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House of Representatives

The House was not in session today. Its next meeting will be held on Friday, September 14, 2007, at 10 a.m.

Senate

WEDNESDAY, SEPTEMBER 12, 2007

The Senate met at 9 a.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

PRAYER

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

Let us pray.

O God, Your presence fills us with gratitude. Thank You for life's mountains and valleys, for the seasons of joy, and for the challenges that demand our best efforts.

Today, as many prepare to celebrate Rosh Hashanah, the Jewish new year, draw near to our lawmakers and strengthen them. Give them more than human wisdom to act wisely as they face national and global challenges. Infuse them with humility, civility, patience, love, unity, and peace. Help them to save time by taking time to seek You in silence and meditation. Remind them that quietness in Your presence leads to righteousness, justice, and peace.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 12, 2007.

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

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

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

SCHEDULE

Mr. REID. Mr. President, fortunately, this morning, we are going to conclude action on this Transportation appropriations bill, which is so vitally important to this country.

Through the hard work last night of the managers, Senators MURRAY and BOND, the last remaining amendments will be disposed of this morning. Those are an amendment by Senator DEMINT, amendments by Senator COBURN, and then final passage. There is a period of 20 minutes of debate with respect to the DeMint amendment and then a rollcall vote following the DeMint amendment, if the participants so desire, and then there will be 2 minutes of debate on the Coburn amendments. So Members should be prepared to vote around 9:25. There will be three rollcall votes—DeMint, Coburn, and then final passage. They will be the only votes today.

When Members return next week, there will be no rollcall votes on Monday, September 17, as I had previously announced a long time ago. But on Tuesday, we may have votes in the morning. I haven't worked that out yet with the distinguished Republican leader. We do have some things we have to try to dispose of prior to moving to the Defense authorization bill.

Maybe today, if not on Monday next, we will have a consent agreement regarding how we are going to move forward on the Iraq amendments and the Defense authorization bill. So next week will be an action-packed week. We have the Jewish holiday—we have Yom Kippur—which will begin next Friday, 9 days from now, at sundown. That being the case, we will have no votes after 1 o'clock on Friday next.

RESERVATION OF LEADER TIME

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

DEPARTMENTS OF TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 3074, which the clerk will report.

The legislative clerk read as follows:

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

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A bill (H.R. 3074) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

Pending:

Coburn amendment No. 2812, to remove an unnecessary earmark for the International Peace Garden in Dunseith, ND.

Coburn amendment No. 2813, to ensure that no funds made available under this act shall be used to carry out any activity relating to the design or construction of the America's Wetland Center in Lake Charles, LA, until the date on which the Secretary, in consultation with the Administrator of the Federal Emergency Management Agency and the State of Louisiana, certifies to Congress that all residents of the State of Louisiana who were displaced as a result of Hurricane Katrina or Rita in 2005 are no longer living in temporary housing.

Coburn amendment No. 2814, to prohibit the use of funds for the construction of a baseball facility in Billings, MT, and to reduce the amounts made available for the Economic Development Initiative and the community development fund.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 20 minutes of debate with respect to the DeMint amendment, with the time equally divided between Senator DEMINT and Senator KENNEDY.

The Senator from South Carolina is recognized.

AMENDMENT NO. 2844

Mr. DEMINT. Mr. President, I call up amendment No. 2844.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 2844.

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

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

The amendment is as follows:

(Purpose: To provide a system for better construction and maintenance of America's aging bridge infrastructure by spending American tax dollars more effectively and efficiently)

At the appropriate place, insert the following:

SEC. ___. NONAPPLICATION OF PROVISIONS.

None of the funds made available by this Act may be used to implement the provisions, or make payments subject to the provisions, of subchapter IV of part A of chapter 31 of title 40, United States Code, with respect to a contract for the construction or maintenance of any bridge which, as of the date of enactment of this Act, is classified under the Federal Highway Administration's bridge inspection program as ''structurally deficient'' or ''functionally obsolete''.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina is recognized.

Mr. DEMINT. Mr. President, I thank my colleagues for the opportunity to speak on my amendment. I do have an amendment to the Transportation bill that I would like to talk about for a few minutes this morning.

I have listened to a lot of the debate this week. Obviously, transportation is a key issue for this country, and it has become clear that because of the tragedy in Minnesota, many of us are concerned about bridges and those that are deficient. We have talked a lot about how to fund those, and I am afraid, as Congress often does, we ignore a serious problem until it is too late, and then we decide we want to throw a lot of money at it and we come riding in on white horses to fix the problem.

I think we do need to look at the problem and what we can do at the Federal level, and I have an amendment that I think will make the dollars we spend go a lot further that I would like to present to Members this morning. But, first, I think we need to review a little of the situation we are in.

I think we have all heard in the debate that America has many bridges we have deemed structurally deficient or functionally obsolete. My amendment addresses these particular bridges. There are over 150,000 bridges in the country today—or over 20 percent of our total bridges—that fall under the classification of structurally deficient and functionally obsolete.

Every day in this country, right now, people are going to work and filling up their gas tanks. Over 18 cents of every gallon they put in their tanks is a Federal tax that comes to us. That tax was actually started many years ago when we wanted to build the Interstate Highway System in this country. It started at a much lower level. I think most of us know the Interstate Highway System is basically complete. Yet we have continued to take that tax and raise it over the years. So what we are doing is taking money from the States and bringing it to Washington. The problem is that very little of that actually gets back for the maintenance of bridges in our States.

To start off with, a lot of States, the majority of States in this country, don't get back what they send. We call them donor States. South Carolina is one of the donor States. We will send our tax to Washington and, for years, we have gotten back less than 90 cents on a dollar. This clearly hurts our State. But what does come back comes back with a lot of red tape and regulations that prevent the dollars from going as far as they could.

What has happened in South Carolina and many other States is that in order to get those Federal dollars back, we have had to match them with our State dollars. For years, we have taken money out of our maintenance funds for roads and bridges and used it to match the Federal dollars. But the Federal dollars have to be used in particular ways that are not necessarily for the maintenance of roads and bridges. Even more important are all of the earmarks we put in the Transportation bill, earmarks for bridges to nowhere or a Big Dig in Boston, and these earmarks usually have to be matched at a higher level to get those dollars, and they have to then be used in the way the earmark prescribes.

We have looked through a lot of past bills and found very few earmarks that are to maintain and improve bridges. They are for new projects and things on which we can do press releases. But the bottom line is this: Less than 40 cents on a dollar that we send to Washington actually ends up helping to maintain roads and bridges. That is a problem.

Now, there are a lot of things we can do, and I have identified one I would like us to focus on today. It is the old law called the Davis-Bacon provision. It actually started during the Depression, when many companies were hungry to get business, and so they sharpened their pencils and gave lower bids to cities, and the larger companies didn't like that. So they created the Davis-Bacon law, which actually allows the Federal Government to set the wages of companies when they are doing Federal work.

What happens in most parts of the country, such as South Carolina, when a small company—perhaps a minority-owned company—may be trying to compete with a large company, they will come in with a lower bid, but then they have to allow the Federal Government to set the wages. We call it prevailing wages, but it may not be the prevailing wage in South Carolina. The American Association of Builders and Contractors has estimated that the Davis-Bacon provision raises the cost of construction from 5 percent to 38 percent. Just think of that. Think of that money and how it could be multiplied if that provision was not part of the equation for maintaining and getting these obsolete and structurally deficient bridges in better order.

That is what this amendment is about. It is not an unprecedented idea. President Bush realized during Katrina that we had to do a lot of work and get a lot of firms in action—small firms. All these firms have already worked out the salaries with their employees. Some may be revenue sharing and not related to salary. But as long as Davis-Bacon is in order, those firms have to wait for the Federal Government to tell them what to pay their employees so they can then bid a job. It slows the whole process. So during Katrina, the President waived it, and during Hurricane Andrew, after that we waived the Davis-Bacon provision so that the money could go further and the rebuilding could take place quicker.

My amendment is very simple in that it focuses particularly on bridges that have already been designated structurally deficient or functionally obsolete. For 1 year only, we waive this Davis-Bacon provision so that the States and municipalities around this country can take the Federal money that is provided and make it go further to fix these bridges—to build new ones in some cases—and to allow them to move quicker and not wait for some Federal bureaucrat to tell them what to pay their employees in order to get a job from the city.

Anyone in business, particularly in the construction-related business, knows that it sometimes is feast or famine; you either have too much work or you don't have any. Many times, a municipal government or State government can get a lot lower bid and get work done much quicker if they are allowed to take those low bids. Unfortunately, the way we have it set up with Davis-Bacon, we force such a bureaucracy, we force these particular salaries on these companies that may have different arrangements with their employees, and it slows the whole process. Just think—we are talking about a 38-percent increase in cost, in some cases, just because of Davis-Bacon.

So I would encourage my colleagues to consider this amendment. We are not talking about getting rid of Davis-Bacon forever, although I think that is something we should perhaps consider. But this is just a 1-year waiving of Davis-Bacon specifically for the repair and maintenance of structurally deficient and functionally obsolete bridges. If we do this, I think the public will get a lot more for their tax dollars, we will get this work done a lot quicker, and it makes a whole lot more sense than raising the Federal gas tax. That is kind of the way Congress does things—we have a problem, so let's just raise taxes and spend more money. In this case, we have about $4 for every $10 we spend that doesn't go to what we say it does. If we can do a few things, like waive Davis-Bacon, the money we take from the public can go a whole lot further.

I encourage Members to vote for this amendment this morning. I hope the majority will not table it, because we have seen in Katrina and other tragedies that our money goes a lot further, the work gets done faster, and our goals as a Congress are met a lot sooner.

Mr. President, I thank the chairwoman for the time, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I thank the Senator from Washington for giving me an opportunity to make a response to the Senator from South Carolina on this issue of prevailing wage that guides the wage for Federal construction.

This idea and concept goes back to the 1930s—1931. What is the prevailing wage? It is effectively the local average wage. Why was this decided, that we are going to have the average wage? Because it was decided then, with a Republican Congress, a Republican Congress and Republican President, that we do not want the Federal Government interfering with what is happening in local community wages. If they are going to be less in South Carolina than they are in Massachusetts, they ought to use the local prevailing wage.

Is this complicated? No, it is not complicated at all. All you have to do is go look on the Web and find out what the prevailing wage is in South Carolina and what it is in Boston, MA. This was the basic concept.

What has been the result of having the prevailing wage? The prevailing wage gives assurances to families. The Federal highway system was such an extraordinary national system developed and proposed by President Eisenhower. It has meant all the difference to the American economy. What the Davis-Bacon program is saying is we are going to pay the average wage to workers under the Davis-Bacon program, but those individuals who are going in those programs, by and large, almost all of them, have gone through various apprenticeship programs and are skilled workers. That is why the University of Utah study of nine southwestern and mountain States has pointed out that the cost of using Davis-Bacon was actually cheaper, less costly to the taxpayer than it would have been if they had not had prevailing wages. An analysis of Federal Highway Administration data in 2004 reached a similar conclusion—that states paying higher wages had lower highway construction costs and higher labor productivity.

We want to make sure that when we have our highways and bridges, they are going to be safe and they are going to be secure and they are going to be made by those individuals who have the skills to do the job and do it right and do it well and do it for the protection of American families, whether it is the workers who drive in to work or the children who come back in the various buses from schools all over the community. That is what we are talking about—skilled work, competent work, on-time work done by people who have training and follow a very important tradition. These people are out there working night and day; in the cold of the winter working out there at night, and in the day in the heat of the summer.

What is the average wage we are talking about in this whole debate? The median construction wage in this country is $35,000. Does that seem so outrageous, for someone who has a skill, $35,000? Are we going to try to say with all of the challenges and problems we have in our transportation system, this $35,000 is so much we want to try to reduce those wages for working men and women in this country? Is this so outrageous, with the challenges we have seen, in terms of what people are being paid in the United States of America today? Of course not.

