(I) not later than 90 days after the end of the previous calendar year, issue a finding that the index has been exceeded; and

''(II) not later than the date that is 1 year after the end of the previous calendar year, complete an accelerated rulemaking to establish an energy conservation standard for those 150-watt general service incandescent lamps.

''(ii) BACKSTOP REQUIREMENT.—If the Secretary fails to complete an accelerated rulemaking in accordance with clause (i)(II), effective beginning 1 year after the date of issuance of the finding under clause (i)(I), the Secretary shall impose—

''(I) a maximum 95-watt limitation on general service incandescent lamps in the lumen range of 2,601 through 3,300 lumens; and

''(II) a requirement that those lamps be sold at retail only in a package containing 1 lamp.

''(H) SHATTER-RESISTANT LAMPS.—

''(i) IN GENERAL.—Effective beginning with the first year that the reported annual sales rate for shatter-resistant lamps demonstrates actual unit sales of shatter-resistant lamps that achieve levels that are at least 100 percent higher than modeled unit sales for that same year, the Secretary shall—

''(I) not later than 90 days after the end of the previous calendar year, issue a finding that the index has been exceeded; and

''(II) not later than the date that is 1 year after the end of the previous calendar year, complete an accelerated rulemaking to establish an energy conservation standard for shatter-resistant lamps.

''(ii) BACKSTOP REQUIREMENT.—If the Secretary fails to complete an accelerated rulemaking in accordance with clause (i)(II), effective beginning 1 year after the date of issuance of the finding under clause (i)(I), the Secretary shall impose—

''(I) a maximum wattage limitation of 40 watts on shatter resistant lamps; and

''(II) a requirement that those lamps be sold at retail only in a package containing 1 lamp.

''(I) RULEMAKINGS BEFORE JANUARY 1, 2025.—

''(i) IN GENERAL.—Except as provided in clause (ii), if the Secretary issues a final rule prior to January 1, 2025, establishing an energy conservation standard for any of the 5 types of lamps for which data collection is required under any of subparagraphs (D) through (G), the requirement to collect and model data for that type of lamp shall terminate unless, as part of the rulemaking, the Secretary determines that continued tracking is necessary.

''(ii) BACKSTOP REQUIREMENT.—If the Secretary imposes a backstop requirement as a result of a failure to complete an accelerated rulemaking in accordance with clause (i)(II) of any of subparagraphs (D) through (G), the requirement to collect and model data for the applicable type of lamp shall continue for an additional 2 years after the effective date of the backstop requirement.''.

SEC. 102. CONSUMER EDUCATION AND LAMP LABELING.

Section 324(a)(2)(C) of the Energy Policy and Conservation Act (42 U.S.C. 6294(a)(2)(C)) is amended by adding at the end the following:

''(iii) RULEMAKING TO CONSIDER EFFECTIVENESS OF LAMP LABELING.—

''(I) IN GENERAL.—Not later than 1 year after the date of enactment of this clause, the Commission shall initiate a rulemaking to consider—

''(aa) the effectiveness of current lamp labeling for power levels or watts, light output or lumens, and lamp lifetime; and

''(bb) alternative labeling approaches that will help consumers to understand new high-efficiency lamp products and to base the purchase decisions of the consumers on the most appropriate source that meets the requirements of the consumers for lighting level, light quality, lamp lifetime, and total lifecycle cost.

''(II) COMPLETION.—The Commission shall—

''(aa) complete the rulemaking not later than the date that is 30 months after the date of enactment of this clause; and

''(bb) consider reopening the rulemaking not later than 180 days before the effective dates of the standards for general service incandescent lamps established under section 325(i)(1)(A), if the Commission determines that further labeling changes are needed to help consumers understand lamp alternatives.''.

SEC. 103. MARKET ASSESSMENTS AND CONSUMER AWARENESS PROGRAM.

(a) IN GENERAL.—In cooperation with the Administrator of the Environmental Protection Agency, the Secretary of Commerce, the Federal Trade Commission, lighting and retail industry associations, energy efficiency organizations, and any other entities that the Secretary determines to be appropriate, the Secretary shall—

(1) conduct an annual assessment of the market for general service lamps and compact fluorescent lamps to—

(A) identify trends in the market shares of lamp types, efficiencies, and light output levels purchased by residential and nonresidential consumers; and

(B) better understand the degree to which consumer decisionmaking is based on lamp power levels or watts, light output or lumens, lamp lifetime, and other factors, including information required on labels mandated by the Federal Trade Commission;

(2) provide the results of the market assessment to the Federal Trade Commission for consideration in the rulemaking described in section 324(a)(2)(C)(iii) of the Energy Policy and Conservation Act (42 U.S.C. 6294(a)(2)(C)(iii)); and

(3) in cooperation with industry trade associations, lighting industry members, utilities, and other interested parties, carry out a proactive national program of consumer awareness, information, and education that broadly uses the media and other effective communication techniques over an extended period of time to help consumers understand the lamp labels and make energy-efficient lighting choices that meet the needs of consumers.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2009 through 2012.

SEC. 104. GENERAL RULE OF PREEMPTION FOR ENERGY CONSERVATION STANDARDS BEFORE FEDERAL STANDARD BECOMES EFFECTIVE FOR A PRODUCT.

Section 327(b)(1) of the Energy Policy and Conservation Act (42 U.S.C. 6297(b)(1)) is amended—

(1) by inserting ''(A)'' after ''(1)'';

(2) by inserting ''or'' after the semicolon at the end; and

(3) by adding at the end the following:

''(B) in the case of any portion of any regulation that establishes requirements for general service incandescent lamps, intermediate base incandescent lamps, or candelabra base lamps, was enacted or adopted before the date of enactment of this subparagraph, except that—

''(i) the regulation shall only be effective until the effective date of the Federal standard for the applicable lamp category under subparagraphs (A), (B), and (C) of section 325(i)(1); and

''(ii) a State may, at any time, modify or adopt a State standard for general service lamps to conform with Federal standards and effective dates.''.

SEC. 105. PROHIBITED ACTS.

Section 332(a) of the Energy Policy and Conservation Act (42 U.S.C. 6302(a)) is amended—

(1) in paragraph (4), by striking ''or'' at the end;

(2) in paragraph (5), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(6) for any manufacturer, distributor, retailer, or private labeler to distribute in commerce an adapter that—

''(A) is designed to allow an incandescent lamp that does not have a medium screw base to be installed into a fixture or lampholder with a medium screw base socket; and

''(B) has a voltage range that includes 110 and 130 volts.''.

SEC. 106. ENFORCEMENT.

Section 334 of the Energy Policy and Conservation Act (42 U.S.C. 6304) is amended by inserting after the second sentence the following: ''Any such action to restrain any person from distributing in commerce a general service incandescent lamp that does not comply with the applicable standard established under section 325(i) or an adapter prohibited under section 332(a)(6) may also be brought by the attorney general of a State in the name of the State.''.

SEC. 107. RESEARCH AND DEVELOPMENT PROGRAM.

(a) IN GENERAL.—The Secretary may carry out a lighting technology research and development program—

(1) to support the research, development, demonstration, and commercial application of lamps and related technologies sold, offered for sale, or otherwise made available in the United States; and

(2) to assist manufacturers of general service lamps in the manufacturing of general service lamps that, at a minimum, achieve

the wattage requirements imposed as a result of the amendments made by section 101.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2008 through 2013.

(c) TERMINATION OF AUTHORITY.—The program under this section shall terminate on September 30, 2015.

SEC. 108. REPORT ON MERCURY USE AND RELEASE.

Not later than 1 year after the date of enactment of this Act, the Secretary, in cooperation with the Administrator of the Environmental Protection Agency, shall submit to Congress a report describing recommendations relating to the means by which the Federal Government may reduce or prevent the release of mercury during the manufacture, transportation, storage, or disposal of light bulbs.

TITLE II—STANDARDS FOR METAL HALIDE LAMP FIXTURES

SEC. 201. DEFINITIONS.

Section 321 of the Energy Policy and Conservation Act (42 U.S.C. 6291) is amended by adding at the end the following:

''(52) BALLAST.—The term 'ballast' means a device used with an electric discharge lamp to obtain necessary circuit conditions (including voltage, current, and waveform) for starting and operating.

''(53) BALLAST EFFICIENCY.—

''(A) IN GENERAL.—The term 'ballast efficiency' means, with respect to a high intensity discharge fixture, the efficiency of a lamp and ballast combination this is equal to the percentage obtained by dividing P_{out}/P_{in}, as measured, with—

''(i) P_{out} equal to the measured operating lamp wattage; and

''(ii) P_{in} equal to the measured operating input wattage.

''(B) ADMINISTRATION.—In calculating ballast efficiency under subparagraph (A)—

''(i) the lamp and (if provided) the capacitor shall constitute a nominal system in accordance with the ANSI Standard C78.43–2004; and

''(ii) P_{in} and P_{out} shall be measured after lamps have been stabilized according to section 4.4 of ANSI Standard C82.6–2005 using a wattmeter with—

''(I) in the case of ballast with a frequency of 60 hertz, accuracy specified in section 4.5 of ANSI Standard C82.6–2005; and

''(II) in the case of ballast with a frequency greater than 60 hertz, a basic accuracy of ± 0.5 percent at the higher of 3 times the output operating frequency of the ballast, or 2 kilohertz.

''(C) MODIFICATION.—The Secretary may, by rule, modify the definition of 'ballast efficiency' if the Secretary determines that the modification is necessary or appropriate to carry out this Act.

''(54) ELECTRONIC BALLAST.—The term 'electronic ballast' means a device that use semiconductors as the primary means to control lamp starting and operation.

''(55) GENERAL LIGHTING APPLICATION.—The term 'general lighting application' means lighting that provides an interior or exterior area with overall illumination.

''(56) METAL HALIDE BALLAST.—The term 'metal halide ballast' means a ballast that is used to start and operate metal halide lamps.

''(57) METAL HALIDE LAMP.—The term 'metal halide lamp' means a high intensity discharge lamp with the major portion of the light produced by radiation of metal halides and the products of dissociation of metal halides, possibly in combination with metallic vapors.

''(58) METAL HALIDE LAMP FIXTURE.—The term 'metal halide lamp fixture' means a light fixture for general lighting application that is designed to be operated with a metal halide lamp and a ballast for a metal halide lamp.

''(59) PROBE-START METAL HALIDE BALLAST.—The term 'probe-start metal halide ballast' means a ballast that—

''(A) starts a probe-start metal halide lamp that contains a third starting electrode (probe) in the arc tube; and

''(B) does not generally contain an igniter and instead starts lamps with high ballast open circuit voltage.

''(60) PULSE-START METAL HALIDE BALLAST.—The term 'pulse-start metal halide ballast' means an electronic or electromagnetic ballast that starts a pulse start metal halide lamp with high voltage pulses, with—

''(A) the lamp started by first providing a high voltage pulse for ionization of the gas to produce a glow discharge; and

''(B) to complete the starting process, power provided by the ballast to sustain the discharge through the glow-to-arc transition.''.

SEC. 202. COVERAGE.

Section 322(a) of the Energy Policy and Conservation Act (42 U.S.C. 6292(a)) is amended—

(1) by redesignating paragraph (19) as paragraph (20); and

(2) by inserting after paragraph (18) the following:

''(19) Metal halide lamp fixture.''.

SEC. 203. TEST PROCEDURES.

Section 323(b) of the Energy Policy and Conservation Act (42 U.S.C. 6293(b)) is amended by adding at the end the following:

''(17) METAL HALIDE LAMP BALLASTS.—Test procedures for metal halide lamp ballasts shall be based on ANSI Standard C82.6–2005, entitled 'Ballasts for High Intensity Discharge Lamps—Method of Measurement'.''.

SEC. 204. LABELING.

Section 324(a)(2) of the Energy Policy and Conservation Act (42 U.S.C. 6293(b)) is amended by adding at the end the following:

''(H) METAL HALIDE LAMP FIXTURES.—

''(i) IN GENERAL.—The Commission shall prescribe labeling rules under this section applicable to the covered product specified in section 322(a)(19) and to which standards are applicable under section 325.

''(ii) LABELING.—The rules shall provide that the labeling of any metal halide lamp fixture manufactured on or after the later of January 1, 2009, or the date that is 270 days after the date of enactment of this subparagraph, shall indicate conspicuously, in a manner prescribed by the Commission under subsection (b) by July 1, 2008, a capital letter 'E' printed within a circle on the packaging of the fixture, and on the ballast contained in the fixture.''.

SEC. 205. ENERGY CONSERVATION STANDARDS.

Section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295) is amended—

(1) by redesignating subsection (gg) as subsection (hh);

(2) by inserting after subsection (ff) the following:

''(gg) STANDARDS FOR METAL HALIDE LAMP FIXTURES.—

''(1) IN GENERAL.—Subject to paragraphs (2) through (5), a metal halide lamp fixture designed to be operated with a lamp that is rated greater than or equal to 150 watts, but less than or equal to 500 watts, shall contain—

''(A) a pulse-start metal halide ballast with a minimum ballast efficiency of 88 percent;

''(B) a magnetic probe-start ballast with a minimum ballast efficiency of 94 percent; or

''(C) a non-pulse-start electronic ballast with a minimum ballast efficiency of—

''(i) 92 percent for wattages greater than 250 watts; and

''(ii) 90 percent for wattages less than or equal to 250 watts.

''(2) EXCEPTIONS.—The standards established under paragraph (1) shall not apply to—

''(A) fixtures with regulated lag ballasts;

''(B) fixtures that use electronic ballasts that operate at 480 volts; or

''(C) fixtures that—

''(i) are rated only for 150 watt lamps;

''(ii) are rated for use in wet locations, as specified by section 410.4(A) of the National Electrical Code (2002); and

''(iii) contain a ballast that is rated to operate at ambient air temperatures above 50° celsius, as specified by UL 1029–2001.

''(3) AMENDED STANDARDS.—

''(A) PRODUCTS MANUFACTURED AFTER JANUARY 1, 2015.—

''(i) IN GENERAL.—Not later than January 1, 2012, the Secretary shall publish a final rule to determine whether the standards established under paragraph (1) should be amended.

''(ii) ADMINISTRATION.—The final rule shall—

''(I) contain the amended standards, if any; and

''(II) apply to products manufactured after January 1, 2015.

''(B) PRODUCTS MANUFACTURED AFTER JANUARY 1, 2022.—

''(i) IN GENERAL.—Not later than January 1, 2019, the Secretary shall publish a final rule to determine whether the standards then in effect should be amended.

''(ii) ADMINISTRATION.—The final rule shall—

''(I) contain the amended standards, if any; and

''(II) apply to products manufactured after January 1, 2022.

''(4) DESIGN AND PERFORMANCE REQUIREMENTS.—Notwithstanding any other provision of law, any standard established under this subsection may contain both design and performance requirements.

''(5) EFFECTIVE DATE.—The standards established under paragraph (1) shall apply to metal halide lamp fixtures manufactured on or after the later of—

''(A) January 1, 2009; or

''(B) the date that is 270 days after the date of enactment of the Energy Efficient Lighting for a Brighter Tomorrow Act of 2007.''; and

(3) in paragraph (2) of subsection (hh) (as redesignated by paragraph (1)), by striking ''(ff)'' each place it appears and inserting ''(gg)''.

SEC. 206. EFFECT ON OTHER LAW.

Section 327(c) of the Energy Policy and Conservation Act (42 U.S.C. 6297(c)) is amended—

(1) in paragraph (6), by striking ''or'' after the semicolon at the end;

(2) in paragraph (8), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(9) is a regulation concerning metal halide lamp fixtures adopted by the California Energy Commission on or before January 1, 2011, except that (notwithstanding any other provision of this section)—

''(A) if the Secretary fails to issue a final rule within the 180-day period beginning on the date of the deadline for rulemaking under section 325(gg)(3)(A)(i), preemption shall not apply to a regulation concerning metal halide lamp fixtures adopted by the California Energy Commission on or before July 1, 2015; or

''(B) if the Secretary fails to issue a final rule within the 180-day period beginning on the deadline specified in section 325(gg)(3)(B)(i), preemption shall not apply to a regulation concerning metal halide lamp

fixtures adopted by the California Energy Commission or on or before July 1, 2022.''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2656. Mr. REED (for himself and Mrs. HUTCHISON) proposed an amendment to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

SA 2657. Mr. LAUTENBERG (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2658. Mr. OBAMA submitted an amendment intended to be proposed by him to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2659. Mr. OBAMA submitted an amendment intended to be proposed by him to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2660. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2661. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2642, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2656. Mr. REED (for himself and Mrs. HUTCHISON) proposed an amendment to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $3,928,149,000, to remain available until September 30, 2012: *Provided*, That of this amount, not to exceed $317,149,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $2,168,315,000, to remain available until September 30, 2012: *Provided*, That of this amount, not to exceed $115,258,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,048,518,000, to remain available until September 30, 2012: *Provided*, That of this amount, not to exceed $64,958,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $1,758,755,000, to remain available until September 30, 2012: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed $154,728,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $478,836,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $228,995,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $138,424,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $59,150,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

(INCLUDING RESCISSION OF FUNDS)

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $27,559,000, to remain available until September 30, 2012: *Provided*, That of the funds appropriated for ''Military Construction, Air Force Reserve'' under Public Law 109–114, $3,100,000 are hereby rescinded.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $201,400,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $419,400,000, to remain available until September 30, 2012.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $742,920,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $288,329,000, to remain available until September 30, 2012.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $371,404,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $362,747,000, to remain available until September 30, 2012.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and

insurance premiums, as authorized by law, $688,335,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $48,848,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $500,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, $104,176,000, to remain available until September 30, 2012, which shall be only for the Assembled Chemical Weapons Alternatives program.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $320,689,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $8,174,315,000, to remain available until expended: *Provided*, That funds made available under this heading for the construction of facilities are subject to the notification and reprogramming requirements applicable to military construction projects under section 2853 of title 10, United States Code, and section 0703 of the Department of Defense Financial Management Regulation of December 1996, including the requirement to obtain the approval of the congressional defense committees prior to executing certain reprogramming actions.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea if that country has not increased its defense spending by at least 3 percent in calendar year 2005, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $750,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year.

(INCLUDING TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

SEC. 118. (a) The Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committees on Appropriations of both Houses of Congress, by February 15 of each year, an annual report on actions taken by the Department of Defense and the Department of State during the previous fiscal year to encourage host countries to assume a greater share of the common defense burden of such countries and the United States.

(b) The report under subsection (a) shall include a description of—

(1) attempts to secure cash and in-kind contributions from host countries for military construction projects;

(2) attempts to achieve economic incentives offered by host countries to encourage private investment for the benefit of the United States Armed Forces;

(3) attempts to recover funds due to be paid to the United States by host countries for assets deeded or otherwise imparted to host countries upon the cessation of United States operations at military installations;

(4) the amount spent by host countries on defense, in dollars and in terms of the percent of gross domestic product (GDP) of the host country; and

(5) for host countries that are members of the North Atlantic Treaty Organization (NATO), the amount contributed to NATO by host countries, in dollars and in terms of the percent of the total NATO budget.

(c) In this section, the term ''host country'' means other member countries of NATO, Japan, South Korea, and United States allies bordering the Arabian Sea.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 120. Subject to 30 days prior notification to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in ''Military Construction'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 121. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(INCLUDING TRANSFER OF FUNDS)

SEC. 122. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 123. Notwithstanding this or any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year: *Provided further*, That nothing in this section precludes the Secretary of a military department, after notifying the congressional defense committees and waiting 21 days, from using funds derived under section 2601, chapter 403, chapter 603, or chapter 903 of title 10, United States Code, for the maintenance or repair of general and flag officer quarters at the military service academy under the jurisdiction of that Secretary: *Provided further*, That each Secretary of a military department shall provide an annual report by February 15 to the congressional defense committees on the amount of funds that were derived under section 2601, chapter 403, chapter 603, or chapter 903 of title 10, United States Code, in the previous year and were obligated for the construction, improvement, repair, or maintenance of any military facility or infrastructure.

SEC. 124. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 125. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: *Provided*, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

SEC. 126. Funds made available by this title for the construction of facilities identified in the State table of the report accompanying this Act as ''Grow the Force'' projects are subject to the notification and reprogramming requirements applicable to military construction projects under section 2853 of title 10, United States Code, and section 0703 of the Department of Defense Financial Management Regulation of December 1996, including the requirement to obtain the approval of the congressional defense committees prior to executing certain reprogramming actions.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS PROGRAMS

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 540 et seq.) and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), $41,236,322,000, to remain available until expended: *Provided*, That not to exceed $28,583,000 of the amount appropriated under this heading shall be reimbursed to ''General operating expenses'' and ''Medical administration'' for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical care collections fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), $3,300,289,000, to remain available until expended: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5), and (11) of that section, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by title 38, United States Code, chapter 19; 70 Stat. 887; 72 Stat. 487, $41,250,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That during fiscal year 2008, within the resources available, not to exceed

$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $154,562,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $71,000, as authorized by chapter 31 of title 38, United States Code: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,287,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $311,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $628,000.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by subchapter VI of chapter 37 of title 38, United States Code, not to exceed $750,000 of the amounts appropriated by this Act for ''General operating expenses'' and ''Medical services'' may be expended.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, food services, and salaries and expenses of health-care employees hired under title 38, United States Code, and aid to State homes as authorized by section 1741 of title 38, United States Code; $28,979,220,000, plus reimbursements: *Provided,* That of the funds made available under this heading, not to exceed $1,350,000,000 shall remain available until September 30, 2009: *Provided further,* That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for treatment for veterans who are service-connected disabled, lower income, or have special needs: *Provided further,* That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further,* That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further,* That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: *Provided further,* That for the Department of Defense/Department of Veterans Affairs Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, a minimum of $15,000,000, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

MEDICAL ADMINISTRATION

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.): $3,642,000,000, plus reimbursements, of which $250,000,000 shall remain available until September 30, 2009.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities and other necessary facilities for the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering and architectural activities not charged to project costs; for repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, $4,092,000,000, plus reimbursements, of which $350,000,000 shall remain available until September 30, 2009: *Provided,* That not less than $350,000,000 for non-recurring maintenance provided under this heading shall be allocated in a manner not subject to the Veterans Equitable Resource Allocation.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, $500,000,000, plus reimbursements, to remain available until September 30, 2009.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; and hire of passenger motor vehicles, $217,709,000, of which not to exceed $25,000,000 shall remain available until September 30, 2009.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, $1,612,031,000: *Provided,* That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further,* That the Veterans Benefits Administration shall be funded at not less than $1,329,044,000: *Provided further,* That of the funds made available under this heading, not to exceed $75,000,000 shall be available for obligation until September 30, 2009: *Provided further,* That from the funds made available under this heading, the Veterans Benefits Administration may purchase up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978, $88,700,000, of which $3,630,000 shall remain available until September 30, 2009.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $727,400,000, to remain available until expended, of which $2,000,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims paid for contract disputes: *Provided,* That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, such as portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund and CARES funds, including needs assessments which may or may not lead to capital investments, none of the funds appropriated under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further,* That funds provided in this appropriation for fiscal year 2008, for each approved project (except those for CARES activities referenced above) shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2008; and (2) by the awarding of a construction contract by September 30, 2009: *Provided further,* That the Secretary of Veterans Affairs shall promptly report in writing to the Committees on Appropriations of both Houses of Congress any approved major construction project in which obligations are not incurred within the time limitations established above.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of

needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $751,398,000, to remain available until expended, along with unobligated balances of previous ''Construction, minor projects'' appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131–8137 of title 38, United States Code, $250,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by section 2408 of title 38, United States Code, $100,000,000, to remain available until expended.

INFORMATION TECHNOLOGY SYSTEMS

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; including pay and associated cost for operations and maintenance associated staff; for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by chapter 3109 of title 5, United States Code, $1,898,000,000, to remain available until September 30, 2009: *Provided,* That none of these funds may be obligated until the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget; (2) complies with the Department of Veterans Affairs enterprise architecture; (3) conforms with an established enterprise life cycle methodology; and (4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: *Provided further,* That within 60 days of enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming base letter which provides, by project, the costs included in this appropriation.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2008, in this Act or any other Act, for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' may be transferred as necessary to any other of the mentioned appropriations: *Provided,* That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for fiscal year 2008, in this Act or any other Act, under the ''Medical services'', ''Medical Administration'', and ''Medical facilities'' accounts may be transferred between the accounts to the extent necessary to implement the restructuring of the Veterans Health Administration accounts: *Provided,* That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefor, as authorized by sections 5901–5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for ''Construction, major projects'', and ''Construction, minor projects'') shall be available for the purchase of any site for the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under sections 7901–7904 of title 5, United States Code or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of cost is made to the ''Medical services'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2007.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable from ''Compensation and pensions''.

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2008, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the ''General operating expenses'' account for the cost of administration of the insurance programs financed through those accounts: *Provided,* That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2008 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further,* That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further,* That the Secretary shall determine the cost of administration for fiscal year 2008 which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs but not exceed $32,067,000 for the Office of Resolution Management and $3,148,000 for the Office of Employment and Discrimination Complaint Adjudication: *Provided,* That payments may be made in advance for services to be furnished based on estimated costs: *Provided further,* That amounts received shall be credited to ''General operating expenses'' for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided,* That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further,* That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, at the discretion of the Secretary of Veterans Affairs, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the ''Construction, major projects'' and ''Construction, minor projects'' accounts and be used for construction (including site acquisition and disposition), alterations and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in ''Construction, major projects'' and ''Construction, minor projects''.

SEC. 214. Amounts made available under ''Medical services'' are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to ''Medical services'', to remain available until expended for the purposes of this account.

SEC. 216. Notwithstanding any other provision of law, the Secretary of Veterans Affairs shall allow veterans eligible under existing Department of Veterans Affairs medical care requirements and who reside in Alaska to obtain medical care services from medical facilities supported by the Indian Health Service or tribal organizations. The Secretary shall: (1) limit the application of this provision to rural Alaskan veterans in areas where an existing Department of Veterans Affairs facility or Veterans Affairs-contracted service is unavailable; (2) require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary; (3) require this provision to be consistent with Capital Asset Realignment for Enhanced Services activities; and (4) result in no additional cost to the Department of Veterans Affairs or the Indian Health Service.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the ''Construction, major projects'' and ''Construction, minor projects'' accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this Act may be used to implement any policy prohibiting the Directors of the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the ''Medical services'', ''Medical Administration'', ''Medical facilities'', ''General operating expenses'', and ''National Cemetery Administration'' accounts for fiscal year 2008, may be transferred to or from the ''Information technology systems'' account: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. For purposes of perfecting the funding sources of the Department of Veterans Affairs' new ''Information technology systems'' account, funds made available for fiscal year 2008, in this or any other Act, may be transferred from the ''General operating expenses'', ''National Cemetery Administration'', and ''Office of Inspector General'' accounts to the ''Medical services'' account: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Amounts made available for the ''Information technology systems'' account may be transferred between projects: *Provided*, That no project may be increased or decreased by more than $1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

SEC. 223. None of the funds available to the Department of Veterans Affairs, in this Act, or any other Act, may be used to replace the current system by which the Veterans Integrated Services Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 224. Of the amounts made available for fiscal year 2008, in this Act or any other Act, under the ''Medical Facilities'' account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last two months of the fiscal year.

SEC. 225. PROHIBITION ON DISPOSAL OF DEPARTMENT OF VETERANS AFFAIRS LANDS AND IMPROVEMENTS AT WEST LOS ANGELES MEDICAL CENTER, CALIFORNIA. (a) IN GENERAL.—The Secretary of Veterans Affairs may not declare as excess to the needs of the Department of Veterans Affairs, or otherwise take any action to exchange, trade, auction, transfer, or otherwise dispose of, or reduce the acreage of, Federal land and improvements at the Department of Veterans Affairs West Los Angeles Medical Center, California, encompassing approximately 388 acres on the north and south sides of Wilshire Boulevard and west of the 405 Freeway.

(b) SPECIAL PROVISION REGARDING LEASE WITH REPRESENTATIVE OF THE HOMELESS.—Notwithstanding any provision of this Act, section 7 of the Homeless Veterans Comprehensive Services Act of 1992 (Public Law 102–590) shall remain in effect.

(c) CONFORMING AMENDMENT.—Section 8162(c)(1) of title 38, United States Code, is amended—

(1) by inserting ''or section 225(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008'' after ''section 421(b)(2) of the Veterans' Benefits and Services Act of 1988 (Public Law 100–322; 102 Stat. 553)''; and

(2) by striking ''that section'' and inserting ''such sections''.

(d) EFFECTIVE DATE.—This section, including the amendment made by this section, shall apply with respect to fiscal year 2008 and each fiscal year thereafter.

SEC. 226. The Department shall continue research into Gulf War Illness at levels not less than those made available in fiscal year 2007, within available funds contained in this Act.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $45,600,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, $11,000,000, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251–7298 of title 38, United States Code, $24,217,000: *Provided*, That $1,120,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed $1,000 for official reception and representation expenses, $31,865,000, to remain available until expended. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the Lease of Department of Defense Real Property for Defense Agencies account.

Funds appropriated under this Act may be provided to Arlington County, Virginia, for the relocation of the federally-owned watermain at Arlington National Cemetery making additional land available for ground burials.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $55,724,000.

GENERAL FUND PAYMENT, ARMED FORCES RETIREMENT HOME

For payment to the ''Armed Forces Retirement Home'', $5,900,000, to remain available until expended.

ADMINISTRATIVE PROVISION

SEC. 301. None of the funds in this title under the heading ''American Battle Monuments Commission'' shall be available for the Capital Security Costs Sharing program.