This is a very dangerous industry. More men and women are killed in construction than in any other industry. Do you hear me? More men and women are killed in construction than in any other industry. Three times more men and women are killed in construction than the national average for other industries, and for some of those who are building bridges, it's even more dangerous. The fatality rate for structural iron and steel workers is 13 times more than the average industry. These are high-risk jobs and we are talking about paying people $35,000 a year? In terms of the important issues we are facing, it makes no sense.

We want to make sure that when the Federal taxpayer dollar is expended, it is going to get quality work, it is going to get productivity, it is going to get results, it is going to have accountability. That is what Davis-Bacon has provided over the period of years.

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

The ACTING PRESIDENT pro tempore. The Senator has 5½ minutes.

Mr. KENNEDY. To show what the difference is in terms of prevailing wages for local workers, for ironworkers in Greene, AL, the prevailing wage is $13.67 per hour. An ironworker in Greene, AL makes $21,872 a year. For ironworkers in Denver, CO, the prevailing wage is $22.50, annually $36,000. In Des Moines, ironworkers make $20.60 an hour; $32,960 per year. The average wage in El Paso is $12.03 an hour; they make $19,248, $19,248 a year. Are we trying to say in Texas, in El Paso, we are going to try to undermine individual workers who are making $19,000? By and large most of them are skilled workers who have had apprenticeship programs. Is this the greatest challenge we are facing in our transportation system? No, it is not.

The list goes on. This chart here shows construction is one of the most dangerous industries, with over 1,100 fatalities and over 410,000 work-related injuries. This is a dangerous industry and that is why it is so important we have programs, apprenticeship programs to teach these workers their skills but also teach them safety and security.

Regarding the injuries, prevailing wage laws lower construction injuries by 10 to 20 percent. If you have prevailing wages, if they are put into place, the number of individuals who are going to be involved in injuries, death, and serious injuries is actually reduced. Why? Because these workers have skills and have better training. More injuries mean higher workers' compensation costs. Without the Federal prevailing wage, workers would suffer up to 76,000 additional injuries leading to 675,000 more lost workdays.

This hasn't been an issue that has been a partisan issue. When this was passed in 1931, author James Davis was a Republican Senator and Robert Bacon, another author, was a Republican from the House of Representatives. It was a Republican House majority that passed it. The Republican Senate passed the bill, and Republican President Herbert Hoover signed the bill into law.

It is very simple. This is necessary because of the importance of having high-skilled work being done on the bridges and roads of this country. The American taxpayer's dollar is a scarce dollar. We ought to make sure it is not

going to be used by fly-by-night operations. We want to make sure those people who are going to receive it are going to have the skills and training to make sure the roads and bridges are going to be safe and secure. That is what Davis-Bacon does. It takes into consideration what the local wages are. Prevailing wages are published on the Internet. It is easy for any of the construction companies to understand it. They all understand it. We don't get complaints that they don't understand it. It is just in many instances they would rather get fly-by-night operations.

If you look at the various studies that have been done, time in and time out, about prevailing wages, whether it is from the University of Utah—not a flaming liberal kind of university—looking at the western States, when they had the prevailing wage versus not having the prevailing wage, they show that using the prevailing wage actually resulted in the savings of taxpayer resources.

I hope this amendment will not be accepted. We have a tried and true system. We are talking about people, as I mentioned earlier, whose median income is $35,000. It is not excessive. It is difficult to make a good living today, $35,000 today, when you look at the cost of health care, the cost of tuition, the cost of the gasoline, the cost of heating oil—if you live in our part of the country, $35,000 doesn't go a long way.

It does seem we want to make sure American taxpayers are going to get what their hard-earned taxes have been collected for and make sure they are going to be expended for skilled work. Davis-Bacon gives that assurance to working families.

I see the Senator from Washington. I don't know how much time I have, but I yield the remaining time to her.

Mrs. MURRAY. Mr. President, how much time remains?

The ACTING PRESIDENT pro tempore. One minute remains.

Mrs. MURRAY. I thank the Senator from Massachusetts for his discussion of the current pending DeMint amendment. It seems to me it is our responsibility to make sure our people who are working on these critically important infrastructure improvements are paid a prevailing wage and given the opportunity to care for their families as they care for all of us.

Mr. President, at this point we yield back all of our time.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. DEMINT. How much time do I have remaining?

The ACTING PRESIDENT pro tempore. One minute remains.

Mr. DEMINT. I appreciate the debate. I think it is important to have. Davis-Bacon does not make sites safer. It does not have anything to do with skilled workers. What it does is forces particularly small companies to revamp how they bid projects, to change how they pay their people. The cost of that administration as well as waiting for the Federal Government—you can't just go to the Internet. The Federal Government is going to have to approve what the prevailing wage is. It has been deemed not functional, what is taking place. What we are talking about is not a suspension of Davis-Bacon forever, but a recognition in the next years we want a lot more dollars to be applied to bridge maintenance, and by waiving Davis-Bacon for 1 year our dollars will go further and the work will be done quicker.

I yield back the remainder of my time.

Mrs. MURRAY. Mr. President, Members were notified last night the vote would begin at 9:30. We have no additional debate at this time.

If the Senator from North Carolina has nothing to add, we are going to put in a quorum call until 9:30—unless he wishes to make any additional comments?

Mr. DEMINT. Mr. President, I think I needed to ask for the yeas and nays, and 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.

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

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

Mrs. MURRAY. Mr. President, I move to table the DeMint amendment and ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), and the Senator from Hawaii (Mr. INOUYE) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG), the Senator from New Mexico (Mr. DOMENICI), and the Senator from Arizona (Mr. MCCAIN).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 37, as follows:

[Rollcall Vote No. 334 Leg.]

YEAS—56

Akaka	Byrd	Conrad
Baucus	Cantwell	Dorgan
Bayh	Cardin	Durbin
Biden	Carper	Feingold
Bingaman	Casey	Feinstein
Bond	Coleman	Harkin
Brown	Collins	Johnson
Kennedy	Mikulski	Schumer
Kerry	Murkowski	Smith
Klobuchar	Murray	Snowe
Kohl	Nelson (FL)	Specter
Landrieu	Nelson (NE)	Stabenow
Lautenberg	Obama	Stevens
Leahy	Pryor	Tester
Levin	Reed	Voinovich
Lieberman	Reid	Webb
Lincoln	Rockefeller	Whitehouse
McCaskill	Salazar	Wyden
Menendez	Sanders	

NAYS—37

Alexander	DeMint	Lott
Allard	Dole	Lugar
Barrasso	Ensign	Martinez
Bennett	Enzi	McConnell
Brownback	Graham	Roberts
Bunning	Grassley	Sessions
Burr	Gregg	Shelby
Chambliss	Hagel	Sununu
Coburn	Hatch	Thune
Cochran	Hutchison	Vitter
Corker	Inhofe	Warner
Cornyn	Isakson	
Crapo	Kyl	

NOT VOTING—7

Boxer	Dodd	McCain
Clinton	Domenici	
Craig	Inouye	

The motion was agreed to.

Mrs. MURRAY. I move to reconsider the vote.

Mr. KENNEDY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 2812, 2813, AND 2814 EN BLOC

The ACTING PRESIDENT pro tempore. There will now be 2 minutes of debate evenly divided before a vote en bloc on amendments 2812 to 2814 offered by Mr. COBURN of Oklahoma.

Who yields time?

The Senator from Oklahoma.

Mr. COBURN. Mr. President, this is a block of three amendments. It is not a great deal of money, but it certainly will send a message to the American people about our priorities. We can build a new visitors center in Louisiana, where 7,000 people are still displaced from Hurricanes Katrina and Rita. We can add on to a baseball stadium which has already run over, and the money is to compensate for the overrun—a priority versus building bridges—or we can markedly expand and remodel a peace garden on our northern border. I would put forward to the body that these are not priorities right now. They are not priorities, when our true deficit this year is going to be about $400 billion. We are going to charge to it our kids. We have the largest deficit and out-of-compliance bridges in our history. Yet we are going to make a choice to spend money on these rather than higher priorities. The American people don't have that luxury with their own budgets. We should not be taking that luxury with their money either.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. DORGAN. Mr. President, this is another one of those amendments where the bureaucrats know best—don't ask, don't tell. These three projects are in Louisiana, Montana, and North Dakota. The International

Peace Garden, built 75 years ago, is a national treasure between the United States and Canada. The buildings are in disrepair. The Government of Canada says: We are prepared to make some investments. There is a $450,000 earmark, congressionally directed spending, to make an investment. The Canadians say they will make investments, but we want the Americans to make investments as well. We would not want to invest in this national treasure; is that what we have come to? This makes no sense at all. My hope is that those who believe the bureaucrats will know best about spending will understand this amendment is not worthy. These three projects have great merit. I believe the Congress will want to fund these projects with modest funding. That is what we have done. I hope we will soundly reject the amendments offered by the Senator from Oklahoma.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I move to table the amendments and ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is on the motion to table the Coburn amendments en bloc.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from New York (Mrs. CLINTON), and the Senator from Connecticut (Mr. DODD) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 63, nays 32, as follows:

[Rollcall Vote No. 335 Leg.]

YEAS—63

Akaka	Grassley	Nelson (NE)
Alexander	Harkin	Obama
Baucus	Inouye	Pryor
Biden	Johnson	Reed
Bingaman	Kennedy	Reid
Bond	Kerry	Rockefeller
Brown	Klobuchar	Salazar
Byrd	Kohl	Sanders
Cantwell	Landrieu	Schumer
Cardin	Lautenberg	Smith
Carper	Leahy	Snowe
Casey	Levin	Specter
Cochran	Lieberman	Stabenow
Collins	Lincoln	Stevens
Conrad	McCaskill	Tester
Dole	McConnell	Vitter
Domenici	Menendez	Voinovich
Dorgan	Mikulski	Warner
Durbin	Murkowski	Webb
Feingold	Murray	Whitehouse
Feinstein	Nelson (FL)	Wyden

NAYS—32

Allard	Bunning	Corker
Barrasso	Burr	Cornyn
Bayh	Chambliss	Crapo
Bennett	Coburn	DeMint
Brownback	Coleman	Ensign
Enzi	Inhofe	Roberts
Graham	Isakson	Sessions
Gregg	Kyl	Shelby
Hagel	Lott	Sununu
Hatch	Lugar	Thune
Hutchison	Martinez	

NOT VOTING—5

Boxer	Craig	McCain
Clinton	Dodd	

The motion was agreed to.

Mrs. MURRAY. I move to reconsider the vote.

Mr. BOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SECTION 8 HOUSING PAYMENTS

Mr. HARKIN. Mr. President, over the last 3 months a majority of project-based section 8 housing had payment disruptions with HUD not making timely payments under its contractual obligations to the owners of the housing facilities. As of the end of August, 50 facilities had not received payments just in my State of Iowa. The payments not received cover 2,466 apartments. Twenty-two percent of those projects were designated as ''family projects,'' and 78 percent are elderly or disabled projects or a combination of the two. Some of those facilities were still waiting for their June and July payments when the August payments failed to arrive.

As of yesterday, I understand that about 20 projects in Iowa which have reached their contract expiration date at the end of June, July, or August still have not seen the routine work to renew the contracts, and payments have not been received in Iowa. I expect that Iowa is typical of the Nation in this regard.

The failure to make timely payments not only results in added costs to owners, it creates a chill on future investments in low-income housing. With that chill, I fear that the number of low-income housing units available to families and the elderly in need will be reduced.

I urge that the committee work to provide for methods and requirements as well as financial resources so HUD will provide proper timely payments to all project-based section 8 projects in the coming fiscal year. I am particularly concerned with the situation that may occur if the Congress passes one or more short-term continuing resolutions for the beginning of the fiscal year. I would like to work with Chairman MURRAY and Senator BOND to accomplish these goals.