TITLE IV

GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. Such sums as may be necessary for fiscal year 2008 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 403. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 404. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 405. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of ''E-Commerce'' technologies and procedures in the conduct of their business practices and public service activities.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 407. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

This Act may be cited as the ''Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008''.

SA 2657. Mr. LAUTENBERG (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 4 and 5, insert the following:

SEC. 127. No funds appropriated or otherwise made available by this Act may be obligated or expended for the removal of assets or personnel from Fort Monmouth, New Jersey, in connection with the 2005 round of defense base closure and realignment until the Secretary of the Army submits to the appropriate committees of Congress, in accordance with the recommendation of the 2005 Defense Base Closure and Realignment Commission relating to Fort Monmouth, a report on whether the ''movement of organizations, functions, or activities from Fort Monmouth to Aberdeen Proving Ground will be accomplished without disruption of their support to the Global War on Terrorism or other critical contingency operations and that safeguards exist to ensure that necessary redundant capabilities are put in place to mitigate potential degradation of such support, and to ensure maximum retention of critical workforce''.

SA 2658. Mr. OBAMA submitted an amendment intended to be proposed by her to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 50, between lines 17 and 18, insert the following:

SEC. 408. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default or the assessment is the subject of a non-frivolous administrative or judicial appeal.

SA 2659. Mr. OBAMA submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 50, between lines 17 and 18, insert the following:

SEC. 408. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the agency awarding the contract or grant includes information on its Internet website regarding whether the contract or grant recipient has been the subject of any civil, criminal, or administrative proceedings initiated or concluded by the Federal Government or any State government during the most recent 5-year period.

SA 2660. Mrs. MCCASKILL submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. (a) ANONYMOUS REPORTING OF WASTE, FRAUD, OR ABUSE.—Not later than 30 days after the date of the enactment of this Act, the Inspector General of the Department of Veterans Affairs shall establish and maintain on the homepage of the Internet website of the Office of Inspector General a mechanism by which individuals can anonymously report cases of waste, fraud, or abuse with respect to the Department of Veterans Affairs.

(b) LINK TO OFFICE OF INSPECTOR GENERAL FROM HOMEPAGE OF DEPARTMENT OF VETERANS AFFAIRS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish and maintain on the homepage of the Internet website of the Department of Veterans Affairs a direct link to the Internet website of the Office of Inspector General of the Department of Veterans Affairs.

SA 2661. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 50, between lines 17 and 18, insert the following:

SEC. 408. (a) ASSESSMENT OF MENTAL HEALTH CARE SERVICES FOR FEMALE SERVICEMEMBERS AND VETERANS.—The Comptroller General of the United States shall conduct an assessment of the adequacy of the mental health care services provided by the Department of Veterans Affairs and the Department of Defense to female members of the Armed Forces and female veterans to meet the mental health care needs of such members and veterans.

(b) REPORT.—Not later than September 1, 2008, the Comptroller General shall submit to the Subcommittees referred to in section 407 a report on the assessment required by subsection (a).

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before Committee on Energy and Natural Resources Subcommittee on National Parks.

The hearing will be held on September 11, 2007, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills: S. 127, to amend the Great Sand Dunes National Park and Preserve Act of 2000 to explain the purpose and provide for the administration of the Baca National Wildlife Refuge; S. 327 and H.R. 359, to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement; S. 868, to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System; S. 1051, to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia at Constitution Gardens previously approved to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution; S. 1184 and H.R. 1021, to direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System, and for other purposes; S. 1247, to amend the Weir Farm National Historic Site Establishment Act of 1990 to limit the development of any property acquired by the Secretary of the Interior for the development of visitor and administrative facilities for the Weir Farm National Historic Site, and for other purposes; S. 1304, to amend the National Trails System Act to designate the Arizona National Scenic Trail; S. 1329, to extend the Acadia National Park Advisory Commission, to provide improved visitor services at the park, and for other purposes; H.R. 759, to redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the ''Bob Hope Memorial Library''; and

H.R. 807, to direct the Secretary of the Interior to conduct a special resource study to determine the feasibility and suitability of establishing a memorial to the Space Shuttle Columbia in the State of Texas and for its inclusion as a unit of the National Park System.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington DC 20510–6150, or by email to rachel_pasternack@energy.senate.gov.

For further information, please contact David Brooks at (202) 224–9863 or Rachel Pasternack at (202) Q24–0883.

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. FEINSTEIN. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, September 12, 2007, at 10 a.m., to conduct a hearing on the Nomination of Robert C. Tapella of Virginia, to be Public Printer, Government Printing Office.

For further information regarding this hearing, please contact Howard Gantman at the Rules and Administration Committee, 224–6352.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, September 4, 2007 at 2 p.m. in executive session to continue to receive information relating to the treatment of detainees.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, September 4, 2007, at 2 p.m., in room 419 of the Dirksen Senate Office Building, to hear testimony from the Government Accountability Office on the situation in Iraq.

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

PRIVILEGES OF THE FLOOR

Mrs. HUTCHISON. Mr. President, at this time I ask unanimous consent that Yvonne Stone, a Presidential management fellow assigned to the Appropriations Committee from the Department of Veterans Affairs and a staff member of the committee, be granted floor privileges for the duration of the debate on this bill.

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

Mr. CORNYN. Mr. President, I ask unanimous consent that a member of my staff, Leah McCoy, be granted the privilege of the floor until November 29, 2007.

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

SMALL BUSINESS DISASTER RESPONSE AND LOAN IMPROVEMENT ACT OF 2007

On Friday, August 3, 2007, the Senate Passed S. 163, as amended, as follows:

S. 163

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Small Business Disaster Response and Loan Improvements Act of 2007''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Extension of program authority.

TITLE I—DISASTER PLANNING AND RESPONSE

Sec. 101. Disaster loans to nonprofits.
Sec. 102. Disaster loan amounts.
Sec. 103. Small business development center portability grants.
Sec. 104. Assistance to out-of-State businesses.
Sec. 105. Outreach programs.
Sec. 106. Small business bonding threshold.
Sec. 107. Termination of program.
Sec. 108. Increasing collateral requirements.
Sec. 109. Public awareness of disaster declaration and application periods.
Sec. 110. Consistency between Administration regulations and standard operating procedures.
Sec. 111. Processing disaster loans.
Sec. 112. Development and implementation of major disaster response plan.
Sec. 113. Disaster planning responsibilities.
Sec. 114. Additional authority for district offices of the Administration.
Sec. 115. Assignment of employees of the Office of Disaster Assistance and Disaster Cadre.

TITLE II—DISASTER LENDING

Sec. 201. Catastrophic national disaster declaration.
Sec. 202. Private disaster loans.
Sec. 203. Technical and conforming amendments.
Sec. 204. Expedited disaster assistance loan program.
Sec. 205. HUBZones.

TITLE III—DISASTER ASSISTANCE OVERSIGHT

Sec. 301. Congressional oversight.

SEC. 2. DEFINITIONS.

In this Act—

(1) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(2) the term ''catastrophic national disaster'' means a catastrophic national disaster declared under section 7(b)(11) of the Small Business Act (15 U.S.C. 636(b)), as added by this Act;

(3) the term ''declared disaster'' means a major disaster or a catastrophic national disaster;

(4) the term ''disaster area'' means an area affected by a natural or other disaster, as determined for purposes of paragraph (1) or (2) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)), during the period of such declaration;

(5) the term ''disaster loan program of the Administration'' means assistance under section 7(b) of the Small Business Act (15 U.S.C. 636(b));

(6) the term ''disaster update period'' means the period beginning on the date on which the President declares a major disaster or a catastrophic national disaster and ending on the date on which such declaration terminates;

(7) the term ''major disaster'' has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122);

(8) the term ''small business concern'' has the same meaning as in section 3 of the Small Business Act (15 U.S.C. 632); and

(9) the term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, and any territory or possession of the United States.

SEC. 3. EXTENSION OF PROGRAM AUTHORITY.

(a) IN GENERAL.—Section 1 of the Act entitled ''An Act to extend temporarily certain authorities of the Small Business Administration'', approved October 10, 2006 (Public Law 109–316; 120 Stat. 1742), is amended by striking ''July 31, 2007'' each place it appears and inserting ''October 31, 2007''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on July 31, 2007.

TITLE I—DISASTER PLANNING AND RESPONSE

SEC. 101. DISASTER LOANS TO NONPROFITS.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting immediately after paragraph (3) the following:

''(4) LOANS TO NONPROFITS.—In addition to any other loan authorized by this subsection, the Administrator may make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administrator determines appropriate to a nonprofit organization located or operating in an area affected by a natural or other disaster, as determined under paragraph (1) or (2), or providing services to persons who have evacuated from any such area.''.

SEC. 102. DISASTER LOAN AMOUNTS.

(a) INCREASED LOAN CAPS.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting immediately after paragraph (4), as added by this title, the following:

''(5) INCREASED LOAN CAPS.—

''(A) AGGREGATE LOAN AMOUNTS.—Except as provided in subparagraph (B), and notwithstanding any other provision of law, the aggregate loan amount outstanding and committed to a borrower under this subsection may not exceed $2,000,000.

''(B) WAIVER AUTHORITY.—The Administrator may, at the discretion of the Administrator, increase the aggregate loan amount under subparagraph (A) for loans relating to a disaster to a level established by the Administrator, based on appropriate economic indicators for the region in which that disaster occurred.''.

(b) DISASTER MITIGATION.—

(1) IN GENERAL.—Section 7(b)(1)(A) of the Small Business Act (15 U.S.C. 636(b)(1)(A)) is amended by inserting ''of the aggregate costs of such damage or destruction (whether or not compensated for by insurance or otherwise)'' after ''20 per centum''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to a loan or guarantee made after the date of enactment of this Act.

(c) TECHNICAL AMENDMENTS.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended—

(1) in the matter preceding paragraph (1), by striking ''the, Administration'' and inserting ''the Administration'';

(2) in paragraph (2)(A), by striking ''Disaster Relief and Emergency Assistance Act'' and inserting ''Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) (in this subsection referred to as a 'major disaster')''; and

(3) in the undesignated matter at the end—

(A) by striking '', (2), and (4)'' and inserting ''and (2)''; and

(B) by striking '', (2), or (4)'' and inserting ''(2)''.

SEC. 103. SMALL BUSINESS DEVELOPMENT CENTER PORTABILITY GRANTS.

Section 21(a)(4)(C)(viii) of the Small Business Act (15 U.S.C. 648(a)(4)(C)(viii)) is amended—

(1) in the first sentence, by striking ''as a result of a business or government facility down sizing or closing, which has resulted in the loss of jobs or small business instability'' and inserting ''due to events that have resulted or will result in, business or government facility downsizing or closing''; and

(2) by adding at the end ''At the discretion of the Administrator, the Administrator may make an award greater than $100,000 to a recipient to accommodate extraordinary occurrences having a catastrophic impact on the small business concerns in a community.''.

SEC. 104. ASSISTANCE TO OUT-OF-STATE BUSINESSES.

Section 21(b)(3) of the Small Business Act (15 U.S.C. 648(b)(3)) is amended—

(1) by striking ''At the discretion'' and inserting the following: ''SMALL BUSINESS DEVELOPMENT CENTERS.—

''(A) IN GENERAL.—At the discretion''; and

(2) by adding at the end the following:

''(B) DURING DISASTERS.—

''(i) IN GENERAL.—At the discretion of the Administrator, the Administrator may authorize a small business development center to provide such assistance to small business concerns located outside of the State, without regard to geographic proximity, if the small business concerns are located in a disaster area declared under section 7(b)(2)(A).

''(ii) CONTINUITY OF SERVICES.—A small business development center that provides counselors to an area described in clause (i) shall, to the maximum extent practicable, ensure continuity of services in any State in which such small business development center otherwise provides services.

''(iii) ACCESS TO DISASTER RECOVERY FACILITIES.—For purposes of providing disaster recovery assistance under this subparagraph, the Administrator shall, to the maximum extent practicable, permit small business development center personnel to use any site or facility designated by the Administrator for use to provide disaster recovery assistance.''.

SEC. 105. OUTREACH PROGRAMS.

(a) IN GENERAL.—Not later than 30 days after the date of the declaration of a disaster area, the Administrator may establish a contracting outreach and technical assistance program for small business concerns which have had a primary place of business in, or other significant presence in, such disaster area.

(b) ADMINISTRATOR ACTION.—The Administrator may carry out subsection (a) by acting through—

(1) the Administration;

(2) the Federal agency small business officials designated under section 15(k)(1) of the Small Business Act (15 U.S.C. 644(k)(1)); or

(3) any Federal, State, or local government entity, higher education institution, procurement technical assistance center, or private nonprofit organization that the Administrator may determine appropriate, upon conclusion of a memorandum of understanding or assistance agreement, as appropriate, with the Administrator.

SEC. 106. SMALL BUSINESS BONDING THRESHOLD.

(a) IN GENERAL.—Except as provided in subsection (b), and notwithstanding any other provision of law, for any procurement related to a major disaster, the Administrator may, upon such terms and conditions as the Administrator may prescribe, guarantee and enter into commitments to guarantee any surety against loss resulting from a breach of the terms of a bid bond, payment bond, performance bond, or bonds ancillary thereto, by a principal on any total work order or contract amount at the time of bond execution that does not exceed $5,000,000.

(b) INCREASE OF AMOUNT.—Upon request of the head of any Federal agency other than the Administration involved in reconstruction efforts in response to a major disaster, the Administrator may guarantee and enter into a commitment to guarantee any security against loss under subsection (a) on any total work order or contract amount at the time of bond execution that does not exceed $10,000,000.

SEC. 107. TERMINATION OF PROGRAM.

Section 711(c) of the Small Business Competitive Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended by inserting after ''January 1, 1989'' the following: '', and shall terminate on the date of enactment of the Small Business Disaster Response and Loan Improvements Act of 2007''.

SEC. 108. INCREASING COLLATERAL REQUIREMENTS.

Section 7(c)(6) of the Small Business Act (15 U.S.C. 636(c)(6)) is amended by striking ''$10,000 or less'' and inserting ''$14,000 or less (or such higher amount as the Administrator determines appropriate in the event of a catastrophic national disaster declared under subsection (b)(11))''.

SEC. 109. PUBLIC AWARENESS OF DISASTER DECLARATION AND APPLICATION PERIODS.

(a) IN GENERAL.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting immediately after paragraph (5), as added by this Act, the following:

''(6) COORDINATION WITH FEMA.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, for any disaster (including a catastrophic national disaster) declared under this subsection or major disaster, the Administrator, in consultation with the Administrator of the Federal Emergency Management Agency, shall ensure, to the maximum extent practicable, that all application periods for disaster relief under this Act correspond with application deadlines established under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), or as extended by the President.