Mrs. MURRAY. Mr. President, I agree that we have seen serious disruptions in payments to project-based section 8 facilities in recent months. That has caused real difficulties for many owners. I do believe that HUD needs to have processes in place that will make funding to project owners in as timely manner as possible. We also need to have funding in place where HUD can make its payments. I appreciate the Senators' interest in this area, and we will work to avoid a repeat of what we have seen over the past 3 months.

Mr. BOND. Mr. President, I raised this issue on the Senate floor on Monday. I certainly believe this is a real difficulty, and I certainly believe HUD needs to meet its contractual obligations. I also agree that we need to create provisions that will assure that HUD makes its housing assistance payments on time.

Mrs. MCCASKILL. Mr. President, earlier today I voted on a motion to table an amendment offered by the Senator from Oklahoma to remove three earmarks from the Transportation Housing and Urban Development appropriations bill. Those projects totaled $1.35 million and were for economic development efforts in North Dakota, Montana, and Louisiana.

This was a difficult decision for me. I believe that the earmarking process in the past decade has ballooned out of control at a cost of billions of dollars to taxpayers. I don't believe that all earmarks, per se, are bad, but that as a general policy, we need more transparency in this process, and I believe that competitive and formula grants are a better way to assure that taxpayer dollars are spent appropriately.

However, I am uncomfortable with cherry-picking which earmarks are worthy and which ones are wasteful. There were dozens and dozens of earmarks totaling tens of millions of dollars in this bill. Why pick on just three?

I, however, did support an amendment to take money designated for all of the earmarked transportation projects in this bill and transfer it to fund national urgent priorities such as emergency bridge repairs.

This will be a long process to cut down, and even eliminate, many congressional earmarks and other kinds of Government waste. Frankly, earmarks are just the easiest and most obvious target. Billions of dollars are spent every year by the Federal Government on no-bid contracts, for example. And we are nowhere near preventing this wasteful pattern of spending.

But progress is being made on the earmark front. Congress passed a comprehensive ethics bill that provides more transparency in the earmark process. Due to pressure from the American public demanding change, we have seen fewer earmarks in this year's appropriations bill. According to the administration's Office of Management and Budget, this very Transportation-HUD bill contains half the amount of earmarks compared to its last version from 2006.

However, there is still much work to be done, and as a fiscal conservative and former auditor, I will continue my efforts to fight to change the way the Federal Government does business with taxpayers' dollars—whether it is Congress or the administration.

Mr. SCHUMER. Mr. President, I rise to speak about two important issues addressed in this bill.

Thank you, Mr. President, and I would like to thank Senators MURRAY

and BOND for their leadership on this bill. This bill will make America safer and stronger by improving our transportation and housing infrastructure.

First, I would like to discuss the need for FAA modernization. My amendment would convey the sense of the Senate on the issue of FAA modernization. For too long, the FAA has been derelict in its duty on this important aspect of public safety.

Something is wrong when the thousands of everyday Americans with GPS devices in their cars are working off what appear to be more modern navigation systems than the FAA.

My amendment makes clear that this delay in implementing a modern air traffic control system threatens both the safety of our air passengers and the economy by delaying thousands of business and recreational passengers each day.

This amendment makes clear that the FAA must act now and fully implement the modernization system using the resources allocated in this bill to keep our skies safe.

The committee took a significant step forward in this bill by providing hundreds of millions of dollars for modernization. I thank them for their commitment to this issue, and now it is time for the FAA to step up to the plate and do their share.

We should urge the FAA to move as quickly as possible in implementing the modernization system to finally put an end to the endless delays and dangerous near misses on our Nation's runways and in our skies.

Next, I would like to discuss the subprime crisis in the Senate about the need to assist the many families facing foreclosure as their subprime loans reset to unaffordable levels.

I have been studying this issue for some time. The mortgage industry has become the Wild West, and far too many homeowners have gotten caught up in the teaser-rate promises of subprime mortgages only to be devastated when they reset to higher, unaffordable levels.

I have concluded that one of the best tools we have in helping to avoid this upcoming wave of foreclosures is the efforts of nonprofit organizations specializing in foreclosure avoidance and homeowner counseling.

So I would like to thank Senators MURRAY and BOND for responding to my request for additional resources by allocating $100 million for those nonprofits to assist homeowners who are facing foreclosures. An estimated 2 million mortgages are scheduled to reset to higher interest rates in the next 12 months. This will mean a devastatingly high number of foreclosures, unless major action is taken.

But because there are so many distressed homeowners right now, the nonprofits are overwhelmed. Some have already received more calls for help this year than they did all of last year, and things are likely to get worse before they get better. The non-profits simply do not have the resources to deal with this crisis. The home mortgage market is in a state of emergency, and these nonprofits are our best-equipped first responders. We ought to lend them a hand.

This investment will pay for itself many times over, through the avoidance of foreclosures and the pain and suffering they cost this country, both in economic and noneconomic terms.

But government alone cannot solve this problem. It will require a major commitment by others as well, particularly those banks and mortgage servicers which have the ability, through loan modifications and refinancings, to help homeowners avoid foreclosures. These lenders and servicers made plenty of money while the housing markets were good, and I believe it is time for them to pitch in to help avoid the consequences of their actions, which contributed to this current crisis.

This is why I have asked the country's major mortgage lenders and mortgage servicers to increase their efforts to help subprime borrowers avoid foreclosure. I have also asked them to also provide monetary commitments to the nonprofits, which everyone acknowledges are key to solving this problem.

For the millions of Americans at risk of losing their homes, these nonprofits can provide shelter from the foreclosure storm.

This is a bipartisan solution to a bipartisan problem.

I am encouraged that my colleague, Senator BOND, agrees that we need more resources devoted to this problem. I agree that $100 million more dollars is a good thing. I am concerned, however, that the conditions put on this money may restrict its most beneficial uses. I want to be sure that all the funds we dedicate are used to help keep every family possible in their homes, and I look forward to continuing to work with the committee to ensure that the funds in this amendment can do just that.

This subprime crisis is a danger to the housing market and the market as a whole, and efforts and resources at all levels of government and in the private sector should be devoted to alleviating this ongoing problem.

Finally, I would like to applaud my friend and colleague, Senator MURRAY, whose leadership and determination were instrumental in getting $1 billion of additional funding for bridge replacement and rehabilitation.

This amendment addresses what we have known for far too long—we have been neglecting our infrastructure for far too long.

The disaster in Minnesota was a wake-up call to get our Nation's transportation infrastructure in order. For far too long, highways and bridges in New York and across the country have been allowed to degrade to the point of dangerous disrepair.

As I have said before after similar disasters, we must learn from them and fix the problems that caused them. We can no longer afford to neglect our aging highways and bridges in older cities.

This amendment goes a long way in learning from this disaster and fixing serious problems in our Nation's infrastructure. I commend Senator MURRAY for her leadership.

I was proud to be a cosponsor of this amendment and look forward to working with Senator MURRAY on further projects in the future.

I look forward to working with the committee on my amendments and to finishing this bill which represents, for the first time in a long time, the resources our country needs to support its infrastructure, transportation and housing positions.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mrs. CLINTON. Mr. President, this Transportation/HUD appropriations bill for fiscal year 2008 crafted under the leadership of Chairman PATTY MURRAY makes key investments in our Nation's highway systems, aviation system, passenger rail, and provides housing services for those in need, the elderly and our veterans.

This legislation allocates over $100 billion for the Department of Transportation, the Federal Aviation Administration, FAA, and for Housing and Urban Development. According to the U.S. Department of Transportation, for every $1 billion that is spent on transportation, 47,500 jobs are created. In this legislation over $40 billion is invested in our Nation's highway system for construction of new roads, repairs and improvements. This legislation will create tens of thousands of new jobs, improve safety to our highways and bridges—and will go a long ways to strengthen and grow our Nation's economy.

I am proud that my Senate colleagues voted to include $1 billion in Federal funding to aid in the repair and maintenance of America's bridges, which would include an additional $100 million for New York State's aging bridges. The bridge collapse in Minnesota is a sober reminder of the tragic results that can occur when our infrastructure needs are not met. New York State has more than 17,000 highway bridges, with 12 percent classified as structurally deficient, and 26 percent classified as functionally obsolete and this additional funding is vital to my State of New York.

Several Republicans sought to pass an amendment that would have repealed Davis-Bacon protections for construction workers involved in bridge reconstruction on structurally deficient bridges—an act that puts both our workers and our Nation at risk. I was disappointed by this attempt to undermine our workers' safety, and heartened that the bill does not contain this amendment. The tragic collapse of a major highway bridge in Minneapolis this year illustrates just

how critical it is for our roads and bridges to be constructed with the safest and highest quality workmanship.

Year after year the administration has attempted to bankrupt Amtrak. And again, I am proud that the Senate has rejected the President's proposal that would have pushed Amtrak into bankruptcy. Amtrak plays a vital role in our Nation's transportation system, especially for New Yorkers and those along the Northeast corridor. In an era of record gas prices, congested highways, and record delays and congestion for the flying public, the role of Amtrak has become more important and it must receive the necessary funding to continue services and improve railway infrastructure.

This legislation also contains vital funding for the Federal Aviation Administration, including much needed funding to pay for infrastructure needs at airports throughout New York, as well as funding for new technology to reduce delays and congestion at our Nation's airports. This summer, the flying public has seen record delays at our airports and it is imperative that we resolve this problem as soon as possible. I am proud that the Senate unanimously confirmed my bipartisan amendment requiring the Department of Transportation to develop a plan how the FAA will alleviate congestion and delays in the New York/New Jersey/Philadelphia airspace by next summer.

In addition to the funding for Transportation, this legislation provides desperately needed funds for more affordable housing and would provide housing for our homeless veterans, the elderly, and those in need. This legislation provides over $2 billion more than the President's request for programs under Housing and Urban Development. The legislation rejects the Bush administration's cuts to housing for the low-income elderly, as well as the administration's plan to eliminate Hope VI, a program that revitalizes neighborhoods by replacing outdated public housing in disrepair with new mixed-income housing.

We still have work to do to improve our transportation systems. Airport delays in just a few years will cost our economy more than $30 billion every year and nationwide, poor road conditions and traffic congestion cost American drivers more than $110 billion each year in wasted fuel and lost time. There is a more than $1.6 trillion long-term infrastructure gap to fill—as a nation—we need to invest in our future again. I urge the President to remove his veto threat and sign this legislation into law as quickly as possible so that these needed funds can be used to improve our Nation's aging infrastructure as quickly as possible.●

● Mr. McCAIN. Mr. President, the bill before us is a budget buster. It is over $3 billion above the President's budget request and contains numerous earmarked projects, worth over $2 billion. It should be soundly rejected.

Funding for transportation infrastructure and transportation safety is of enormous importance and I know all of us support doing what we can to improve our Nation's transportation system, from our roads and bridges to our air service. The tragic bridge collapse in Minnesota in August was a harsh reminder of just how critical our responsibilities are to balance competing transportation funding needs. But we simply must do so in a fiscally responsible manner. The Senate's action Monday to increase the obligation limitation for the highway trust fund by $1 billion is not the answer nor was it responsible. It might have been politically expedient, but it is not the answer.

We cannot afford to simply spend more and more of taxpayers' hard-earned dollars without consequences. It is time for Congress to start making choices among competing priorities, just as American families do each month with their family budgets. In this bill, we are not underfunding transportation; we are misdirecting infrastructure funding to earmarked projects that are questionable and certainly not urgently needed.

According to the Reason Foundation's 16th Annual Highway Performance Report, 24 percent of our Nation's bridges were deficient or obsolete in 2005. Minnesota actually ranked 5th best in the Nation, yet we watched with horror as one of the State's major thoroughfares crumbled from disrepair. The Wall Street Journal reported on August 22, 2007, that a week before the bridge collapse, a Congressman from Minnesota inserted over $10 million in earmarks for rail transit, bike trails and the ''Kids Peace Mesabi Academy,'' but not a penny for bridge or infrastructure repair.

In addition to our aging bridges, our Interstate Highway System is over 50 years old and not equipped to handle today's traffic levels. So what has Congress done in response to this reality? We have increased earmarking of our highway program funding by a staggering level: The 1982 highway bill included 10 demonstration projects totaling $386 million; the 1987 highway bill included 152 demonstration projects totaling $1.4 billion; the 1991 highway bill included 538 location-specific projects totaling $6.1 billion; the 1998 highway bill included 1,850 earmarked projects totaling $9.3 billion; and the 2005 highway bill included over 5,634 earmarked projects totaling $21.6 billion.

So instead of allowing states the ability to allocate their highway dollars to their most pressing needs, like deficient bridges, we are funding a significantly higher level of bike paths and highway beautification projects and sidewalk improvements. When will we learn? When will we learn that this is not what the American people want or deserve from their elected representatives. How many more infrastructure tragedies will occur before we change our earmarking ways?

Instead of raising the gas taxes, as some Members of Congress have suggested, for the millions of Americans who are already paying more for gas than ever before, the Federal and State governments must prioritize transportation spending to focus on projects with the most need rather than building ''bridges to nowhere.'' If Congress fails to recover from its addiction to earmarks, then crumbling bridges, congested highways, and crowded airports will continue much to the determent of all Americans.

Congress recently passed an ethics reform bill that requires the disclosure of the authorship of earmarks. Ninety-one Members of this body requested transportation earmarks in this appropriations bill. For example, this bill contains $4 million for a bridge in Arkansas that does not appear in the Arkansas State transportation improvement plan, thereby questioning its necessity. The bill also includes almost $2 million for a study on the effects of dust suppressant chemicals on Federal highways, $2 million above the administration's request for volcano monitoring in Alaska, and $2 million to prevent the frequent U turns at the gates of the Los Alamos labs in New Mexico.

Of course, the bill includes a wide range of transportation earmarks. The bill also contains $8 million for airport improvements to Cape Cod and Nantucket, $2.5 million for improvements at the Niagara Falls International Airport, and $1.5 million for improvements at the airport in Palm Springs, CA. No doubt these popular tourist destinations could have helped to pay for these improvements themselves rather then requiring all taxpayers to subsidize such marvelous destinations that many taxpayers may never be able to afford to visit.

The bill also provides $3.5 million to construct an airport in Akutan, AK—population 767—when an alternative airport is less than 55 miles away and $1 million for airport improvements at Lewis University, IL, for its 1,000 students. There are also earmarks for ferry service, such as $1 million for Nassau County, NY, which is the sixth richest county in the Nation. Again, taxpayers nationwide must support and sustain these projects despite their use by a few.

The underlying bill provides funding for the Department of Transportation's 1-year pilot program that would allow a maximum of 100 Mexican trucks to enter and travel to a single destination in the United States this year. This pilot program is the result of planning and preparation over the past 14 years. NAFTA, passed by Congress in 1993 and signed into law by President Clinton in 1994, mandated the opening of our southern border to Mexican trucking operations. Congress set forth stringent preconditions for opening the border in section 350 of the fiscal year 2002 transportation appropriations bill, and DOT complied with all 22 of those requirements. The Inspector General has

reported five times that the Department has substantially met those safety requirements. It is now time to allow these two countries to move forward with this 1-year pilot program that will have numerous economic benefits for the two nations. Unfortunately, the Senate has voted 74 to 24 to prevent the pilot from going forward. As such, we continue to fall short of abiding by the obligations we committed to when we approved NAFTA.

In addition to my concerns with the transportation title, this bill provides more than $3 billion above the President's budget request for the Department of Housing and Urban Development. Like previous years, the accompanying report contains an enormous number of earmarks in the Economic Development Initiative and neighborhood initiative accounts to the tune of more than 300 earmarks totaling nearly $300 million.

Again, I would like to express my disappointment that Senate leadership has brought to the floor a bill that is $3 billion over the administration's request containing hundreds of earmarks. Rightly, the administration has announced that the President will veto this bill unless its price tag is reduced. That is the correct action.

During my recent travels around the Nation, I hear again and again from citizens who are fed up with pork barrel spending and yet, Congress fails to listen. It is a shame, and I can only hope that the American people will join me in expressing their displeasure with this bill.●

Mr. FEINGOLD. Mr. President, I am pleased to support passage of the Transportation, Housing and Urban Development appropriations bill for fiscal year 2008. This bill provides critical funding for many of our Nation's essential programs, including housing for low-income families, community and economic development programs, and transportation needs.

Affordable housing is becoming less, not more, available in the United States. Research shows that the number of families facing severe housing cost burdens grew by almost 2 million households between 2001 and 2004. Additionally, one in three families spends more than 30 percent of its earnings on housing costs. The National Alliance to End Homelessness reports that at least 500,000 Americans are homeless every day and 2 million to 3 million Americans are homeless for various lengths of time each year. Cities, towns, and rural communities across the country are confronting a lack of affordable housing for their citizens. This is not an issue that confronts just one region of the Nation or one group of Americans. Decent and affordable housing is essential to the well-being of Americans, and the Federal Government must provide adequate assistance to our citizens to ensure that all Americans can afford to live in safe and affordable housing.

This legislation provides critical funding for the section 8 voucher program. The section 8 Housing Choice Voucher Program, originally created in 1974, is now the largest Federal housing program in terms of HUD's budget with approximately 2 million vouchers currently authorized. Yet the current number of vouchers does not come close to meeting the demand that exists in communities around our country. I am pleased this Senate bill contains funding for new vouchers for homeless veterans and disabled families. This funding for new vouchers is a step in the right direction, but Congress needs to do much more to fund the section 8 program in the coming months and years to help ensure that funding levels for the program meet the demonstrated need for the program.

I am pleased that this bill rejected many of the suggested cuts in the President's budget request. This bill provides $100 million for the Hope VI program, a program dedicated to rehabilitating our Nation's public housing. Many public housing authorities throughout the country, including in Milwaukee, have done great work with Hope VI dollars, and I am pleased the Senate rejected the President's cut to this important program.

This legislation also provides increased funding for the Home Investment Partnerships Program, HOME, a program created in 1990 to assist States and local communities in producing affordable housing for low-income families. HOME is a grant program that allows participating jurisdictions the flexibility to use funds for new production, preservation, and rehabilitation of existing housing stock. Increased funding for HOME will help local communities, including those in Wisconsin, work to increase the availability of affordable housing stock in our country.

I was pleased the Senate included my amendment calling on HUD to report on its funding needs for the section 8 project-based rental assistance program. In the past few months, many housing providers participating in the project-based program have not received their housing assistance payments from HUD as scheduled. Both HUD and OMB need to closely examine their budgeting process for the project-based program to try to ensure these late payments do not occur in the future. I have heard from housing providers who are worried about how they will afford their mortgage payments and utility bills without timely payments from HUD. My amendment calls on HUD to provide Congress with an accurate accounting of the costs to completely fund all project-based contracts. I hope HUD will provide detailed information to Congress so we can address the shortfall this program is facing and help ensure that housing providers receive their payments from HUD.

I was pleased to support the investment in our vital transportation infrastructure in this legislation. After the tragic collapse of the I–35W bridge in Minnesota, I also supported providing the specific funds to rebuild this roadway and dedicating additional funds through the Murray amendment for the acute problem of structurally deficient bridges throughout the Nation.

While this funding directed toward deficient bridges was an appropriate short-term investment, I would have concerns if it became a long-term policy. This concern is because shifting Federal funds toward the roads and bridges that have been the least well maintained can be a disincentive for States to make proper investments of their own and could result in a shift of funding from States, like Wisconsin, that have voluntarily made higher investments in their transportation infrastructure and have fewer deficient structures to States that have not made a similar level of investment. Wisconsin's rate of return on the Federal fund to address deficient bridges is only 42 cents on a dollar paid in from Wisconsin taxpayers. I have fought for years to secure a fair rate of return for Wisconsinites from the highway trust fund after decades of us being a donor State and would oppose a long-term policy of shifting funds from States that have kept up with their road and bridge maintenance to those that have not.

I supported the Dorgan/Specter amendment to prevent the implementation of the administration's new pilot program for Mexican trucks because the program raises serious safety and environmental concerns and could depress U.S. wages for truckers. This program is just another symptom of failed trade policies like NAFTA. Our trade policies should allow us to establish and enforce our own public safety, health, and environmental safeguards, which benefit American businesses, workers, and consumers, instead of helping to ship millions of jobs overseas.

I am disappointed the President has issued a veto threat on this appropriations bill. This legislation provides necessary funding for a number of important Federal programs to improve the quality of life in our Nation's communities, including infrastructure and housing needs. Many American families are depending on the program funding included in this bill. I hope the President will reconsider and remove his veto threat on this important legislation.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

● Mr. DODD. Mr. President, I rise to speak on the fiscal year 2008 Transportation-HUD appropriations bill, which was passed by the Senate earlier today.

I would like to begin by thanking Chairwoman MURRAY and Ranking Member BOND. Crafting legislation that seeks to meet the transportation and housing needs of our Nation is no easy feat, and I commend the hard work of the chairwoman, the ranking member, my colleagues on the subcommittee, and their staffs.

The legislation passed by the Senate provides nearly $105 billion for the upcoming fiscal year. Almost $66 billion is allocated to the Department of Transportation and nearly $39 billion is allocated to the Department of Housing and Urban Development.

I would like to speak on some of the transit and housing provisions in this legislation that fall under the Banking Committee's jurisdiction.

I note that although this bill provides an increase in transit funding over fiscal year 2007, it does not fund transit at the level authorized in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, SAFETEA–LU, the surface transportation authorization bill which Congress passed just 2 years ago. Safe and efficient transit systems provide significant benefits both to transit riders and to others in the community, including employers, property owners, and automobile drivers. In fact, the Texas Transportation Institute has estimated that transit saves Americans over $18 billion a year by reducing the amount of time we spend in traffic. Moreover, in this era of high gasoline prices, public transportation provides an additional benefit: according to economists Robert Shapiro and Kevin Hassett, public transportation saves more than 855 million gallons of gasoline a year, helping to reduce our dependence on foreign oil. Transit ridership is at its highest level in 40 years, and strong support for transit is essential in light of this increasing demand. I hope that this shortfall will be addressed by the conference committee.

I would like to thank Senators MURRAY and BOND, as well as my ranking member on the Banking Committee, Senator SHELBY, for working with me to include an amendment related to the Federal Transit Administration's proposed rule implementing the New Starts program. Through the New Starts program, the Federal Government helps to fund major transit investments in communities around the country. The proposed rule fails to follow SAFETEA–LU in several material respects, and at the same time, introduces new concepts that were not authorized in SAFETEA–LU. This amendment makes clear that the FTA's failure to follow the law is unacceptable.

I am pleased that this bill provides additional funding, above the President's request, for many critical housing and community development programs. Unfortunately, the administration continues to request insufficient funds for these programs, and, in fact, each year has asked Congress to cut programs that assist our Nation's most vulnerable—children, seniors, and those with disabilities. Each year, we attempt to restore these cuts, and this year is no exception. Chairwoman MURRAY, and Ranking Member BOND, strong supporters of these programs, have, once again, successfully restored most of the cuts, helping to ensure that low-income families will have safe, decent and affordable housing in strong communities.

The housing programs funded in this bill assist millions of families around our country. Without housing assistance, many families would lack the stability to find and retain employment, and many children would be unable to adequately perform in school because of multiple moves or health problems resulting from inadequate housing, including asthma, poor nutrition and lead poisoning.