''(B) DEADLINES.—Notwithstanding any other provision of law, not later than 10 days before the closing date of an application period for a major disaster (including a catastrophic national disaster), the Administrator, in consultation with the Administrator of the Federal Emergency Management Agency, shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report that includes—

''(i) the deadline for submitting applications for assistance under this Act relating to that major disaster;

''(ii) information regarding the number of loan applications and disbursements processed by the Administrator relating to that major disaster for each day during the period beginning on the date on which that major disaster was declared and ending on the date of that report; and

''(iii) an estimate of the number of potential applicants that have not submitted an application relating to that major disaster.

''(7) PUBLIC AWARENESS OF DISASTERS.—If a disaster (including a catastrophic national disaster) is declared under this subsection, the Administrator shall make every effort to communicate through radio, television, print, and web-based outlets, all relevant information needed by disaster loan applicants, including—

''(A) the date of such declaration;

''(B) cities and towns within the area of such declaration;

''(C) loan application deadlines related to such disaster;

''(D) all relevant contact information for victim services available through the Administration (including links to small business development center websites);

''(E) links to relevant Federal and State disaster assistance websites, including links to websites providing information regarding assistance available from the Federal Emergency Management Agency;

''(F) information on eligibility criteria for Administration loan programs, including where such applications can be found; and

''(G) application materials that clearly state the function of the Administration as the Federal source of disaster loans for homeowners and renters.''.

(b) MARKETING AND OUTREACH.—Not later than 90 days after the date of enactment of this Act, the Administrator shall create a marketing and outreach plan that—

(1) encourages a proactive approach to the disaster relief efforts of the Administration;

(2) makes clear the services provided by the Administration, including contact information, application information, and timelines for submitting applications, the review of applications, and the disbursement of funds;

(3) describes the different disaster loan programs of the Administration, including how they are made available and the eligibility requirements for each loan program;

(4) provides for regional marketing, focusing on disasters occurring in each region before the date of enactment of this Act, and likely scenarios for disasters in each such region; and

(5) ensures that the marketing plan is made available at small business development centers and on the website of the Administration.

SEC. 110. CONSISTENCY BETWEEN ADMINISTRATION REGULATIONS AND STANDARD OPERATING PROCEDURES.

(a) IN GENERAL.—The Administrator shall, promptly following the date of enactment of this Act, conduct a study of whether the standard operating procedures of the Administration for loans offered under section 7(b) of the Small Business Act (15 U.S.C. 636(b)) are consistent with the regulations of the Administration for administering the disaster loan program.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administration shall submit to Congress a report containing all findings and recommendations of the study conducted under subsection (a).

SEC. 111. PROCESSING DISASTER LOANS.

(a) AUTHORITY FOR QUALIFIED PRIVATE CONTRACTORS TO PROCESS DISASTER LOANS.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting immediately after paragraph (7), as added by this Act, the following:

''(8) AUTHORITY FOR QUALIFIED PRIVATE CONTRACTORS.—

''(A) DISASTER LOAN PROCESSING.—The Administrator may enter into an agreement with a qualified private contractor, as determined by the Administrator, to process loans under this subsection in the event of a major disaster or a catastrophic national disaster declared under paragraph (11), under which the Administrator shall pay the contractor a fee for each loan processed.

''(B) LOAN LOSS VERIFICATION SERVICES.—The Administrator may enter into an agreement with a qualified lender or loss verification professional, as determined by the Administrator, to verify losses for loans under this subsection in the event of a major disaster or a catastrophic national disaster declared under paragraph (11), under which the Administrator shall pay the lender or verification professional a fee for each loan for which such lender or verification professional verifies losses.''.

(b) COORDINATION OF EFFORTS BETWEEN THE ADMINISTRATOR AND THE INTERNAL REVENUE SERVICE TO EXPEDITE LOAN PROCESSING.—The Administrator and the Commissioner of Internal Revenue shall, to the maximum extent practicable, ensure that all relevant and allowable tax records for loan approval are shared with loan processors in an expedited manner, upon request by the Administrator.

SEC. 112. DEVELOPMENT AND IMPLEMENTATION OF MAJOR DISASTER RESPONSE PLAN.

(a) IN GENERAL.—Not later than 3 months after the date of enactment of this Act, the Administrator shall—

(1) by rule, amend the 2006 Atlantic hurricane season disaster response plan of the Administration (in this section referred to as the ''disaster response plan'') to apply to major disasters; and

(2) submit a report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives detailing the amendments to the disaster response plan.

(b) CONTENTS.—The report required under subsection (a)(2) shall include—

(1) any updates or modifications made to the disaster response plan since the report regarding the disaster response plan submitted to Congress on July 14, 2006;

(2) a description of how the Administrator plans to utilize and integrate District Office personnel of the Administration in the response to a major disaster, including information on the utilization of personnel for loan processing and loan disbursement;

(3) a description of the disaster scalability model of the Administration and on what basis or function the plan is scaled;

(4) a description of how the agency-wide Disaster Oversight Council is structured, which offices comprise its membership, and whether the Associate Deputy Administrator for Entrepreneurial Development of the Administration is a member;

(5) a description of how the Administrator plans to coordinate the disaster efforts of the Administration with State and local government officials, including recommendations on how to better incorporate State initiatives or programs, such as State-administered bridge loan programs, into the disaster response of the Administration;

(6) recommendations, if any, on how the Administration can better coordinate its disaster response operations with the operations of other Federal, State, and local entities;

(7) any surge plan for the disaster loan program of the Administration in effect on or after August 29, 2005 (including surge plans for loss verification, loan processing, mailroom, customer service or call center operations, and a continuity of operations plan);

(8) the number of full-time equivalent employees and job descriptions for the planning and disaster response staff of the Administration;

(9) the in-service and preservice training procedures for disaster response staff of the Administration;

(10) information on the logistical support plans of the Administration (including equipment and staffing needs, and detailed information on how such plans will be scalable depending on the size and scope of the major disaster;

(11) a description of the findings and recommendations of the Administrator, if any, based on a review of the response of the Administration to Hurricane Katrina of 2005, Hurricane Rita of 2005, and Hurricane Wilma of 2005; and

(12) a plan for how the Administrator, in consultation with the Administrator of the Federal Emergency Management Agency, will coordinate the provision of accommodations and necessary resources for disaster assistance personnel to effectively perform their responsibilities in the aftermath of a major disaster.

(c) EXERCISES.—Not later than 6 months after the date of the submission of the report under subsection (a)(2), the Administrator shall develop and execute simulation exercises to demonstrate the effectiveness of the amended disaster response plan required under this section.

SEC. 113. DISASTER PLANNING RESPONSIBILITIES.

(a) ASSIGNMENT OF SMALL BUSINESS ADMINISTRATION DISASTER PLANNING RESPONSIBILITIES.—The Administrator shall specifically assign the disaster planning responsibilities described in subsection (b) to an employee of the Administration who—

(1) is not an employee of the Office of Disaster Assistance of the Administration;

(2) shall report directly to the Administrator; and

(3) has a background and expertise demonstrating significant experience in the area of disaster planning.

(b) RESPONSIBILITIES.—The responsibilities described in this subsection are—

(1) creating and maintaining the comprehensive disaster response plan of the Administration;

(2) ensuring in-service and pre-service training procedures for the disaster response staff of the Administration;

(3) coordinating and directing Administration training exercises, including mock disaster responses, with other Federal agencies; and

(4) other responsibilities, as determined by the Administrator.

(c) REPORT.—Not later than 30 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report containing—

(1) a description of the actions of the Administrator to assign an employee under subsection (a);

(2) information detailing the background and expertise of the employee assigned under subsection (a); and

(3) information on the status of the implementation of the responsibilities described in subsection (b).

SEC. 114. ADDITIONAL AUTHORITY FOR DISTRICT OFFICES OF THE ADMINISTRATION.

(a) IN GENERAL.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting immediately after paragraph (8), as added by this Act, the following:

''(9) USE OF DISTRICT OFFICES.—In the event of a major disaster, the Administrator may authorize a district office of the Administration to process loans under paragraph (1) or (2).''.

(b) DESIGNATION.—

(1) IN GENERAL.—The Administrator may designate an employee in each district office of the Administration to act as a disaster loan liaison between the disaster processing center and applicants under the disaster loan program of the Administration.

(2) RESPONSIBILITIES.—Each employee designated under paragraph (1) shall—

(A) be responsible for coordinating and facilitating communications between applicants under the disaster loan program of the Administration and disaster loan processing staff regarding documentation and information required for completion of an application; and

(B) provide information to applicants under the disaster loan program of the Administration regarding additional services and benefits that may be available to such applicants to assist with recovery.

(3) OUTREACH.—In providing outreach to disaster victims following a declared disaster, the Administrator shall make disaster victims aware of—

(A) any relevant employee designated under paragraph (1); and

(B) how to contact that employee.

SEC. 115. ASSIGNMENT OF EMPLOYEES OF THE OFFICE OF DISASTER ASSISTANCE AND DISASTER CADRE.

(a) IN GENERAL.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting immediately after paragraph (9), as added by this Act, the following:

''(10) DISASTER ASSISTANCE EMPLOYEES.—

''(A) IN GENERAL.—In carrying out this section, the Administrator may, where practicable, ensure that the number of full-time equivalent employees—

''(i) in the Office of the Disaster Assistance is not fewer than 800; and

''(ii) in the Disaster Cadre of the Administration is not fewer than 750.

''(B) REPORT.—In carrying out this subsection, if the number of full-time employees for either the Office of Disaster Assistance or the Disaster Cadre of the Administration is below the level described in subparagraph (A) for that office, not later than 21 days after the date on which that staffing level decreased below the level described in subparagraph (A), the Administrator shall submit to the Committee on Appropriations and the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Appropriations and Committee on Small Business of the House of Representatives, a report—

''(i) detailing staffing levels on that date;

''(ii) requesting, if practicable and determined appropriate by the Administrator, additional funds for additional employees; and

''(iii) containing such additional information, as determined appropriate by the Administrator.''.

TITLE II—DISASTER LENDING

SEC. 201. CATASTROPHIC NATIONAL DISASTER DECLARATION.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting immediately after paragraph (10), as added by this Act, the following:

''(11) CATASTROPHIC NATIONAL DISASTERS.—

''(A) IN GENERAL.—The President may make a catastrophic national disaster declaration in accordance with this paragraph.

''(B) PROMULGATION OF RULES.—

''(i) IN GENERAL.—Not later than 6 months after the date of enactment of this paragraph, the Administrator, with the concurrence of the Secretary of Homeland Security

and the Administrator of the Federal Emergency Management Agency, shall promulgate regulations establishing a threshold for a catastrophic national disaster declaration.

''(ii) CONSIDERATIONS.—In promulgating the regulations required under clause (i), the Administrator shall establish a threshold that—

''(I) is similar in size and scope to the events relating to the terrorist attacks of September 11, 2001, and Hurricane Katrina of 2005;

''(II) requires that the President declares a major disaster before making a catastrophic national disaster declaration under this paragraph;

''(III) requires consideration of—

''(aa) the dollar amount per capita of damage to the State, its political subdivisions, or a region;

''(bb) the number of small business concerns damaged, physically or economically, as a direct result of the event;

''(cc) the number of individuals and households displaced from their predisaster residences by the event;

''(dd) the severity of the impact on employment rates in the State, its political subdivisions, or a region;

''(ee) the anticipated length and difficulty of the recovery process;

''(ff) whether the events leading to the relevant major disaster declaration are of an unusually large and calamitous nature that is orders of magnitude larger than for an average major disaster; and

''(gg) any other factor determined relevant by the Administrator.

''(C) AUTHORIZATION.—If the President makes a catastrophic national disaster declaration under this paragraph, the Administrator may make such loans under this paragraph (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administrator determines appropriate to small business concerns located anywhere in the United States that are economically adversely impacted as a result of that catastrophic national disaster.

''(D) LOAN TERMS.—A loan under this paragraph shall be made on the same terms as a loan under paragraph (2).''.

SEC. 202. PRIVATE DISASTER LOANS.

(a) IN GENERAL.—Section 7 of the Small Business Act (15 U.S.C. 636) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c) PRIVATE DISASTER LOANS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'disaster area' means any area for which the President declared a major disaster (as that term is defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) that subsequently results in the President making a catastrophic national disaster declaration under subsection (b)(11);

''(B) the term 'eligible small business concern' means a business concern that is—

''(i) a small business concern, as defined in this Act; or

''(ii) a small business concern, as defined in section 103 of the Small Business Investment Act of 1958; and

''(C) the term 'qualified private lender' means any privately-owned bank or other lending institution that the Administrator determines meets the criteria established under paragraph (9).

''(2) AUTHORIZATION.—The Administrator may guarantee timely payment of principal and interest, as scheduled on any loan issued by a qualified private lender to an eligible small business concern located in a disaster area.

''(3) USE OF LOANS.—A loan guaranteed by the Administrator under this subsection may be used for any purpose authorized under subsection (b).

''(4) ONLINE APPLICATIONS.—

''(A) ESTABLISHMENT.—The Administrator may establish, directly or through an agreement with another entity, an online application process for loans guaranteed under this subsection.

''(B) OTHER FEDERAL ASSISTANCE.—The Administrator may coordinate with the head of any other appropriate Federal agency so that any application submitted through an online application process established under this paragraph may be considered for any other Federal assistance program for disaster relief.

''(C) CONSULTATION.—In establishing an online application process under this paragraph, the Administrator shall consult with appropriate persons from the public and private sectors, including private lenders.

''(5) MAXIMUM AMOUNTS.—

''(A) GUARANTEE PERCENTAGE.—The Administrator may guarantee not more than 85 percent of a loan under this subsection.

''(B) LOAN AMOUNTS.—The maximum amount of a loan guaranteed under this subsection shall be $2,000,000.

''(6) LOAN TERM.—The longest term of a loan for a loan guaranteed under this subsection shall be—

''(A) 15 years for any loan that is issued without collateral; and

''(B) 25 years for any loan that is issued with collateral.

''(7) FEES.—

''(A) IN GENERAL.—The Administrator may not collect a guarantee fee under this subsection.

''(B) ORIGINATION FEE.—The Administrator may pay a qualified private lender an origination fee for a loan guaranteed under this subsection in an amount agreed upon in advance between the qualified private lender and the Administrator.

''(8) DOCUMENTATION.—A qualified private lender may use its own loan documentation for a loan guaranteed by the Administrator, to the extent authorized by the Administrator. The ability of a lender to use its own loan documentation for a loan guaranteed under this subsection shall not be considered part of the criteria for becoming a qualified private lender under the regulations promulgated under paragraph (9).

''(9) IMPLEMENTATION REGULATIONS.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Small Business Disaster Response and Loan Improvements Act of 2007, the Administrator shall issue final regulations establishing permanent criteria for qualified private lenders.

''(B) REPORT TO CONGRESS.—Not later than 6 months after the date of enactment of the Small Business Disaster Response and Loan Improvements Act of 2007, the Administrator shall submit a report on the progress of the regulations required by subparagraph (A) to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives.

''(10) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—Amounts necessary to carry out this subsection shall be made available from amounts appropriated to the Administration to carry out subsection (b).

''(B) AUTHORITY TO REDUCE INTEREST RATES.—Funds appropriated to the Administration to carry out this subsection, may be used by the Administrator, to the extent available, to reduce the rate of interest for any loan guaranteed under this subsection by not more than 3 percentage points.

''(11) PURCHASE OF LOANS.—The Administrator may enter into an agreement with a qualified private lender to purchase any loan issued under this subsection.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to disasters declared under section 7(b)(2) of the Small Business Act (631 U.S.C. 636(b)(2)) before, on, or after the date of enactment of this Act.

SEC. 203. TECHNICAL AND CONFORMING AMENDMENTS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 4(c)—

(A) in paragraph (1), by striking ''7(c)(2)'' and inserting ''7(d)(2)''; and

(B) in paragraph (2)—

(i) by striking ''7(c)(2)'' and inserting ''7(d)(2)''; and

(ii) by striking ''7(e),''; and

(2) in section 7(b), in the undesignated matter following paragraph (3)—

(A) by striking ''That the provisions of paragraph (1) of subsection (c)'' and inserting ''That the provisions of paragraph (1) of subsection (d)''; and

(B) by striking ''Notwithstanding the provisions of any other law the interest rate on the Administration's share of any loan made under subsection (b) except as provided in subsection (c),'' and inserting ''Notwithstanding any other provision of law, and except as provided in subsection (d), the interest rate on the Administration's share of any loan made under subsection (b)''.

SEC. 204. EXPEDITED DISASTER ASSISTANCE LOAN PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term ''immediate disaster assistance'' means assistance provided during the period beginning on the date on which the President makes a catastrophic disaster declaration under paragraph (11) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)), as added by this Act, and ending on the date that an impacted small business concern is able to secure funding through insurance claims, Federal assistance programs, or other sources; and

(2) the term ''program'' means the expedited disaster assistance business loan program established under subsection (b).

(b) CREATION OF PROGRAM.—The Administrator shall take such administrative action as is necessary to establish and implement an expedited disaster assistance business loan program to provide small business concerns with immediate disaster assistance under paragraph (11) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)), as added by this Act.

(c) CONSULTATION REQUIRED.—In establishing the program, the Administrator shall consult with—

(1) appropriate personnel of the Administration (including District Office personnel of the Administration);

(2) appropriate technical assistance providers (including small business development centers);

(3) appropriate lenders and credit unions;

(4) the Committee on Small Business and Entrepreneurship of the Senate; and

(5) the Committee on Small Business of the House of Representatives.

(d) RULES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall issue rules in final form establishing and implementing the program in accordance with this section. Such rules shall apply as provided for in this section, beginning 90 days after their issuance in final form.

(2) CONTENTS.—The rules promulgated under paragraph (1) shall—

(A) identify whether appropriate uses of funds under the program may include—

(i) paying employees;

(ii) paying bills and other financial obligations;

(iii) making repairs;

(iv) purchasing inventory;

(v) restarting or operating a small business concern in the community in which it was conducting operations prior to the declared disaster, or to a neighboring area, county, or parish in the disaster area; or

(vi) covering additional costs until the small business concern is able to obtain funding through insurance claims, Federal assistance programs, or other sources; and

(B) set the terms and conditions of any loan made under the program, subject to paragraph (3).

(3) TERMS AND CONDITIONS.—A loan made by the Administration under this section—

(A) shall be for not more than $150,000;

(B) shall be a short-term loan, not to exceed 180 days, except that the Administrator may extend such term as the Administrator determines necessary or appropriate on a case-by-case basis;

(C) shall have an interest rate not to exceed 1 percentage point above the prime rate of interest that a private lender may charge;

(D) shall have no prepayment penalty;

(E) may only be made to a borrower that meets the requirements for a loan under section 7(b) of the Small Business Act (15 U.S.C. 636(b));

(F) may be refinanced as part of any subsequent disaster assistance provided under section 7(b) of the Small Business Act;

(G) may receive expedited loss verification and loan processing, if the applicant is—

(i) a major source of employment in the disaster area (which shall be determined in the same manner as under section 7(b)(3)(B) of the Small Business Act (15 U.S.C. 636(b)(3)(B))); or

(ii) vital to recovery efforts in the region (including providing debris removal services, manufactured housing, or building materials); and

(H) shall be subject to such additional terms as the Administrator determines necessary or appropriate.

(e) REPORT TO CONGRESS.—Not later than 5 months after the date of enactment of this Act, the Administrator shall report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives on the progress of the Administrator in establishing the program.

(f) AUTHORIZATION.—There are authorized to be appropriated to the Administrator such sums as are necessary to carry out this section.

SEC. 205. HUBZONES.

(a) IN GENERAL.—Section 3(p) of the Small Business Act (15 U.S.C. 632(p)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''or'';

(B) in subparagraph (E), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(F) areas in which the President has declared a major disaster (as that term is defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) as a result of Hurricane Katrina of August 2005 or Hurricane Rita of September 2005, during the time period described in paragraph (8); or

''(G) catastrophic national disaster areas.'';

(2) in paragraph (4), by adding at the end the following:

''(E) CATASTROPHIC NATIONAL DISASTER AREA.—

''(i) IN GENERAL.—The term 'catastrophic national disaster area' means an area—

''(I) affected by a catastrophic national disaster declared under section 7(b)(11), during the time period described in clause (ii); and

''(II) for which the Administrator determines that designation as a HUBZone would substantially contribute to the reconstruction and recovery effort in that area.

''(ii) TIME PERIOD.—The time period for the purposes of clause (i)—

''(I) shall be the 2-year period beginning on the date that the applicable catastrophic national disaster was declared under section 7(b)(11); and

''(II) may, at the discretion of the Administrator, be extended to be the 3-year period beginning on the date described in subclause (I).''; and

(3) by adding at the end the following:

''(8) TIME PERIOD.—The time period for the purposes of paragraph (1)(F)—

''(A) shall be the 2-year period beginning on the later of the date of enactment of this paragraph and August 29, 2007; and

''(B) may, at the discretion of the Administrator, be extended to be the 3-year period beginning on the later of the date of enactment of this paragraph and August 29, 2007.''.

(b) TOLLING OF GRADUATION.—Section 7(j)(10)(C) of the Small Business Act (15 U.S.C. 636(j)(10)(C)) is amended by adding at the end the following:

''(iii)(I) For purposes of this subparagraph, if the Administrator designates an area as a HUBZone under section 3(p)(4)(E)(i)(II), the Administrator shall not count the time period described in subclause (II) of this clause for any small business concern—

''(aa) that is participating in any program, activity, or contract under section 8(a); and

''(bb) the principal place of business of which is located in that area.

''(II) The time period for purposes of subclause (I)—

''(aa) shall be the 2-year period beginning on the date that the applicable catastrophic national disaster was declared under section 7(b)(11); and

''(bb) may, at the discretion of the Administrator, be extended to be the 3-year period beginning on the date described in item (aa).''.

(c) STUDY OF HUBZONE DISASTER AREAS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives evaluating the designation by the Administrator of catastrophic national disaster areas, as that term is defined in section 3(p)(4)(E) of the Small Business Act (as added by this Act), as HUBZones.

TITLE III—DISASTER ASSISTANCE OVERSIGHT

SEC. 301. CONGRESSIONAL OVERSIGHT.

(a) MONTHLY ACCOUNTING REPORT TO CONGRESS.—

(1) REPORTING REQUIREMENTS.—Not later than the fifth business day of each month during the applicable period for a major disaster, the Administrator shall provide to the Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate and to the Committee on Small Business and the Committee on Appropriations of the House of Representatives a report on the operation of the disaster loan program authorized under section 7 of the Small Business Act (15 U.S.C. 636) for that major disaster during the preceding month.

(2) CONTENTS.—Each report under paragraph (1) shall include—

(A) the daily average lending volume, in number of loans and dollars, and the percent by which each category has increased or decreased since the previous report under paragraph (1);

(B) the weekly average lending volume, in number of loans and dollars, and the percent by which each category has increased or decreased since the previous report under paragraph (1);

(C) the amount of funding spent over the month for loans, both in appropriations and program level, and the percent by which each category has increased or decreased since the previous report under paragraph (1);

(D) the amount of funding available for loans, both in appropriations and program level, and the percent by which each category has increased or decreased since the previous report under paragraph (1), noting the source of any additional funding;

(E) an estimate of how long the available funding for such loans will last, based on the spending rate;

(F) the amount of funding spent over the month for staff, along with the number of staff, and the percent by which each category has increased or decreased since the previous report under paragraph (1);

(G) the amount of funding spent over the month for administrative costs, and the percent by which such spending has increased or decreased since the previous report under paragraph (1);

(H) the amount of funding available for salaries and expenses combined, and the percent by which such funding has increased or decreased since the previous report under paragraph (1), noting the source of any additional funding; and

(I) an estimate of how long the available funding for salaries and expenses will last, based on the spending rate.

(b) DAILY DISASTER UPDATES TO CONGRESS FOR PRESIDENTIALLY DECLARED DISASTERS.—

(1) IN GENERAL.—Each day during a disaster update period, excluding Federal holidays and weekends, the Administration shall provide to the Committee on Small Business and Entrepreneurship of the Senate and to the Committee on Small Business of the House of Representatives a report on the operation of the disaster loan program of the Administration for the area in which the President declared a major disaster.

(2) CONTENTS.—Each report under paragraph (1) shall include—

(A) the number of Administration staff performing loan processing, field inspection, and other duties for the declared disaster, and the allocations of such staff in the disaster field offices, disaster recovery centers, workshops, and other Administration offices nationwide;

(B) the daily number of applications received from applicants in the relevant area, as well as a breakdown of such figures by State;

(C) the daily number of applications pending application entry from applicants in the relevant area, as well as a breakdown of such figures by State;

(D) the daily number of applications withdrawn by applicants in the relevant area, as well as a breakdown of such figures by State;

(E) the daily number of applications summarily declined by the Administration from applicants in the relevant area, as well as a breakdown of such figures by State;

(F) the daily number of applications declined by the Administration from applicants in the relevant area, as well as a breakdown of such figures by State;

(G) the daily number of applications in process from applicants in the relevant area, as well as a breakdown of such figures by State;

(H) the daily number of applications approved by the Administration from applicants in the relevant area, as well as a breakdown of such figures by State;

(I) the daily dollar amount of applications approved by the Administration from applicants in the relevant area, as well as a breakdown of such figures by State;

(J) the daily amount of loans dispersed, both partially and fully, by the Administration to applicants in the relevant area, as well as a breakdown of such figures by State;

(K) the daily dollar amount of loans disbursed, both partially and fully, from the relevant area, as well as a breakdown of such figures by State;

(L) the number of applications approved, including dollar amount approved, as well as applications partially and fully disbursed, including dollar amounts, since the last report under paragraph (1); and

(M) the declaration date, physical damage closing date, economic injury closing date, and number of counties included in the declaration of a major disaster.

(c) NOTICE OF THE NEED FOR SUPPLEMENTAL FUNDS.—On the same date that the Administrator notifies any committee of the Senate or the House of Representatives that supplemental funding is necessary for the disaster loan program of the Administration in any fiscal year, the Administrator shall notify in writing the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives regarding the need for supplemental funds for that loan program.

(d) REPORT ON CONTRACTING.—

(1) IN GENERAL.—Not later than 6 months after the date on which the President declares a major disaster, and every 6 months thereafter until the date that is 18 months after the date on which the major disaster was declared, the Administrator shall submit a report to the Committee on Small Business and Entrepreneurship of the Senate and to the Committee on Small Business of the House of Representatives regarding Federal contracts awarded as a result of that major disaster.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

(A) the total number of contracts awarded as a result of that major disaster;

(B) the total number of contracts awarded to small business concerns as a result of that major disaster;

(C) the total number of contracts awarded to women and minority-owned businesses as a result of that major disaster; and

(D) the total number of contracts awarded to local businesses as a result of that major disaster.

(e) REPORT ON LOAN APPROVAL RATE.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator shall submit a report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives detailing how the Administration can improve the processing of applications under the disaster loan program of the Administration.

(2) CONTENTS.—The report submitted under paragraph (1) shall include—

(A) recommendations, if any, regarding—

(i) staffing levels during a major disaster;

(ii) how to improve the process for processing, approving, and disbursing loans under the disaster loan program of the Administration, to ensure that the maximum assistance is provided to victims in a timely manner;

(iii) the viability of using alternative methods for assessing the ability of an applicant to repay a loan, including the credit score of the applicant on the day before the date on which the disaster for which the applicant is seeking assistance was declared;

(iv) methods, if any, for the Administration to expedite loss verification and loan processing of disaster loans during a major disaster for businesses affected by, and located in the area for which the President declared, the major disaster that are a major source of employment in the area or are vital to recovery efforts in the region (including providing debris removal services, manufactured housing, or building materials);

(v) legislative changes, if any, needed to implement findings from the Accelerated Disaster Response Initiative of the Administration; and

(vi) a description of how the Administration plans to integrate and coordinate the response to a major disaster with the technical assistance programs of the Administration; and

(B) the plans of the Administrator for implementing any recommendation made under subparagraph (A).

OPEN GOVERNMENT ACT OF 2007

On Friday, August 3, 2007, the Senate passed S. 849, as amended, as follows:

S. 849

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 ''Openness Promotes Effectiveness in our National Government Act of 2007'' or the ''OPEN Government Act of 2007''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Freedom of Information Act was signed into law on July 4, 1966, because the American people believe that—

(A) our constitutional democracy, our system of self-government, and our commitment to popular sovereignty depends upon the consent of the governed;

(B) such consent is not meaningful unless it is informed consent; and

(C) as Justice Black noted in his concurring opinion in Barr v. Matteo (360 U.S. 564 (1959)), ''The effective functioning of a free government like ours depends largely on the force of an informed public opinion. This calls for the widest possible understanding of the quality of government service rendered by all elective or appointed public officials or employees.'';

(2) the American people firmly believe that our system of government must itself be governed by a presumption of openness;

(3) the Freedom of Information Act establishes a ''strong presumption in favor of disclosure'' as noted by the United States Supreme Court in United States Department of State v. Ray (502 U.S. 164 (1991)), a presumption that applies to all agencies governed by that Act;

(4) ''disclosure, not secrecy, is the dominant objective of the Act,'' as noted by the United States Supreme Court in Department of Air Force v. Rose (425 U.S. 352 (1976));

(5) in practice, the Freedom of Information Act has not always lived up to the ideals of that Act; and

(6) Congress should regularly review section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), in order to determine whether further changes and improvements are necessary to ensure that the Government remains open and accessible to the American people and is always based not upon the ''need to know'' but upon the fundamental ''right to know''.

SEC. 3. PROTECTION OF FEE STATUS FOR NEWS MEDIA.