The wages of working families have not kept pace with housing costs. On average, a family in our country must earn $16.31 per hour at a full-time job in order to afford a modest 2-bedroom apartment without foregoing other basic needs. This amount is three times the minimum wage. In my home State of Connecticut, the wage needed to afford a modest 2-bedroom apartment is almost 4 times the minimum wage. This significant gap between the wages of low-income earners and housing costs makes evident that housing assistance is necessary for many working Americans.

This bill restores funding to the public housing program, which houses over 1.2 million of our Nation's lowest-income families. The public housing program has been targeted by this administration for deep cuts each year, and has lost hundreds of millions of dollars over the last 7 years. This year, the administration sought cuts to public housing funding of almost $500 million. The bill before us restores these cuts, increasing funding for the Public Housing Capital Fund by $61 million, the Operating Fund by $336 million, and restoring funding for the successful Hope VI program. Even these levels of funding are lower than what is realistically needed by public housing agencies to operate all of their units, but we are pleased to see these increases.

The bill we passed also increases funding for the Section 8 housing voucher program to ensure that all families currently in the program can retain housing. In addition, the bill provides funding for vouchers for veterans to make sure that American veterans have access to stable and affordable housing. It is a national disgrace that veterans, who have defended our country, are unable to access housing assistance in their times of need, and I strongly support the efforts of Senators MURRAY and BOND to address this critical failure.

The Section 8 housing voucher program assists over 2 million families in affording rents in the private housing market. While the appropriators have done an exceptional job at protecting this program from budget cuts, a combination of legislative language and administrative changes have altered the funding formula in the Section 8 program numerous times over the last several years, leaving housing agencies without assurance that all of their units will be funded. I applaud Senators MURRAY and BOND for including language in this bill retaining the Section 8 formula that was put in place last year—a formula that allocates funding in a reasonable way, and provides funding stability for housing agencies and the families they serve. I urge the chairwoman and ranking member to retain this formula throughout the whole appropriations process.

This bill also ensures that programs to house seniors, people with disabilities and people living with HIV/AIDS are fully funded. The President, astonishingly, requested a cut of $160 million to the senior housing program, and a cut of $112 million to the housing program for people with disabilities. I want to thank Chairwoman MURRAY and Ranking Member BOND for restoring these significant and shortsighted cuts.

The bill we passed also seeks to increase funding for CDBG and the HOME program, two flexible sources of funds that communities use to house families across the income spectrum, provide rental assistance, rehabilitate housing and public facilities, provide and sustain homeownership opportunities, and restore and strengthen communities. In this bill, CDBG funding has been increased by $288 million over last year's funding level, and HOME has been increased by over $200 million, including an additional $100 million for housing counseling, specifically for counseling to prevent foreclosures, an increase I sought and strongly support.

This $100 million is critical to helping build the counseling infrastructure that can help tens of thousands of American families threatened with default and foreclosure save their homes, preserve their home equity, and maintain their dignity. As many of my colleagues know, the subprime mortgage market has been rife with abusive and predatory lending practices that have led to millions of Americans being trapped in adjustable rate mortgages, ARMs, with mortgage payments that will soon explode to unaffordable levels. During hearings that I chaired in the Senate Banking, Housing, and Urban Affairs Committee, senior executives from some of the largest subprime lenders acknowledged that they knew, when their companies funded these loans, that many of these borrowers could not afford these payments after the interest rates reset and payments increased. Yet, they made the loans and collected the fees. In most cases, the lenders sold these loans off to the secondary market. Today, these homeowners, and their communities, are paying a steep price in lost equity and falling home prices.

In fact, the Center for Responsible Lending, CRL, released a report late last year predicting that 2.2 million families would lose their homes at a cost of $164 billion in hard-earned home equity. When this report was released, we heard howls of protest from many analysts and industry officials; yet, as the weeks and months go by, and each

new round of foreclosure statistics are released, the CRL number looks more and more accurate.

The additional $100 million in counseling funds will help organizations with the experience and expertise to work with lenders and servicers to reach out to borrowers early—prior to loan resets, if possible—to try to modify loans to make them affordable for the long-term. This effort is crucial—one industry study indicates that over 6 million subprime borrowers, with over $1.5 trillion in home loans, will face mortgage loan resets in 2007 and beyond. Given the fact that we are already experiencing historically high foreclosure rates, we need to take decisive action to keep hard-working Americans in their homes.

While this bill helps to ensure that low- and moderate-income families can afford decent and safe housing, I am concerned with the level of funding provided for Section 8 project-based assistance. This bill provides the level of funding requested by the administration; however, HUD recently alerted us that this is well below what is needed to pay for all project-based assistance contracts. Without adequate funding, property owners in the program will not be able to continue providing affordable housing to low-income families. I have called on the administration to immediately provide Congress with an estimate of the amount of funds needed to fully fund these contracts for housing assistance, and yet we have not received this vital information. If there is a shortfall in this program, we will have to address this problem.

In closing, I would like mention a few additional initiatives funded under this bill. I am pleased that Amtrak has received almost $1.4 billion in this legislation—funding that will ensure the continuation of passenger rail service in this country. I am also pleased that Senators MURRAY and BOND agreed to an amendment I cosponsored with Senator CLINTON regarding the redesigning of airspace over greater New York. Over the past several months, I have voiced concern over the way the Federal Aviation Administration has proposed redesigning airspace in the Northeast. While I am supportive of the idea to reduce the air traffic congestion that currently plagues our country, I believe the FAA has an obligation to submit redesign proposals that are transparent and allow for full and informed public comment. The amendment adopted in this legislation takes a step forward in that direction. Finally, I am pleased that this bill contains vital resources for many important transportation and economic revitalization initiatives in my home state. It is my hope this funding is retained as the Senate proceeds to a conference with the other Chamber.●

Mr. LEVIN. Mr. President, I support the Senate Transportation, Housing and Urban Development, and related agencies appropriations bill for fiscal year 2008. This bill provides $105.6 billion in fiscal year 2008 for the Department of Transportation, the Department of Housing and Urban Development, and a number of independent agencies. This legislation will improve road and bridge safety and address past shortfalls in spending on our Nation's infrastructure and housing and economic development needs.

This bill provides $41.2 billion to the Federal-aid Highways Program for disbursement to States and local governments to build, maintain, and repair highways, roads and bridges; $1.074 billion of which would go to Michigan.

I supported an amendment which will provide increased funding for bridge replacement and rehabilitation. As a result of this amendment, Michigan would get an additional $23,539,287 for bridge replacement, bridge rehabilitation, preventative maintenance, seismic retrofitting, bridge inspections, and activities designed to protect bridges and extend their life spans.

Mr. President, 78,000 bridges around the country have been identified as structurally deficient. Given the high number of bridges that are in need of urgent repair, which was made all the more apparent by the recent and tragic bridge collapse in Minneapolis, it is appropriate for the Senate to direct more funding to address the urgency of this problem.

The bill also provides $9.59 billion to operate America's public transit systems around the country.

Public housing needs have been significantly underfunded over the past few years. I am pleased that this bill increased funding for the Department of Housing and Urban Development, HUD, to $38.74 billion.

This bill increases funding to $4.2 billion for the public housing operating fund and to $2.5 billion for the public housing capital fund which will help provide assistance to low-income, disabled, senior citizens, and families throughout the country. This bill also provides $735 million for the HUD section 202 program and $237 million for the HUD section 811 program. These programs provide grants to nonprofits and community organizations for the development of rental assistance and supportive housing for very low-income seniors and people with disabilities.

This bill would also provide $52 million for fair housing activities through the Fair Housing Initiatives Program and the Fair Housing Assistance Program. Over 4 million fair housing violations occur each year in the United States, and these programs play a vital role in addressing housing discrimination in our country.

Since fiscal year 2001, funding for the Community Development Block Grants, CDBG, has been reduced by 15 percent, and the President's budget request for fiscal year 2008 would have reduced funding for this important program by another 20 percent. I am pleased that this bill includes $4.1 billion for CDBG, which provides State and local governments with block grants to fund local community development programs.

Mr. President, the Senate has done its work in funding the important transportation systems that keep our vehicles and people moving safely and efficiently and our economy humming as well as funding the housing and economic development programs on which so many of our citizens rely. This is despite the President's threat to veto this bill. I hope the President will have a change of heart and support our effort to invest in America's future.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, we are moving rapidly toward final passage on this critically important infrastructure bill. I thank all of our Senators for working with us in a very constricted timetable to get this very important bill to this point today. I especially thank Senator BOND, his staff, and my staff. I will thank them more after passage of the bill. But I particularly thank Senator BOND for his work on his side of the aisle for putting together this very important bill.

Mr. President, I ask unanimous consent that the Senate insist on its amendment, request a conference on the disagreeing votes, and that the Chair be authorized to appoint conferees.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. DEMINT. Mr. President, reserving the right to object.

The ACTING PRESIDENT pro tempore. Objection is heard. The Senator from South Carolina.

Mrs. MURRAY. Was there an objection?

The ACTING PRESIDENT pro tempore. There was a reservation of objection by the Senator from South Carolina.

Mr. DEMINT. Could we hold for a moment to discuss this?

Mrs. MURRAY. I note 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.

The ACTING PRESIDENT pro tempore. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate insist on its amendment, request a conference on the disagreeing votes, and that the Chair be authorized to appoint conferees.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. LOTT. Mr. President, reserving the right to object, I would say to the distinguished Senator, the chairman of the subcommittee, we are still checking to make sure everybody is aware of what we are doing. I will not object but if we could withhold momentarily.

Mr. REID. I note the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. MURRAY. Mr. President, I renew my unanimous consent request that the Senate insist on its amendment, request a conference on the disagreeing votes, and that the Chair be authorized to appoint conferees.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears no objection.

Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, with that, we will proceed to the final vote. I wish to thank all our colleagues for their support.

The ACTING PRESIDENT pro tempore. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The ACTING PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall the bill pass?

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from New York (Mrs. CLINTON), and the Senator from Connecticut (Mr. DODD) are necessarily absent.

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

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 88, nays 7, as follows:

[Rollcall Vote No. 336 Leg.]

YEAS—88

Akaka	Crapo	Leahy
Alexander	Dole	Levin
Allard	Domenici	Lieberman
Baucus	Dorgan	Lincoln
Bayh	Durbin	Lott
Bennett	Feingold	Lugar
Biden	Feinstein	Martinez
Bingaman	Graham	McCaskill
Bond	Grassley	McConnell
Brown	Gregg	Menendez
Brownback	Hagel	Mikulski
Bunning	Harkin	Murkowski
Burr	Hatch	Murray
Byrd	Hutchison	Nelson (FL)
Cantwell	Inhofe	Nelson (NE)
Cardin	Inouye	Obama
Carper	Isakson	Pryor
Casey	Johnson	Reed
Chambliss	Kennedy	Reid
Cochran	Kerry	Roberts
Coleman	Klobuchar	Rockefeller
Collins	Kohl	Salazar
Conrad	Landrieu	Sanders
Corker	Lautenberg	Schumer
Sessions	Stevens	Warner
Shelby	Sununu	Webb
Smith	Tester	Whitehouse
Snowe	Thune	Wyden
Specter	Vitter	
Stabenow	Voinovich	

NAYS—7

Barrasso	DeMint	Kyl
Coburn	Ensign	
Cornyn	Enzi	

NOT VOTING—5

Boxer	Craig	McCain
Clinton	Dodd	

The bill (H.R. 3074), as amended, was passed, as follows:

H.R. 3074

Resolved, That the bill from the House of Representatives (H.R. 3074) entitled ''An Act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.'', do pass with the following amendment:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation and Housing and Urban Development, and Related Agencies for the fiscal year ending September 30, 2008, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $95,197,000, of which not to exceed $2,314,274 shall be available for the immediate Office of the Secretary; not to exceed $736,833 shall be available for the immediate Office of the Deputy Secretary; not to exceed $18,719,099 shall be available for the Office of the General Counsel; not to exceed $11,874,050 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $10,416,963 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,384,312 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $24,007,990 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $1,987,803 shall be available for the Office of Public Affairs; not to exceed $1,534,557 shall be available for the Office of the Executive Secretariat; not to exceed $1,334,596 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $8,299,072 for the Office of Intelligence, Security, and Emergency Response; and not to exceed $11,587,000 shall be available for the Office of the Chief Information Officer: Provided, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: Provided further, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: Provided further, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: Provided further, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,140,900.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $14,115,000.

WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $128,094,000, shall be paid from appropriations made available to the Department of Transportation: Provided, That such services shall be provided on a competitive basis to entities within the Department of Transportation: Provided further, That the above limitation on operating expenses shall not apply to non-DOT entities: Provided further, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency modal administrator: Provided further, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, $370,000, as authorized by 49 U.S.C. 332: 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 these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $18,367,000. In addition, for administrative expenses to carry out the guaranteed loan program, $521,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $2,970,000, to remain available until September 30, 2009: Provided, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $60,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: Provided, That, in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: Provided further, That, if the funds under this heading are insufficient to meet the costs of the essential air service program in the current fiscal year, the Secretary shall transfer such sums as may be necessary to carry out the essential air service program from any available amounts appropriated to or directly administered by the Office of the Secretary for such fiscal year.

COMPENSATION FOR AIR CARRIERS

(RESCISSION)

Of the remaining unobligated balances under section 101(a)(2) of Public Law 107–42, $22,000,000 are rescinded.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. The Secretary of Transportation is authorized to transfer the unexpended balances available for the bonding assistance program from ''Office of the Secretary, Salaries and expenses'' to ''Minority Business Outreach''.

SEC. 102. None of the funds made available in this Act to the Department of Transportation

may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 103. None of the funds made available under this Act may be obligated or expended to establish or implement a program under which essential air service communities are required to assume subsidy costs commonly referred to as the EAS local participation program.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 108–176, $8,761,783,000, of which $6,400,580,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $6,964,813,000 shall be available for air traffic organization activities; not to exceed $1,092,103,000 shall be available for aviation safety activities; not to exceed $12,837,437 shall be available for commercial space transportation activities; not to exceed $103,848,661 shall be available for financial services activities; not to exceed $91,214,239 shall be available for human resources program activities; not to exceed $290,872,359 shall be available for region and center operations and regional coordination activities; not to exceed $166,541,633 shall be available for staff offices; and not to exceed $39,552,285 shall be available for information services: Provided, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: Provided further, That no transfer may increase or decrease any appropriation by more than 2 percent: Provided further, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That the Secretary utilize not less than $20,000,000 of the funds provided for aviation safety activities to pay for staff increases in the Office of Aviation Flight Standards and the Office of Aircraft Certification: Provided further, That none of the funds provided for increases to the staffs of the aviation flight standards and aircraft certification offices shall be used for other purposes: Provided further, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: Provided further, That the amount herein appropriated shall be reduced by $100,000 for each day after March 31 that such report has not been submitted to the Congress: Provided further, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: Provided further, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress: Provided further, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: Provided further, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: Provided further, That of the funds appropriated under this heading, not less than $8,500,000 shall be for the contract tower cost-sharing program: Provided further, That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: Provided further, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: Provided further, That none of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $2,516,920,000, of which $2,056,947,000 shall remain available until September 30, 2010, and of which $459,973,000 shall remain available until September 30, 2008: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: Provided further, That upon initial submission to the Congress of the fiscal year 2009 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2009 through 2013, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $148,800,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2010: Provided, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $4,399,000,000 to be derived from the Airport and Airway Trust Fund and to remain available until expended: Provided, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,514,500,000 in fiscal year 2008, notwithstanding section 47117(g) of title 49, United States Code: Provided further, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: Provided further, That notwithstanding any other provision of law, of funds limited under this heading, not more than $80,676,000 shall be obligated for administration, not less than $10,000,000 shall be available for the airport cooperative research program, not less than $18,712,000 shall be for Airport Technology Research and $10,000,000 shall be available and transferred to the account available to administer the small community air service development program, to remain available until expended.

(RESCISSION)

Of the amounts authorized for the fiscal year ending September 30, 2007, and prior years under sections 48103 and 48112 of title 49, United States Code, $185,500,000 are rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 375 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2008.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: Provided, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on ''below-market'' rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1)

from fees credited under 49 U.S.C. 45303: Provided, That during fiscal year 2008, 49 U.S.C. 41742(b) shall not apply, and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. (a) Section 44302(f)(1) of title 49, United States Code, is amended by striking ''2006,'' each place it appears and inserting ''2008,''.

(b) Section 44303(b) of such title is amended by striking ''2006,'' and inserting ''2008,''.

(c) Section 44310 of such title is amended by striking ''March 30, 2008'' and inserting ''December 31, 2008''.

SEC. 115. MULTICREW COVERED OPERATIONS SERVICE BY OLDER PILOTS. (a) IN GENERAL.—Chapter 447 of title 49, United States Code, is amended by adding at the end thereof the following:

''§ 44729. Age standards for pilots

''(a) IN GENERAL.—Subject to the limitation in subsection (c), a pilot may serve in multicrew covered operations until attaining 65 years of age.

''(b) COVERED OPERATIONS DEFINED.—In this section, the term 'covered operations' means operations under part 121 of title 14, Code of Federal Regulations.

''(c) LIMITATION FOR INTERNATIONAL FLIGHTS.—

''(1) APPLICABILITY OF ICAO STANDARD.—A pilot who has attained 60 years of age may serve as pilot-in-command in covered operations between the United States and another country only if there is another pilot in the flight deck crew who has not yet attained 60 years of age.

''(2) SUNSET OF LIMITATION.—Paragraph (1) shall cease to be effective on such date as the Convention on International Civil Aviation provides that a pilot who has attained 60 years of age may serve as pilot-in-command in international commercial operations without regard to whether there is another pilot in the flight deck crew who has not attained age 60.

''(d) SUNSET OF AGE-60 RETIREMENT RULE.—On and after the date of enactment of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008, section 121.383(c) of title 14, Code of Federal Regulations, shall cease to be effective.

''(e) APPLICABILITY.—

''(1) NONRETROACTIVITY.—No person who has attained 60 years of age before the date of enactment of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008 may serve as a pilot for an air carrier engaged in covered operations unless—

''(A) such person is in the employment of that air carrier in such operations on such date of enactment as a required flight deck crew member; or

''(B) such person is newly hired by an air carrier as a pilot on or after such date of enactment without credit for prior seniority or prior longevity for benefits or other terms related to length of service prior to the date of rehire under any labor agreement or employment policies of the air carrier.

''(2) PROTECTION FOR COMPLIANCE.—An action taken in conformance with this section, taken in conformance with a regulation issued to carry out this section, or taken prior to the date of enactment of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008 in conformance with section 121.383(c) of title 14, Code of Federal Regulations (as in effect before such date of enactment), may not serve as a basis for liability or relief in a proceeding, brought under any employment law or regulation, before any court or agency of the United States or of any State or locality.

''(f) AMENDMENTS TO LABOR AGREEMENTS AND BENEFIT PLANS.—Any amendment to a labor agreement or benefit plan of an air carrier that is required to conform with the requirements of this section or a regulation issued to carry out this section, and is applicable to pilots represented for collective bargaining, shall be made by agreement of the air carrier and the designated bargaining representative of the pilots of the air carrier.

''(g) MEDICAL STANDARDS AND RECORDS.—

''(1) MEDICAL EXAMINATIONS AND STANDARDS.—Except as provided by paragraph (2), a person serving as a pilot for an air carrier engaged in covered operations shall not be subject to different medical standards, or different, greater, or more frequent medical examinations, on account of age unless the Secretary determines (based on data received or studies published after the date of enactment of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008) that different medical standards, or different, greater, or more frequent medical examinations, are needed to ensure an adequate level of safety in flight.

''(2) DURATION OF FIRST-CLASS MEDICAL CERTIFICATE.—No person who has attained 60 years of age may serve as a pilot of an air carrier engaged in covered operations unless the person has a first-class medical certificate. Such a certificate shall expire on the last day of the 6-month period following the date of examination shown on the certificate.

''(h) SAFETY.—

''(1) TRAINING.—Each air carrier engaged in covered operations shall continue to use pilot training and qualification programs approved by the Federal Aviation Administration, with specific emphasis on initial and recurrent training and qualification of pilots who have attained 60 years of age, to ensure continued acceptable levels of pilot skill and judgment.

''(2) LINE EVALUATIONS.—Not later than 6 months after the date of enactment of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008, and every 6 months thereafter, an air carrier engaged in covered operations shall evaluate the performance of each pilot of the air carrier who has attained 60 years of age through a line check of such pilot. Notwithstanding the preceding sentence, an air carrier shall not be required to conduct for a 6-month period a line check under this paragraph of a pilot serving as second-in-command if the pilot has undergone a regularly scheduled simulator evaluation during that period.

''(3) GAO REPORT.—Not later than 24 months after the date of enactment of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report concerning the effect, if any, on aviation safety of the modification to pilot age standards made by subsection (a).''.

(b) CLERICAL AMENDMENT.—The chapter analysis for chapter 447 of title 49, United States Code, is amended by adding at the end the following:

''§ 44729. Age standards for pilots''.

SEC. 116. (a) GOVERNMENT ACCOUNTABILITY OFFICE STUDY ON FLIGHT DELAYS.—

(1) IN GENERAL.—The Comptroller General shall conduct a study on the efficacy of strategies employed by the Administrator of the Federal Aviation Administration and the Secretary of Transportation to address flight delays at airports in the United States.

(2) CONTENTS.—The study required by paragraph (1) shall include an assessment of—

(A) efforts by the Administrator of the Federal Aviation Administration to induce voluntary schedule reductions by air carriers at Chicago O'Hare International Airport;

(B) the mandatory flight reduction operations instituted by the Administrator of the Federal Aviation Administration at LaGuardia Airport and Ronald Reagan Washington National Airport;

(C) the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign; and

(D) any other significant efforts by the Administrator of the Federal Aviation Administration or the Secretary of Transportation to reduce flight delays at airports in the United States.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report including—

(1) the results of the study required by subsection (a); and

(2) recommendations regarding which of the strategies described in subsection (a) reduce airport delays most effectively when employed for periods of 6 months or less.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $377,556,000, together with advances and reimbursements received by the Federal Highway Administration, shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration for necessary expenses for administration and operation.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

None of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $40,216,051,359 for Federal-aid highways and highway safety construction programs for fiscal year 2008: Provided, That within the $40,216,051,359 obligation limitation on Federal-aid highways and highway safety construction programs, not more than $429,800,000 shall be available for the implementation or execution of programs for transportation research (chapter 5 of title 23, United States Code; sections 111, 5505, and 5506 of title 49, United States Code; and title 5 of Public Law 109–59) for fiscal year 2008: Provided further, That this limitation on transportation research programs shall not apply to any authority previously made available for obligation: Provided further, That the Secretary may, as authorized by section 605(b) of title 23, United States Code, collect and spend fees to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal government of servicing such credit instruments: Provided further, That such fees are available until expended to pay for such costs: Provided further, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, $40,955,051,359 or so much thereof as may be available in and derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

(RESCISSION)

(HIGHWAY TRUST FUND)

Of the unobligated balances of funds apportioned to each State under chapter 1 of title 23,

United States Code, $2,890,000,000 are rescinded: Provided, That such rescission shall not apply to the funds distributed in accordance with sections 130(f) and 104(b)(5) of title 23, United States Code; sections 133(d)(1) and 163 of such title, as in effect on the day before the date of enactment of Public Law 109–59; and the first sentence of section 133(d)(3)(A) of such title.