Section 552(a)(4)(A)(ii) of title 5, United States Code, is amended by adding at the end the following:

''The term 'a representative of the news media' means any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience. The term 'news' means information that is about current events or that would be of current interest to the public. Examples of news-media entities are television or radio stations broadcasting to the public at large and publishers of periodicals (but only if such entities qualify as disseminators of 'news') who make their products available for purchase by or subscription by or free distribution to the general public. These examples are not all-inclusive. Moreover, as methods of news delivery evolve (for example, the adoption of the electronic dissemination of newspapers through telecommunications services), such alternative media shall be considered to be news-media entities. A freelance journalist shall be regarded as working for a news-media entity if the journalist can demonstrate a solid basis for expecting publication through that entity, whether or not the journalist is actually employed by the entity. A publication contract would present a solid basis for such an expectation; the Government may also consider the past publication record of the requester in making such a determination.''.

SEC. 4. RECOVERY OF ATTORNEY FEES AND LITIGATION COSTS.

Section 552(a)(4)(E) of title 5, United States Code, is amended—

(1) by inserting ''(i)'' after ''(E)''; and

(2) by adding at the end the following:

''(ii) For purposes of this section, a complainant has substantially prevailed if the complainant has obtained relief through either—

''(I) a judicial order, or an enforceable written agreement or consent decree; or

''(II) a voluntary or unilateral change in position by the agency, provided that the complainant's claim is not insubstantial.''.

SEC. 5. DISCIPLINARY ACTIONS FOR ARBITRARY AND CAPRICIOUS REJECTIONS OF REQUESTS.

Section 552(a)(4)(F) of title 5, United States Code, is amended—

(1) by inserting ''(i)'' after ''(F)''; and

(2) by adding at the end the following:

''(ii) The Attorney General shall—

''(I) notify the Special Counsel of each civil action described under the first sentence of clause (i); and

''(II) annually submit a report to Congress on the number of such civil actions in the preceding year.

''(iii) The Special Counsel shall annually submit a report to Congress on the actions taken by the Special Counsel under clause (i).''.

SEC. 6. TIME LIMITS FOR AGENCIES TO ACT ON REQUESTS.

(a) TIME LIMITS.—

(1) IN GENERAL.—Section 552(a)(6)(A)(i) of title 5, United States Code, is amended by striking ''determination;'' and inserting ''determination. The 20-day period shall commence on the date on which the request is first received by the appropriate component of the agency, but in any event no later than ten days after the request is first received by any component of the agency that is designated in the agency's FOIA regulations to receive FOIA requests. The 20-day period shall not be tolled by the agency except—

''(I) that the agency may make one request to the requester for information and toll the

20-day period while it is awaiting such information that it has reasonably requested from the FOIA requester; or

''(II) if necessary to clarify with the requester issues regarding fee assessment. In either case, the agency's receipt of the requester's response to the agency's request for information or clarification ends the tolling period;''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect 1 year after the date of enactment of this Act.

''(b) COMPLIANCE WITH TIME LIMITS.—

(1)(A) Section 552(a)(4)(A) of title 5, United States Code, is amended by adding at the end the following:

''(viii) an agency shall not assess search fees under this subparagraph if the agency fails to comply with any time limit under paragraph (6), provided that no unusual or exceptional circumstances (as those terms are defined for purposes of paragraphs (6)(B) and (C), respectively) apply to the processing of the request.''.

(B) Section 552(a)(6)(B)(ii) of title 5, United States Code, is amended by inserting between the first and second sentences the following: ''To aid the requester, each agency shall make available its FOIA Public Liaison, who shall assist in the resolution of any disputes between the requester and the agency.''.

(2) EFFECTIVE DATE AND APPLICATION.—The amendment made by this subsection shall take effect 1 year after the date of enactment of this Act and apply to requests for information under section 552 of title 5, United States Code, filed on or after that effective date.

SEC. 7. INDIVIDUALIZED TRACKING NUMBERS FOR REQUESTS AND STATUS INFORMATION.

(a) IN GENERAL.—Section 552(a) of title 5, United States Code, is amended by adding at the end the following:

''(7) Each agency shall—

''(A) establish a system to assign an individualized tracking number for each request received that will take longer than ten days to process and provide to each person making a request the tracking number assigned to the request; and

''(B) establish a telephone line or Internet service that provides information about the status of a request to the person making the request using the assigned tracking number, including—

''(i) the date on which the agency originally received the request; and

''(ii) an estimated date on which the agency will complete action on the request.''.

(b) EFFECTIVE DATE AND APPLICATION.—The amendment made by this section shall take effect 1 year after the date of enactment of this Act and apply to requests for information under section 552 of title 5, United States Code, filed on or after that effective date.

SEC. 8. SPECIFIC CITATIONS IN EXEMPTIONS.

Section 552(b) of title 5, United States Code, is amended by striking paragraph (3) and inserting the following:

''(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute—

''(A) if enacted prior to the date of enactment of the OPEN Government Act of 2007, requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or establishes particular criteria for withholding or refers to particular types of matters to be withheld; or

''(B) if enacted after the date of enactment of the OPEN Government Act of 2007, specifically cites to the Freedom of Information Act.''.

SEC. 9. REPORTING REQUIREMENTS.

(a) IN GENERAL.—Section 552(e)(1) of title 5, United States Code, is amended—

(1) in subparagraph (B)(ii), by inserting after the first comma ''the number of occasions on which each statute was relied upon,'';

(2) in subparagraph (C), by inserting ''and average'' after ''median'';

(3) in subparagraph (E), by inserting before the semicolon '', based on the date on which the requests were received by the agency'';

(4) by redesignating subparagraphs (F) and (G) as subparagraphs (N) and (O), respectively; and

(5) by inserting after subparagraph (E) the following:

''(F) the average number of days for the agency to respond to a request beginning on the date on which the request was received by the agency, the median number of days for the agency to respond to such requests, and the range in number of days for the agency to respond to such requests;

''(G) based on the number of business days that have elapsed since each request was originally received by the agency—

''(i) the number of requests for records to which the agency has responded with a determination within a period up to and including 20 days, and in 20-day increments up to and including 200 days;

''(ii) the number of requests for records to which the agency has responded with a determination within a period greater than 200 days and less than 301 days;

''(iii) the number of requests for records to which the agency has responded with a determination within a period greater than 300 days and less than 401 days; and

''(iv) the number of requests for records to which the agency has responded with a determination within a period greater than 400 days;

''(H) the average number of days for the agency to provide the granted information beginning on the date on which the request was originally filed, the median number of days for the agency to provide the granted information, and the range in number of days for the agency to provide the granted information;

''(I) the median and average number of days for the agency to respond to administrative appeals based on the date on which the appeals originally were received by the agency, the highest number of business days taken by the agency to respond to an administrative appeal, and the lowest number of business days taken by the agency to respond to an administrative appeal;

''(J) data on the 10 active requests with the earliest filing dates pending at each agency, including the amount of time that has elapsed since each request was originally received by the agency;

''(K) data on the 10 active administrative appeals with the earliest filing dates pending before the agency as of September 30 of the preceding year, including the number of business days that have elapsed since the requests were originally received by the agency;

''(L) the number of expedited review requests that are granted and denied, the average and median number of days for adjudicating expedited review requests, and the number adjudicated within the required 10 days;

''(M) the number of fee waiver requests that are granted and denied, and the average and median number of days for adjudicating fee waiver determinations;''.

(b) APPLICABILITY TO AGENCY AND EACH PRINCIPAL COMPONENT OF THE AGENCY.—Section 552(e) of title 5, United States Code, is amended—

(1) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) Information in each report submitted under paragraph (1) shall be expressed in terms of each principal component of the agency and for the agency overall.''.

(c) PUBLIC AVAILABILITY OF DATA.—Section 552(e)(3) of title 5, United States Code, (as redesignated by subsection (b) of this section) is amended by adding after the period ''In addition, each agency shall make the raw statistical data used in its reports available electronically to the public upon request.''.

SEC. 10. OPENNESS OF AGENCY RECORDS MAINTAINED BY A PRIVATE ENTITY.

Section 552(f) of title 5, United States Code, is amended by striking paragraph (2) and inserting the following:

''(2) 'record' and any other term used in this section in reference to information includes—

''(A) any information that would be an agency record subject to the requirements of this section when maintained by an agency in any format, including an electronic format; and

''(B) any information described under subparagraph (A) that is maintained for an agency by an entity under Government contract, for the purposes of records management.''.

SEC. 11. OFFICE OF GOVERNMENT INFORMATION SERVICES.

(a) IN GENERAL.—Section 552 of title 5, United States Code, is amended by adding at the end the following:

''(h) There is established the Office of Government Information Services within the National Archives and Records Administration. The Office of Government Information Services shall review policies and procedures of administrative agencies under section 552, shall review compliance with section 552 by administrative agencies, and shall recommend policy changes to Congress and the President to improve the administration of section 552. The Office of Government Information Services shall offer mediation services to resolve disputes between persons making requests under section 552 and administrative agencies as a non-exclusive alternative to litigation and, at the discretion of the Office, may issue advisory opinions if mediation has not resolved the dispute.

''(i) The Government Accountability Office shall conduct audits of administrative agencies on the implementation of section 552 and issue reports detailing the results of such audits.

''(j) Each agency shall—

''(1) Designate a Chief FOIA Officer who shall be a senior official of such agency (at the Assistant Secretary or equivalent level).

''(a) GENERAL DUTIES.—The Chief FOIA Officer of each agency shall, subject to the authority of the head of the agency—

''(A) have agency-wide responsibility for efficient and appropriate compliance with the FOIA;

''(B) monitor FOIA implementation throughout the agency and keep the head of the agency, the chief legal officer of the agency, and the Attorney General appropriately informed of the agency's performance in implementing the FOIA;

''(C) recommend to the head of the agency such adjustments to agency practices, policies, personnel, and funding as may be necessary to improve its implementation of the FOIA;

''(D) review and report to the Attorney General, through the head of the agency, at such times and in such formats as the Attorney General may direct, on the agency's performance in implementing the FOIA; and

''(E) facilitate public understanding of the purposes of the FOIA's statutory exemptions by including concise descriptions of the exemptions in both the agency's FOIA handbook issued under section 552(g) of title 5, United States Code, and the agency's annual FOIA report, and by providing an overview, where appropriate, of certain general categories of agency records to which those exemptions apply.

''(2) Designate one or more FOIA Public Liaisons who shall be appointed by the Chief FOIA Officer.

''(b) GENERAL DUTIES.—FOIA Public Liaisons shall report to the agency Chief FOIA Officer and shall serve as supervisory officials to whom a FOIA requester can raise concerns about the service the FOIA requester has received from the FOIA Requester Center, following an initial response from the FOIA Requester Center Staff. FOIA Public Liaisons shall be responsible for assisting in reducing delays, increasing transparency and understanding of the status of requests, and assisting in the resolution of disputes.

''(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.''.

SEC. 12. REPORT ON PERSONNEL POLICIES RELATED TO FOIA.

Not later than 1 year after the date of enactment of this Act, the Office of Personnel Management shall submit to Congress a report that examines—

(1) whether changes to executive branch personnel policies could be made that would—

(A) provide greater encouragement to all Federal employees to fulfill their duties under section 552 of title 5, United States Code; and

(B) enhance the stature of officials administering that section within the executive branch;

(2) whether performance of compliance with section 552 of title 5, United States Code, should be included as a factor in personnel performance evaluations for any or all categories of Federal employees and officers;

(3) whether an employment classification series specific to compliance with sections 552 and 552a of title 5, United States Code, should be established;

(4) whether the highest level officials in particular agencies administering such sections should be paid at a rate of pay equal to or greater than a particular minimum rate; and

(5) whether other changes to personnel policies can be made to ensure that there is a clear career advancement track for individuals interested in devoting themselves to a career in compliance with such sections; and

(6) whether the executive branch should require any or all categories of Federal employees to undertake awareness training of such sections.

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Paul Carliner:									
United Kingdom	Pound		860.00						860.00
United States	Dollar				7,095.50				7,095.50
Paul Grove:									
Singapore	Dollar		208.00						208.00
Indonesia	Rupiah		566.00						566.00
Hong Kong	Dollar		444.00						444.00
United States	Dollar				9,284.04				9,284.04
Michele Gordon:									
Singapore	Dollar		208.00						208.00
Indonesia	Rupiah		566.00						566.00
Hong Kong	Dollar		444.00						444.00
United States	Dollar				9,284.04				9,284.04
Sid Ashworth:									
Turkey	Lira		1,330.66						1,330.66
Germany	Dollar		340.00						340.00
Spain	Dollar		914.00						914.00
United States	Dollar				5,875.51				5,875.51
Mary Catherine Fitzpatrick:									
Turkey	Lira		1,330.66						1,330.66
Germany	Dollar		340.00						340.00
Spain	Dollar		914.00						914.00
United States	Dollar				5,774.29				5,774.29
Katherine Miriam Kaufer:									
Turkey	Lira		1,330.66						1,330.66
Germany	Dollar		340.00						340.00
Spain	Dollar		914.00						914.00
United States	Dollar				5,900.51				5,900.51
Ellen Maldonado:									
Turkey	Lira		1,330.66						1,330.66
Germany	Dolar		340.00						340.00
Spain	Dollar		914.00						914.00
United States	Dollar				5,900.51				5,900.51
Senator Ted Stevens:									
France	Euro		4,937.65						4,937.65
Senator Richard Shelby:									
France	Euro		5,118.73						5,118.73
Senator Tom Harkin:									
France	Euro		5,118.73						5,118.73
Senator Barbara Mikulski:									
France	Euro		5,118.73						5,118.73
Senator Wayne Allard:									
France	Euro		5,118.73						5,118.73
Bruce Evans:									
France	Euro		5,118.73						5,118.73
Charlie Houy:									
France	Euro		5,118.73						5,118.73
Sid Ashworth:									
France	Euro		5,118.73						5,118.73
Gabrielle Batkin:									
France	Euro		5,118.73						5,118.73
Gary Reese:									
France	Euro		5,118.73						5,118.73
Betsy Schmid:									
France	Euro		5,118.73						5,118.73
Brian T. Wilson:									
France	Euro		5,118.73						5,118.73
Brian Potts:									
France	Euro		5,118.73						5,118.73
Dave Schiappa:									
France	Euro		5,118.73						5,118.73
Dr. John Eisold:									
France	Euro		5,118.73						5,118.73

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Terry Sauvain:									
France	Euro		5,118.73						5,118.73
Delegation Expenses*									
France	Dollar						39,010.00		39,010.00
Senator Byron Dorgan:									
Germany	Dollar		475.00						475.00
Italy	Euro		1,430.00						1,430.00
United States	Dollar				3,074.00				3,074.00
Robert L. Valeu:									
Germany	Dollar		380.00						380.00
Italy	Euro		1,600.00						1,600.00
United States	Dollar				3,681.00				3,681.00
Delegation Expenses*									
Germany	Dollar						475.00		475.00
Italy	Euro						2,756.00		2,756.00
Senator Patrick Leahy:									
Jordan	Dinar		819.30						819.30
Israel	Dollar		1,519.00						1,519.00
Italy	Dollar		271.00						271.00
Senator Thad Cochran:									
Jordan	Dinar		819.30						819.30
Israel	Dollar		1,519.00						1,519.00
Italy	Dollar		521.00						521.00
Katherine A. Eltrich:									
Jordan	Dinar		819.30						819.30
Israel	Dollar		1,519.00						1,519.00
Italy	Dollar		521.00						521.00
David Carle:									
Jordan	Dinar		819.30						819.30
Israel	Dollar		1,519.00						1,519.00
Italy	Dollar		521.00						521.00
Ed Pagano:									
Jordan	Dinar		819.30						819.30
Israel	Dollar		1,519.00						1,519.00
Italy	Dollar		271.00						271.00
Kay Webber:									
Jordan	Dinar		819.30						819.30
Israel	Dollar		1,519.00						1,519.00
Italy	Dollar		521.00						521.00
Delegation Expenses*									
Jordan	Dollar						267.94		267.94
Israel	Dollar						437.90		437.90
Lebanon	Dollar						351.95		351.95
Total			115,894.04		55,869.40		43,298.79		215,062.23

*Delegation expenses include payments and reimbursements to the Department of State under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of Pub. L. 95–384, and expenses paid pursuant to S. Res. 179, agreed to May 25, 1977.