I–35W BRIDGE REPAIR AND RECONSTRUCTION

For necessary expenses to carry out the project for repair and reconstruction of the Interstate I–35W bridge located in Minneapolis, Minnesota, that collapsed on August 1, 2007, as authorized under section 1(c) of Public Law 110–56 (121 Stat. 558), up to $195,000,000, as documented by the Minnesota Department of Transportation to remain available until expended, Provided, That that amount is designated as an emergency requirement pursuant to section 204 of S. Con. Res. 21 (110th Congress): Provided further, That the Federal share of the costs of any project funded using amounts made available under this section shall be 100 percent in accordance with section 1(b) of Public Law 110–56 (121 Stat. 588).

APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

For necessary expenses for West Virginia corridor H of the Appalachian Development Highway System as authorized under section 1069(y) of Public Law 102–240, as amended, $20,000,000, to remain available until expended.

DELTA REGIONAL TRANSPORTATION DEVELOPMENT PROGRAM

For necessary expenses for the Delta Regional Transportation Development Program as authorized under section 1308 of Public Law 109–59, $20,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2008, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; programs funded from the administrative takedown authorized by section 104(a)(1) of title 23, United States Code (as in effect on the date before the date of enactment of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users); the highway use tax evasion program; amounts designated under section 124; and the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety programs for previous fiscal years the funds for which are allocated by the Secretary;

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (9) of subsection (b) and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection (b)(10) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4)(A) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for sections 1301, 1302, and 1934 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users; sections 117 (but individually for each project numbered 1 through 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) and 144(g) of title 23, United States Code; and section 14501 of title 40, United States Code, so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for that section for the fiscal year; and

(B) distribute $2,000,000,000 for section 105 of title 23, United States Code;

(5) distribute the obligation limitation provided for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4), for each of the programs that are allocated by the Secretary under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and title 23, United States Code (other than to programs to which paragraphs (1) and (4) apply), by multiplying the ratio determined under paragraph (3) by the amounts authorized to be appropriated for each such program for such fiscal year; and

(6) distribute the obligation limitation provided for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraphs (4) and (5), for Federal-aid highways and highway safety construction programs (other than the amounts apportioned for the equity bonus program, but only to the extent that the amounts apportioned for the equity bonus program for the fiscal year are greater than $2,639,000,000, and the Appalachian development highway system program) that are apportioned by the Secretary under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and title 23, United States Code, in the ratio that—

(A) amounts authorized to be appropriated for such programs that are apportioned to each State for such fiscal year, bear to

(B) the total of the amounts authorized to be appropriated for such programs that are apportioned to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations: (1) under section 125 of title 23, United States Code; (2) under section 147 of the Surface Transportation Assistance Act of 1978; (3) under section 9 of the Federal-Aid Highway Act of 1981; (4) under subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982; (5) under subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987; (6) under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991; (7) under section 157 of title 23, United States Code, as in effect on the day before the date of the enactment of the Transportation Equity Act for the 21st Century; (8) under section 105 of title 23, United States Code, as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years; (9) for Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century or subsequent public laws for multiple years or to remain available until used, but only to the extent that the obligation authority has not lapsed or been used; (10) under section 105 of title 23, United States Code, but only in an amount equal to $639,000,000 for each of fiscal years 2005 through 2008; and (11) under section 1603 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation.

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year, revise a distribution of the obligation limitation made available under subsection (a) if the amount distributed cannot be obligated during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and title V (research title) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, except that obligation authority made available for such programs under such limitation shall remain available for a period of 3 fiscal years and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highways programs; and

(B) the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same ratio as the distribution of obligation authority under subsection (a)(6).

(3) AVAILABILITY.—Funds distributed under paragraph (1) shall be available for any purposes described in section 133(b) of title 23, United States Code.

(f) SPECIAL LIMITATION CHARACTERISTICS.—Obligation limitation distributed for a fiscal year under subsection (a)(4) for the provision specified in subsection (a)(4) shall—

(1) remain available until used for obligation of funds for that provision; and

(2) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(g) HIGH PRIORITY PROJECT FLEXIBILITY.—

(1) IN GENERAL.—Subject to paragraph (2), obligation authority distributed for such fiscal year under subsection (a)(4) for each project numbered 1 through 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users may be obligated for any other project in such section in the same State.

(2) RESTORATION.—Obligation authority used as described in paragraph (1) shall be restored to the original purpose on the date on which obligation authority is distributed under this section for the next fiscal year following obligation under paragraph (1).

(h) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the distribution of obligation authority under subsection (a)(4)(A) for each of the individual projects numbered greater than 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: Provided, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

(RESCISSION)

SEC. 122. Of the amounts made available under section 104(a) of title 23, United States Code, $43,358,601 are rescinded.

(RESCISSION)

SEC. 123. Of the unobligated balances made available under section 188(a)(1) of title 23, United States Code, as in effect on the day before the date of enactment of Public Law 109–59, and under section 608(a)(1) of such title, $187,146,000 are rescinded.

SEC. 124. Notwithstanding any other provision of law, funds authorized under section 110 of title 23, United States Code, for fiscal year 2008 shall be designated for projects and competitive initiatives as listed in the report accompanying this Act.

SEC. 125. Not less than 15 days prior to waiving, under her statutory authority, any Buy America requirement for Federal-aid highway projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor. The Secretary shall provide an annual report to the Appropriations Committees of the Congress on any waivers granted under the Buy America requirements.

SEC. 126. Notwithstanding section 378 of the Department of Transportation and Related Agencies Appropriations Act, 2001 (Public Law 106–346; 114 Stat. 1356A–38), amounts made available under that section for a project for construction of and improvements to North Shore Road in Swain County, North Carolina, that remain unobligated and unexpended after issuance of the record of decision for that project may be used to implement the selected alternative included in the record of decision.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred for administration of motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, $231,469,553, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: Provided, That none of the funds derived from the Highway Trust Fund in this Act shall be available for the implementation, execution or administration of programs, the obligations for which are in excess of $231,469,553, for ''Motor Carrier Safety Operations and Programs'', of which $7,550,000, to remain available for obligation until September 30, 2010, is for the research and technology program and $1,000,000 shall be available for commercial motor vehicle operator's grants to carry out section 4134 of Public Law 109–59: Provided further, That notwithstanding any other provision of law, none of the funds under this heading for outreach and education shall be available for transfer.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING RESCISSION)

For payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109–59, $300,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That none of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $300,000,000, for ''Motor Carrier Safety Grants''; of which $202,000,000 shall be available for the motor carrier safety assistance program to carry out sections 31102 and 31104(a) of title 49, United States Code; $25,000,000 shall be available for the commercial driver's license improvements program to carry out section 31313 of title 49, United States Code; $32,000,000 shall be available for the border enforcement grants program to carry out section 31107 of title 49, United States Code; $5,000,000 shall be available for the performance and registration information system management program to carry out sections 31106(b) and 31109 of title 49, United States Code; $25,000,000 shall be available for the commercial vehicle information systems and networks deployment program to carry out section 4126 of Public Law 109–59; $3,000,000 shall be available for the safety data improvement program to carry out section 4128 of Public Law 109–59; and $8,000,000 shall be available for the commercial driver's license information system modernization program to carry out section 31309(e) of title 49, United States Code: Provided further, That of the funds made available for the motor carrier safety assistance program, $29,000,000 shall be available for audits of new entrant motor carriers: Provided further, That $11,260,214 in unobligated balances are rescinded.

MOTOR CARRIER SAFETY

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the amounts made available under this heading in prior appropriations Acts, $32,187,720 in unobligated balances are rescinded.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the amounts made available under this hearing in prior appropriations Act, $5,212,858 in unobligated balances are rescinded.

ADMINISTRATIVE PROVISION—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87 and section 6901 of Public Law 110–28, including that the Secretary submit a report to the House and Senate Appropriations Committees annually on the safety and security of transportation into the United States by Mexico-domiciled motor carriers.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, $124,406,000, of which $26,156,000 shall remain available until September 30, 2010: Provided, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, $107,750,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2008, are in excess of $107,750,000 for programs authorized under 23 U.S.C. 403.

NATIONAL DRIVER REGISTER

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out chapter 303 of title 49, United States Code, $4,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until September 30, 2010: Provided, That none of the funds in this Act shall be available for the implementation or execution of programs the total obligations for which, in fiscal year 2008, are in excess of $4,000,000 for the National Driver Register authorized under such chapter.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109–59, to remain available until expended, $599,250,000 to be derived from the Highway Trust Fund (other than the Mass Transit Account): Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2008, are in excess of $599,250,000 for programs authorized under 23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109–59, of which $225,000,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402; $25,000,000 shall be for ''Occupant Protection Incentive Grants'' under 23 U.S.C. 405; $124,500,000 shall be for ''Safety Belt Performance Grants'' under 23 U.S.C. 406; $34,500,000 shall be for ''State Traffic Safety Information System Improvements'' under 23 U.S.C. 408; $131,000,000 shall be for ''Alcohol-Impaired Driving Countermeasures Incentive Grant Program'' under 23 U.S.C. 410; $18,250,000 shall be for ''Administrative Expenses'' under section 2001(a)(11) of Public Law 109–59; $29,000,000 shall be for ''High Visibility Enforcement Program'' under section 2009 of Public Law 109–59; $6,000,000 shall be for ''Motorcyclist Safety'' under section 2010 of Public Law 109–59; and $6,000,000 shall be for ''Child Safety and Child Booster Seat Safety Incentive Grants'' under section 2011 of Public Law 109–59: Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: Provided further, That not to exceed $500,000 of the funds made available for section 410 ''Alcohol-Impaired Driving Countermeasures Grants'' shall be available for technical assistance to the States: Provided further, That not to exceed $750,000 of the funds made available for the ''High Visibility Enforcement Program'' shall be available for the evaluation required under section 2009(f) of Public Law 109–59.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

(INCLUDING RESCISSIONS)

SEC. 140. Notwithstanding any other provision of law or limitation on the use of funds made available under section 403 of title 23, United States Code, an additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. Of the amounts made available under the heading ''Operations and Research (Liquidation of Contract Authorization) (Limitation on Obligations) (Highway Trust Fund)''

in prior appropriations Acts, $12,197,113.60 in unobligated balances are rescinded.

SEC. 142. Of the amounts made available under the heading ''National Driver Register (Liquidation of Contract Authorization) (Limitation on Obligations) (Highway Trust Fund)'' in prior appropriations Acts, $119,914.61 in unobligated balances are rescinded.

SEC. 143. Of the amounts made available under the heading ''Highway Traffic Safety Grants (Liquidation of Contract Authorization) (Limitation on Obligations) (Highway Trust Fund)'' in prior appropriations Acts, $10,528,958 in unobligated balances are rescinded.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $151,186,000, of which $12,268,890 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $36,250,000, to remain available until expended.

CAPITAL ASSISTANCE TO STATES—INTERCITY PASSENGER RAIL SERVICE

To enable the Federal Railroad Administrator to make grants to States for the capital costs of improving existing intercity passenger rail service and providing new intercity passenger rail, $100,000,000, to remain available until expended: Provided, That grants shall be provided to a State only on a reimbursable basis: Provided further, That grants cover no more than 50 percent of the total capital cost of a project selected for funding: Provided further, That no later than eight months following enactment of this Act, the Secretary shall establish and publish criteria for project selection, set a deadline for grant applications, and provide a schedule for project selection: Provided further, That the provisions of section 24312 of title 49, United States Code, shall apply to grantees assisted under this paragraph: Provided further, That to be eligible for this assistance, States must include intercity passenger rail service as an integral part of statewide transportation planning as required under section 135 of title 23, United States Code: Provided further, That the specific project must be on the Statewide Transportation Improvement Plan at the time of the application to qualify: Provided further, That the Secretary give priority to applications for projects that improve the safety and reliability of intercity passenger trains, involve a commitment by freight railroads to an enforceable on-time performance of passenger trains of 80 percent or greater, involve a commitment by freight railroads of financial resources commensurate with the benefit expected to their operations, improve or extend service on a route that requires little or no Federal assistance for its operations, involve a commitment by States or railroads of financial resources to improve the safety of highway/rail grade crossings over which the passenger service operates.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: Provided, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2008.