ROBERT C. BYRD,
Chairman, Committee on Appropriations, Aug. 15, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John McCain:									
Kuwait	Dollar		53.33						53.33
Pakistan	Dollar		42.67						42.67
Germany	Dollar		80.88						80.88
Richard Fontaine:									
Kuwait	Dollar		130.00						130.00
Pakistan	Dollar		221.00						221.00
Germany	Dollar		170.00						170.00
Michael V. Kostiw:									
Kuwait	Dollar		153.33						153.33
Pakistan	Dollar		260.67						260.67
Germany	Dollar		186.88						186.88
Senator James M. Inhofe:									
Ethiopia	Birr		543.00						543.00
Uganda	Shilling		247.00						247.00
Italy	Euro		128.07						128.07
France	Euro		137.00						137.00
Mark Powers:									
Ethiopia	Birr		383.28						383.28
Uganda	Shilling		239.11						239.11
Italy	Euro		66.58						66.58
France	Euro		107.07						107.07
Ireland	Dollar				6,672.57				6,672.57
Jeremy Shull:									
Ethiopia	Birr		347.00						347.00
Jeremy Shull:									
Uganda	Shilling		12.00						12.00
Italy	Euro		205.32						205.32
France	Euro		200.00						200.00
Ireland	Dollar				6,672.57				6,672.57
Senator Jeff Sessions:									
Kuwait	Dollar		65.00						65.00
France	Euro		367.00						367.00
Senator James M. Inhofe:									
Italy	Euro		145.00						145.00
Jeremy Shull:									
Italy	Euro		145.00						145.00
Senator E. Benjamin Nelson:									
Kuwait	Dollar						78.00		78.00
France	Euro		445.00		25.00				470.00
Christiana Gallagher:									
Kuwait	Dollar						78.00		78.00
France	Euro		452.00		20.00				472.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
David DiMartino:									
Kuwait	Dollar						78.00		78.00
France	Euro		445.00		25.00				470.00
William K. Sutey:									
United States	Dollar				10,626.93				10,626.93
Kuwait	Dollar		118.00						118.00
Senator Claire McCaskill:									
United States	Dollar				7,870.93				7,870.93
Kuwait	Dollar		120.00						120.00
Stephen Hedger:									
United States	Dollar				7,870.93				7,870.93
Kuwait	Dollar		128.00						128.00
Tod Martin:									
United States	Dollar				7,870.93				7,870.93
Kuwait	Dollar		120.00						120.00
Senator James Inhofe:									
France	Euro		824.00						824.00
Senator Joseph I. Lieberman:									
United States	Dollar				9,731.00				9,731.00
Senator Joseph I. Lieberman:									
United Arab Emirates	Dollar		1,042.00				138.00		1,180.00
Jordan	Dollar		273.00						273.00
Israel	Dollar		1,209.00				1,000.00		2,209.00
Czech Republic	Dollar		542.00						542.00
Vance Serchuk:									
United States	Dollar				9,239.94				9,239.94
United Arab Emirates	Dollar		919.00						919.00
Jordan	Dollar		236.00						236.00
Israel	Dollar		1,090.00						1,090.00
Czech Republic	Dollar		450.00						450.00
Frederick M. Downey:									
United States	Dollar				9,239.94				9,239.94
United Arab Emirates	Dollar		919.00						919.00
Jordan	Dollar		236.00						236.00
Israel	Dollar		1,090.00						1,090.00
Czech Repubic	Dollar		450.00						450.00
Total			15,744.19		75,865.74		1,372.00		92,981.93

CARL LEVIN,
Chairman, Committee on Armed Services, July 6, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Robert Bennett:									
Belgium	Euro		372.00						372.00
Natham Graham:									
Belgium	Euro		360.00						360.00
Mark Morrison:									
Belgium	Euro		365.00						365.00
Total			1,097.00						1,097.00

CHRIS DODD,
Chairman, Committee on Banking, Housing and Urban Affairs,
June 27, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON BUDGET FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Scott B. Gudes:									
Switzerland	Franc		1,752.00						1,752.00
Turkey	Lira		988.00						988.00
United States	Dollar				6,481.71				6,481.71
Jay A. Khosla									
Switzerland	Franc		1,752.00						1,752.00
Turkey	Lira		988.00						988.00
United States	Dollar				6,481.71				6,481.71
David Pappone:									
Switzerland	Franc		1,752.00						1,752.00
Turkey	Lira		988.00						988.00
United States	Dollar				6,481.71				6,481.71
Total:			8,220.00		19,445.13				27,665.13

KENT CONRAD,
Chairman, Committee on U.S. Senate Budget Committee, July 11 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Elizabeth Stewart:									
Jordan	Dollar		112.00						112.00
United Kingdom	Pound		63.93		116.58		18.58		199.09
Total			175.93		116.58		18.58		311.09

DANIEL K. INOUYE,
Chairman, Committee on Commerce, Science, and Transportation, July 23, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, AMENDED FROM 1ST QUARTER, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENERGY AND NATURAL RESOURCES—ADDENDUM TO FIRST QUARTER REPORT FOR TRAVEL FROM JAN. 1 TO MAR. 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Kathryn Clay:									
Canada	Dollar		336.81						336.81
United States	Dollar				807.13				807.13
Total			336.81		807.13				1,143.94

JEFF BINGAMAN,
Chairman, Committee on Energy & Natural Resources, June 29, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Maria Cantwell:									
Switzerland	Franc		390.00						390.00
Greece	Euro		186.00						186.00
Senator Trent Lott:									
Switzerland	Franc		390.00						390.00
Greece	Euro		186.00						186.00
Senator Gordon Smith:									
Switzerland	Franc		390.00						390.00
Greece	Euro		186.00						186.00
Rob Epplin:									
Switzerland	Franc		333.00						333.00
Greece	Euro		186.00						186.00
Michael Meehan:									
Switzerland	Franc		390.00						390.00
Greece	Euro		186.00						186.00
Demetrios Marantis:									
United States	Dollar				5,646.58				5,646.58
Korea	Won		184.48						184.48
Malaysia	Ringget		181.98						181.98
Janis Lazda:									
United States	Dollar				5,646.63				5,646.63
Korea	Won		188.25						188.25
Malaysia	Ringget		129.03						129.03
Stephen Schaefer:									
United States	Dollar				5,646.63				5,646.63
Korea	Won		108.18						108.18
Malaysia	Ringget		22.93						22.93
Alexander Perkins:									
United States	Dollar				5,646.58				5,646.58
Korea	Won		12.17						12.17
Malaysia	Ringget		106.11						106.11
Peter Fischer:									
United States	Dollar				5,646.58				5,646.58
Korea	Won		55.41						55.41
Malaysia	Ringget		36.60						36.60
Michael Hamond:									
United States	Dollar				5,646.63				5,646.63
Korea	Won		284.13						284.13
Malaysia	Ringget		57.22						57.22
Barry LaSala:									
United States	Dollar				5,646.63				5,646.63
Korea	Won		252.14						252.14
Malaysia	Ringget		26.70						26.70
Sam Mitchell:									
United States	Dollar				5,646.58				5,646.58
Korea	Won		155.95						155.95
Malaysia	Ringget		88.63						88.63
Christopher Campbell:									
United States	Dollar				5,646.63				5,646.63
Korea	Won		280.58						280.58
Malaysia	Ringget		135.67						135.67
Hannah Smith:									
United States	Dollar				5,646.63				5,646.63
Korea	Won		91.63						91.63
Malaysia	Ringget		37.02						37.02
Todd Stiefler:									
Kuwait	Dollar		0.00						0.00
Israel	Dollar		39.05						39.05
Total			5,296.86		56,466.10				61,762.96

MAX BAUCUS,
Chairman, Committee on Finance, July 25, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Ken Salazar:									
Jordan	Dinar		301.00						301.00
Israel	Dollar		522.34						522.34
Senator Gordon Smith:									
Jordan	Dinar		137.00						137.00
United Kingdom	Pound		222.00						222.00
Grant Leslie:									
Jordan	Dinar		160.00						160.00
Israel	Dollar		240.00						240.00
Rob Epplin:									
Jordan	Dinar		160.00						160.00
Israel	Dollar		240.00						240.00
Total			1,982.34						1,982.34

MAX BAUCUS,
Chairman, Committee on Finance, July 27, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Benjamin Cardin:									
Jordan	Dinar		337.00				6.00		343.00
Israel	Sheckel		428.00						428.00
Italy	Euro		190.00						190.00
Senator Norm Coleman:									
Kuwait	Dollar		95.78						95.78
United States	Dollar				8,054.34				8,054.34
Senator Chuck Hagel:									
Kuwait	Dollar		160.00						160.00
United States	Dollar				7,624.00				7,624.00
Senator Chuck Hagel:									
Jordan	Dinar		355.00						355.00
Israel	Dollar		366.00						366.00
Italy	Dollar		366.00						366.00
Senator Jim Webb:									
Japan	Yen		425.00						425.00
Vietnam	Dollar		912.00						912.00
Thailand	Baht		1,755.00						1,755.00
United States	Dollar				8,900.77				8,900.77
Jonah Blank:									
Laos	Dollar		525.00		118.00				643.00
Vietnam	Dollar		726.00		143.36				869.36
United States	Dollar				8,632.92				8,632.92
Jay Branegan:									
Nicaragua	Cordoba		110.00						110.00
United States	Dollar				1,413.70				1,413.70
Mark Clack:									
Jordan	Dinar		339.87						339.87
Israel	Shekel		262.87						262.87
Italy	Euro		148.15						148.15
Brooke Daley:									
Bangladesh	Taka		646.36						646.36
United States	Dollar				9,973.31				9,973.31
Brooke Daley:									
Nicaragua	Cordoba		115.00						115.00
United States	Dollar				1,413.70				1,413.70
Isaac Edwards:									
Iceland	Krona		986.87						986.87
United States	Dollar				2,704.99				2,704.99
Paul Foldi:									
Armenia	Dollar		1,044.61		65.50		477.66		1,587.77
Kazakhstan	Dollar		2,195.00						2,195.00
United States	Dollar				15,008.20				15,008.20
Mary Locke:									
Lebanon	Dollar		120.00		54.00				174.00
Jordan	Dinar		670.31						670.31
United States	Dollar				7,213.48				7,213.48
Carl Meacham:									
Peru	Dollar		1,049.00						1,049.00
United States	Dollar				6,235.95				6,235.95
Thomas Moore:									
Libya	Dollar		1,032.00						1,032.00
United States	Dollar				7,412.83				7,412.83
Kenneth Myers, III:									
France	Euro		300.00						300.00
Belgium	Euro		500.00						500.00
United States	Dollar				6,237.34				6,237.34
Nilmini Rubin:									
Bangladesh	Taka		714.50		128.00				842.50
United States	Dollar				9,973.31				9,973.31
Rexon Ryu:									
Jordan	Dinar		372.00						372.00
Israel	Shekel		366.00						366.00
Italy	Euro		366.00						366.00
Manisha Singh:									
United Kingdom	Pound		980.00						980.00
UAE	Dollar		1,736.00						1,736.00
France	Euro		220.00						220.00
United States	Dollar				12,022.83				12,022.83
Manisha Singh:									
Ukraine	Grievna		530.00						530.00
Georgia	Lari		370.00						370.00
United States	Dollar				6,952.00				6,952.00
Jennifer Simon:									
Kosovo	Euro		600.00						600.00
Macedonia	Dollar		305.00						305.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Serbia	Dollar		755.00						755.00
United States	Dollar				7,131.94				7,131.94
Chris Stevens:									
Lebanon	Dollar		306.00						306.00
Jordan	Dollar		898.00						898.00
United States	Dollar				6,351.48				6,351.48
Jennifer Park Stout:									
Japan	Yen		425.00						425.00
Vietam	Dollar		912.00						912.00
Thailand	Baht		1,755.00						1,755.00
United States	Dollar				8,900.77				8,900.77
Marik String:									
Armenia	Dollar		1,511.62		65.50		477.66		2,054.78
Kazakhstan	Dollar		2,195.00						2,195.00
United States	Dollar				10,534.26				10,534.26
Jordan Talge:									
Kuwait	Dollar		95.78						95.78
United States	Dollar				8,059.34				8,059.34
Puneet Talwar:									
Sweden	Euro		838.00						838.00
United States	Dollar				7,259.04				7,259.04
Tomicah Tillemann:									
Kosovo	Euro		600.00						600.00
Macedonia	Denar		305.00						305.00
Serbia	Dinar		755.00						755.00
United States	Dollar				7,131.94				7,131.94
Total			34,071.72		175,716.80		961.32		210,749.84

JOSEPH R. BIDEN, Jr.,
Chairman, Committee on Foreign Relations, July 25, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS COMMITTEE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Thomas Carper:									
United States	Dollar				9,224.09				9,224.09
Wendy Anderson:									
United States	Dollar				10,626.93				10,626.93
Kuwait	Dinar		179.00						179.00
Total			179.00		19,851.02				20,030.02

JOSEPH LIEBERMAN,
Chairman, Committee on Homeland Security and Governmental Affairs Committee, July 16, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Paul Matulic			1,719.00						1,719.00
	Dollar				8,759.20				8,759.20
Jennifer Wagner			1,817.00						1,817.00
	Dollar				8,759.20				8,759.20
Thomas Corcoran			1,806.00						1,806.00
	Dollar				8,759.20				8,759.20
Senator Christopher S. Bond			155.00						155.00
	Dollar				7,846.08				7,846.08
Louis Tucker			155.00						155.00
	Dollar				7,846.08				7,846.08
Senator Olympia Snowe			51.00						51.00
	Dollar				7,846.08				7,846.08
John Maguire			72.00						72.00
	Dollar				7,846.08				7,846.08
Senator Saxby Chambliss			51.00						51.00
	Dollar				7,846.08				7,846.08
Jennifer Wagner			155.00						155.00
	Dollar				7,846.08				7,846.08
John Livingston			155.00						155.00
	Dollar				12,895.69				12,895.69
Kathleen Rice			155.00						155.00
	Dollar				9,313.08				9,313.08
Senator Orrin Hatch			248.75						248.75
Paul Matulic			353.00						353.00
Daniel Jones			675.00						675.00
	Dollar				12,500.00				12,500.00
Sameer Bhalotra			688.00						688.00
	Dollar				12,500.00				12,500.00
Senator Barbara Mikulski			1,100.00						1,100.00
	Dollar				7,075.50				7,075.50
George K. Johnson			1,100.00						1,100.00
	Dollar				7,075.50				7,075.50
Todd Rosenblum			1,465.00						1,465.00
	Dollar				9,520.21				9,520.21
John Maguire			1,124.00						1,124.00
	Dollar				9,492.63				9,492.63
Alissa Starzak			916.23						916.23
	Dollar				10,082.91				10,082.91

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Bill Nelson			1,098.04						1,098.04
	Dollar				6,240.34				6,240.34
Caroline Tess			1,172.00						1,172.00
	Dollar				6,539.34				6,539.34
Peter Mitchell			797.43						797.43
	Dollar				5,319.34				5,319.34
Eric Rosenbach			167.47						167.47
	Dollar				7,644.08				7,644.08
Total			17,195.92		189,552.70				206,748.62

JAY ROCKEFELLER,
Chairman, Committee on Intelligence, July 18, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE US. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENERGY & NATURAL RESOURCES FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Jeff Bingaman:									
United States	Dollar				7,256.56				7,256.56
England	Dollar		644.20		428.00				1,072.20
Belgium	Dollar		230.05		77.00				307.05
France	Dollar		634.38						634.38
Senator Bob Corker:									
United States	Dollar				7,751.56				7,751.56
England	Dollar		594.12		428.00				1,022.12
Belgium	Dollar		224.98		77.00				301.98
France	Dollar		246.14						246.14
Stephen Ward:									
United States	Dollar				7,256.56				7,256.56
England	Dollar		516.04		428.00				944.04
Belgium	Dollar		297.55		77.00				374.55
France	Dollar		675.86						675.86
Jonathan Black:									
United States	Dollar				7,750.56				7,750.56
England	Dollar		515.58		428.00				943.58
Belgium	Dollar		376.53		77.00				453.53
France	Dollar		728.48						728.48
Total			5,683.91		32,035.24				37,719.15

JEFF BINGAMAN,
Chairman, Committee on Energy & Natural Resources, June 29, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Waxman, Sharon:									
Switzerland	Franc		1,969.25						1,969.25
United States	Dollar				1,441.20				1,441.20
Waxman Sharon:									
United States	Dollar				2,680.69				2,680.69
Total			1,969.25		4,121.89				6,091.14

EDWARD KENNEDY,
Chairman, Committee on Health, Education, Labor, and Pensions,
July 10, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON VETERANS' AFFAIRS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Larry Craig:									
France	Euro		309.96						309.96
Italy	Euro		1,628.30						1,628.30
Germany	Euro		304.30						304.30
Lupe Wissel:									
France	Euro		258.43						258.43
Italy	Euro		1,309.96						1,309.96
Germany	Euro		258.59						258.59
Jonathan Towers:									
France	Euro		258.43						258.43
Italy	Euro		1,279.84						1,279.84
Germany	Euro		258.59						258.59
Jeff Schrade:									
France	Euro		254.27						254.27
Italy	Euro		1,279.84						1,279.84
Germany	Euro		258.59						258.59
Joan Kirchner:									
United States	Dollar				9,420.29				9,420.29
Israel	Shekel		1,047.00						1,047.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON VETERANS' AFFAIRS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Qatar	Riyal		561.65						561.65
Catherine Henson:									
United States	Dollar				9,061.29				9,061.29
Israel	Shekel		1,047.00						1,047.00
Qatar	Riyal		561.65						561.65
Andrew Billing:									
United States	Dollar				9,061.29				9,061.29
Israel	Shekel		1,047.00						1,047.00
Total			11,923.40		27,542.87				50,697.86

DANIEL AKAKA,
Chairman, Committee on Veterans' Affairs, July 27, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), JOINT ECONOMIC COMMITTEE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Nan M. Gibson:									
United States	Dollar				4,244.59				4,244.59
Jordan	Dinar		513.00						513.00
Total			513.00		4,244.59				4,757.59

CHARLES SCHUMER,
Chairman, Joint Economic Committee, June 26, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), MAJORITY LEADER, FOR TRAVEL FROM APR. 1 TO JUNE 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Marcel Lettre:									
United States	Dollar				7,361.22				7,361.22
Libya	Dollar		800.83						800.83
Total			800.83		7,361.22				8,162.05

HARRY REID,
Majority Leader, July 26, 2007.

MEDICARE NATIONAL COVERAGE DETERMINATION ON THE TREATMENT OF ANEMIA IN CANCER PATIENTS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration and the Senate now proceed to S. Res. 305.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 305) to express the sense of the Senate regarding the Medicare national coverage determination on the treatment of anemia in cancer patients.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the 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 resolution (S. Res. 305) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 305

Whereas the Centers for Medicare & Medicaid Services issued a final Medicare National Coverage Determination on the Use of Erythropoiesis Stimulating Agents in Cancer and Related Neoplastic Conditions (CAG–000383N) on July 30, 2007;

Whereas 52 United States Senators and 235 Members of the House of Representatives, representing bipartisan majorities in both chambers, have written to the Centers for Medicare & Medicaid Services expressing significant concerns with the proposed National Coverage Determination on the Use of Erythropoiesis Stimulating Agents in Cancer and Related Neoplastic Conditions, issued on May 14, 2007, regarding the use of erythropoiesis stimulating agent therapy for Medicare cancer patients;

Whereas, although some improvements have been incorporated into such final National Coverage Determination, the policy continues to raise significant concerns among physicians and patients about the potential impact on the treatment of cancer patients in the United States;

Whereas the American Society of Clinical Oncology, the national organization representing physicians who treat patients with cancer, is specifically concerned about a provision in such final National Coverage Determination that restricts coverage whenever a patient's hemoglobin goes above 10 g/dL;

Whereas the American Society of Clinical Oncology has written to the Centers for Medicare & Medicaid Services to note that such a ''restriction is inconsistent with both the FDA-approved labeling and national guidelines'', to express deep concerns about such final National Coverage Determination, and to urge that the Centers for Medicare & Medicaid Services reconsider such restriction;

Whereas such restriction could increase blood transfusions and severely compromise the high quality of cancer care delivered by physicians in United States; and

Whereas the Centers for Medicare & Medicaid Services has noted that the agency did not address the impact on the blood supply in such final National Coverage Determination and has specifically stated, ''[t]he concern about the adequacy of the nation's blood supply is not a relevant factor for consideration in this national coverage determination'': Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the Centers for Medicare & Medicaid Services should begin an immediate reconsideration of the final National Coverage Determination on the Use of Erythropoiesis Stimulating Agents in Cancer and Related Neoplastic Conditions (CAG–000383N);

(2) the Centers for Medicare & Medicaid Services should consult with members of the clinical oncology community to determine

appropriate revisions to such final National Coverage Determination; and

(3) the Centers for Medicare & Medicaid Services should implement appropriate revisions to such final National Coverage Determination as soon as feasible and provide a briefing to Congress in advance of announcing such changes.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NOS. 110–5 AND 110–6

Mr. WHITEHOUSE. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaties transmitted to the Senate on September 4, 2007, by the President of the United States: 1996 Protocol to Convention on Prevention of Marine Pollution by Dumping of Wastes, Treaty Document No. 110–5; and Amendment to Convention on Physical Protection of Nuclear Material, Treaty Document No. 110–6.

I further ask consent that the treaties be considered as having been read the first time, that they be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed, and that the President's messages be printed in the RECORD.

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

The messages of the President are as follows:

To the Senate of the United States:

I transmit herewith, with a view to receiving advice and consent, the 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (the ''London Convention''), done in London on November 7, 1996. The Protocol was signed by the United States on March 31, 1998, and it entered into force on March 24, 2006.

The Protocol represents the culmination of a thorough and intensive effort to update and improve the London Convention. The London Convention governs the ocean dumping and incineration at sea of wastes and other matter and was a significant early step in international protection of the marine environment from pollution caused by these activities.

Although the Protocol and the London Convention share many features, the Protocol is designed to protect the marine environment more effectively. The Protocol moves from a structure of listing substances that may not be dumped to a ''reverse list'' approach, which prohibits ocean dumping of all wastes or other matter, except for a few specified wastes. This approach is combined with detailed criteria for environmental assessment of those materials that may be considered for dumping and potential dumping sites.

The Protocol would be implemented through amendments to the Marine Protection, Research, and Sanctuaries Act (MPRSA), which currently covers London Convention obligations. There will not be any substantive changes to existing practices in the United States, and no economic impact is expected from implementation of the Protocol. I recommend that the Senate give early and favorable consideration to this Protocol and give its advice and consent to ratification, with the declaration and understanding contained in Articles 3 and 10 respectively in the accompanying report of the Department of State.

GEORGE W. BUSH.

THE WHITE HOUSE, *September 4, 2007*.

To the Senate of the United States:

I transmit herewith for Senate advice and consent to ratification the Amendment to the Convention on the Physical Protection of Nuclear Material (the ''Amendment''). A conference of States Parties to the Convention on the Physical Protection of Nuclear Material, adopted on October 28, 1979, adopted the Amendment on July 8, 2005, at the International Atomic Energy Agency in Vienna. I transmit also, for the information of the Senate, the Department of State report on the Amendment. Legislation necessary to implement the Amendment will be submitted to the Congress separately.

The Amendment contains specific provisions to effect a coordinated international response to combating and preventing nuclear terrorism and ensuring global security. It will require each State Party to the Amendment to establish, implement, and maintain an appropriate physical protection regime applicable to nuclear material and nuclear facilities used for peaceful purposes. The aims of the regime are to protect such material against theft or other unlawful taking, to locate and rapidly recover missing or stolen material, to protect such material and facilities against sabotage, and to mitigate or minimize the radiological consequences of sabotage. The Amendment also provides a framework for cooperation among States Parties directed at preventing nuclear terrorism and ensuring punishment of offenders; contains provisions for protecting sensitive physical protection information; and adds new criminal offenses that each State Party must make punishable by law. States Parties must also either submit for prosecution or extradite any person within their jurisdictions alleged to have committed one of the offenses defined in the Convention, as amended.

This Amendment is important in the campaign against international nuclear terrorism and nuclear proliferation. I recommend, therefore, that the Senate give early and favorable consideration to this Amendment, subject to the understandings described in the accompanying report of the Department of State.

GEORGE W. BUSH.

THE WHITE HOUSE, *September 4, 2007*.

MEASURES READ THE FIRST TIME—H.R. 2419 AND H.R. 3221

Mr. WHITEHOUSE. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will report the bills by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

A bill (H.R. 3221) moving the United States towards greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation.

Mr. WHITEHOUSE. Mr. President, I now ask for a second reading en bloc, and I object to my own request en bloc.

The PRESIDING OFFICER. Objection is heard.

The bills will receive their second reading on the next legislative day.

ORDERS FOR WEDNESDAY, SEPTEMBER 5, 2007

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. Wednesday, September 5; that on Wednesday, 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 be reserved for their use later in the day; that there then be a period of morning business until 11:30 a.m. with Senators permitted to speak therein for up to 10 minutes each and that the time be equally divided and controlled between the leaders or their designees, with the Republicans controlling the first half and the majority controlling the final portion, and that during the majority's time, Senator DORGAN be recognized for up to 20 minutes; that at 11:30 a.m, the Senate resume consideration of the Military Construction/Veterans Affairs Appropriations Act. Further, that on Wednesday the Senate recess from 12:30 p.m. to 2:15 p.m. for the respective party conference meetings.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

WELCOMING BACK SENATOR JOHNSON

Mr. WHITEHOUSE. Mr. President, I would like to announce to the Senate that on Wednesday, Senator JOHNSON is expected to return. Following the caucus recess period, the Senate will consider a resolution to welcome him back, and I would encourage Members to be on the floor at 2:15 p.m.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. WHITEHOUSE. Mr. President, if there is no further business to come before the Senate today, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:20 p.m., adjourned until Wednesday, September 5, 2007, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF COMMERCE

CHRISTOPHER A. PADILLA, OF THE DISTRICT OF COLUMBIA, TO BE UNDER SECRETARY OF COMMERCE FOR INTERNATIONAL TRADE, VICE FRANKLIN L. LAVIN, RESIGNED.

DEPARTMENT OF STATE

PAULA J. DOBRIANSKY, OF VIRGINIA, FOR THE RANK OF AMBASSADOR DURING HER TENURE OF SERVICE AS SPECIAL ENVOY FOR NORTHERN IRELAND.

PAUL E. SIMONS, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CHILE.

JAMES FRANCIS MORIARTY, OF MASSACHUSETTS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S REPUBLIC OF BANGLADESH.

DAN MOZENA, OF IOWA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ANGOLA.

LOUIS JOHN NIGRO, JR., OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CHAD.

DEPARTMENT OF LABOR

GREGORY F. JACOB, OF NEW JERSEY, TO BE SOLICITOR FOR THE DEPARTMENT OF LABOR, VICE HOWARD RADZELY.

DEPARTMENT OF HOMELAND SECURITY

ROBERT D. JAMISON, OF VIRGINIA, TO BE UNDER SECRETARY FOR NATIONAL PROTECTION AND PROGRAMS, DEPARTMENT OF HOMELAND SECURITY, VICE GEORGE W. FORESMAN, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. EDWARD A. RICE, JR., 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. CHRISTOPHER A. INGRAM, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

VICE ADM. JONATHAN W. GREENERT, 0000

CONFIRMATION

Executive Nomination Confirmed by the Senate Tuesday, September 4, 2007:

EXECUTIVE OFFICE OF THE PRESIDENT

JIM NUSSLE, OF IOWA, TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

WITHDRAWALS

Executive message transmitted by the President to the Senate on September 4, 2007 withdrawing from further Senate consideration the following nominations:

SCOTT A. KELLER, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE STEVEN B. NESMITH, RESIGNED, WHICH WAS SENT TO THE SENATE ON JANUARY 9, 2007.

DAVID PALMER, OF MARYLAND, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2011, VICE CARI M. DOMINGUEZ, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 9, 2007.

CHARLES W. GRIM, OF OKLAHOMA, TO BE DIRECTOR OF THE INDIAN HEALTH SEVICE, DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOR THE TERM OF FOUR YEARS. (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON MAY 21, 2007.