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation for operation of intercity passenger rail, $485,000,000 to remain available until expended: Provided, That the Secretary of Transportation shall approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: Provided further, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: Provided further, That the Corporation is directed to achieve savings through operating efficiencies including, but not limited to, modifications to food and beverage service and first class service: Provided further, That the Inspector General of the Department of Transportation shall report to the House and Senate Committees on Appropriations beginning three months after the date of the enactment of this Act and quarterly thereafter with estimates of the savings accrued as a result of all operational reforms instituted by the Corporation: Provided further, That not later than 120 days after enactment of this Act, the Corporation shall transmit to the House and Senate Committees on Appropriations the status of its plan to improve the financial performance of food and beverage service and its plan to improve the financial performance of first class service (including sleeping car service): Provided further, That the Corporation shall report quarterly to the House and Senate Committees on Appropriations on its progress against the milestones and target dates contained in the plan provided in fiscal year 2007 and quantify savings realized to date on a monthly basis compared to those projected in the plan, identify any changes in the plan or delays in implementing these plans, and identify the causes of delay and proposed corrective measures: Provided further, That not later than 90 days after enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary, the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation a comprehensive business plan approved by the Board of Directors for fiscal year 2008 under section 24104(a) of title 49, United States Code: Provided further, That the business plan shall include, as applicable, targets for ridership, revenues, and capital and operating expenses: Provided further, That the plan shall also include a separate accounting of such targets for the Northeast Corridor; commuter service; long-distance Amtrak service; State-supported service; each intercity train route, including Autotrain; and commercial activities including contract operations: Provided further, That the business plan shall include a description of the work to be funded, along with cost estimates and an estimated timetable for completion of the projects covered by this business plan: Provided further, That the Corporation shall continue to provide monthly reports in electronic format regarding the pending business plan, which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes, and shall identify all sole source contract awards which shall be accompanied by a justification as to why said contract was awarded on a sole source basis: Provided further, That the Corporation's business plan and all subsequent supplemental plans shall be displayed on the Corporation's website within a reasonable timeframe following their submission to the appropriate entities: Provided further, That the leases and contracts entered into by the Corporation in any year that the Corporation receives a Federal subsidy after the date of enactment of the Act, regardless of the place the same may be executed, shall be governed by the laws of the District of Columbia: Provided further, That none of the funds under this heading may be obligated or expended until the Corporation agrees to continue abiding by the provisions of paragraphs 1, 2, 5, 9, and 11 of the summary of conditions for the direct loan agreement of June 28, 2002, in the same manner as in effect on the date of enactment of this Act.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation for the maintenance and repair of capital infrastructure owned by the Corporation, including railroad equipment, rolling stock, legal mandates and other services, $885,000,000, to remain available until expended, of which not to exceed $285,000,000 shall be for debt service obligations: Provided, That the Secretary may retain up to one-quarter of one percent of the funds under this heading to fund the oversight by the Federal Railroad Administration of the design and implementation of capital projects funded by grants made under this heading: Provided further, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital grant justifying the Federal support to the Secretary's satisfaction: Provided further, That none of the funds under this heading may be used to subsidize operating losses of the Corporation: Provided further, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation or on the Corporation's fiscal year 2008 business plan: Provided further, That $35,000,000 of amounts made available under this heading shall be available until expended for capital improvements if the Corporation demonstrates to the Secretary's satisfaction that the Corporation has achieved operational savings and met ridership and revenue targets as defined in the Corporation's business plan: Provided further, That of the funds provided under this section, not less than $5,000,000 shall be expended for the development and implementation of a managerial cost accounting system, which includes average and marginal unit cost capability: Provided further, That within 90 days of enactment, the Department of Transportation Inspector General shall review and comment to the Secretary of Transportation and the House and Senate Committees on Appropriations upon the strengths and weaknesses of the system being developed by the Corporation and how it best can be implemented to improve decision making by the Board of Directors and management of the Corporation: Provided further, That not later than 180 days after the enactment of this Act, the Secretary, in consultation with the Corporation and the States on the Northeast Corridor, shall establish a common definition of what is determined to be a ''state of good repair'' on the Northeast Corridor and report its findings, including definitional areas of disagreement, to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. Notwithstanding any other provision of this Act, funds provided in this Act for the National Railroad Passenger Corporation shall immediately cease to be available to said Corporation in the event that the Corporation contracts to have services provided at or from any location outside the United States. For purposes of this section, the word ''services'' shall mean any service that was, as of July 1, 2006, performed by a full-time or part-time Amtrak employee whose base of employment is located within the United States.

SEC. 151. Not later than January 1, 2008, the Federal Railroad Administrator shall submit a

report, and quarterly reports thereafter, to the House and Senate Committees on Appropriations detailing the Administrator's efforts at improving the on-time performance of Amtrak intercity rail service operating on non-Amtrak owned property. Such reports shall compare the most recent actual on-time performance data to pre-established on-time performance goals that the Administrator shall set for each rail service, identified by route. Such reports shall also include whatever other information and data regarding the on-time performance of Amtrak trains the Administrator deems to be appropriate.

SEC. 152. The Secretary may purchase promotional items of nominal value for use in public outreach activities to accomplish the purposes of 49 U.S.C. 20134: Provided, That the Secretary shall prescribe guidelines for the administration of such purchases and use.

SEC. 153. Hereafter, any lease or contract entered into between the National Railroad Passenger Corporation and the State of Maryland or any department or agency of the State of Maryland, after the date of the enactment of this Act, shall be governed by the laws of the District of Columbia.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $88,795,000: Provided, That of the funds available under this heading, not to exceed $910,239 shall be available for the Office of the Administrator; not to exceed $6,353,739 shall be available for the Office of Administration; not to exceed $4,545,039 shall be available for the Office of the Chief Counsel; not to exceed $1,480,289 shall be available for the Office of Communication and Congressional Affairs; not to exceed $8,741,339 shall be available for the Office of Program Management; not to exceed $10,857,698 shall be available for the Office of Budget and Policy; not to exceed $4,943,589 shall be available for the Office of Research, Demonstration and Innovation; not to exceed $3,234,489 shall be available for the Office of Civil Rights; not to exceed $4,458,289 shall be available for the Office of Planning; not to exceed $22,551,290 shall be available for regional offices; and not to exceed $20,719,000 shall be available for the central account: Provided further, That the Administrator is authorized to transfer funds appropriated for an office of the Federal Transit Administration: Provided further, That no appropriation for an office shall be increased or decreased by more than a total of 5 percent during the fiscal year by all such transfers: Provided further, That any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That any funding transferred from the central account shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: Provided further, That of the funds in this Act available for the execution of contracts under section 5327(c) of title 49, United States Code, $2,000,000 shall be reimbursed to the Department of Transportation's Office of Inspector General for costs associated with audits and investigations of transit-related issues, including reviews of new fixed guideway systems: Provided further, That upon submission to the Congress of the fiscal year 2009 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on new starts, including proposed allocations of funds for fiscal year 2009.

FORMULA AND BUS GRANTS

(LIQUIDATION OF CONTRACT AUTHORITY)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING RESCISSION)

For payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335, 5339, and 5340 and section 3038 of Public Law 105–178, as amended, $6,855,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: Provided, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335, 5339, and 5340 and section 3038 of Public Law 105–178, as amended, shall not exceed total obligations of $7,872,893,000 in fiscal year 2008: Provided further, That except as provided in section 3044(b)(1) of Public Law 109–59, funds made available to carry out 49 U.S.C. 5308 shall instead be available to carry out 49 U.S.C. 5309(b)(3): Provided further, That of the funds available to carry out the bus program under section 5309 of title 49, United States Code, which are not otherwise allocated under this Act or under SAFETEA–LU (Public Law 109–59), not more than 10 percent may be expended to carry out the Urban Partnership Congestion Initiative: Provided further, That $28,660,920 in unobligated balances are rescinded.

RESEARCH AND UNIVERSITY RESEARCH CENTERS

For necessary expenses to carry out 49 U.S.C. 5306, 5312–5315, 5322, and 5506, $65,500,000, to remain available until expended: Provided, That $9,300,000 is available to carry out the transit cooperative research program under section 5313 of title 49, United States Code, $4,300,000 is available for the National Transit Institute under section 5315 of title 49, United States Code, and $7,000,000 is available for university transportation centers program under section 5506 of title 49, United States Code: Provided further, That $44,900,000 is available to carry out national research programs under sections 5312, 5313, 5314, and 5322 of title 49, United States Code.

CAPITAL INVESTMENT GRANTS

(INCLUDING RESCISSION)

For necessary expenses to carry out section 5309 of title 49, United States Code, $1,566,000,000, to remain available until expended: Provided, That of the funds available under this heading, amounts are to be made available as follows:

For section 5309(m)(6)(B) of title 49, United States Code, $15,000,000.

For section 5309(m)(6)(C) of title 49, United States Code, $5,000,000.

For the following sections of Public Law 109–59:

Section 3043(b)(9), $11,200,000;
Section 3043(d)(35), $18,965,043;
Section 3043(d)(10), $70,000,000;
Section 3043(b)(18), $5,000,000;
Section 3043(b)(1), $13,000,000;
Section 3043(b)(15), $65,000,000;
Section 3043(b)(21), $125,000,000;
Section 3043(b)(23), $20,000,000;
Section 3043(b)(22), $35,000,000;
Section 3043(c)(231), $30,000,000;
Section 3043(a)(19), $90,000,000;
Section 3043(a)(9), $70,000,000;
Section 3043(a)(7), $51,560,484;
Section 3043(a)(5), $36,500,000;
Section 3043(a)(31), $35,000,000;
Section 3043(a)(16), $55,192,995;
Section 3043(b)(20), $200,000,000;
Section 3043(b)(27), $80,000,000;
Section 3043(a)(20), $33,516,444;
Section 3043(b)(5), $86,250,000;
Section 3043(b)(30), $80,000,000;
Section 3043(a)(30), $70,000,000;
Section 3043(c)(134), $35,000,000;
Section 3043(b)(23), $21,200,000;
Section 3043(d)(39), $3,000,000;
Section 3043(b)(14), $500,000;
Section 3043(c)(86), $20,000,000;
Section 3043(c)(43), $5,000,000;
Section 3043(c)(153), $20,000,000; and
Section 3043(c)(258), $5,000,000.

For the Jacksonville Rapid Transit System Phase 1, Florida, $9,870,000;

For North Corridor BRT, Houston and Southeast Corridor BRT, Texas, $15,000,000;

For San Francisco Muni Third Street Light Rail, California, $10,000,000;

For Mid-Jordan Light Rail Extension, $20,000,000; and

For METRA Connects, Illinois, $1,300,000: Provided further, That of the funds available under this heading, amounts are to be made available under section 5309(e).

For the following sections of Public Law 109–59:

Section 3043(c)(201), $3,000,000;
Section 3043(c)(177), $3,000,000;
Section 3043(d)(3), $1,500,000;
Section 3043(c)(182), $2,500,000;
Section 3043(c)(79), $2,000,000;
Section 3043(c)(197), $6,000,000;
Section 3043(c)(173), $1,000,000; and
Section 3043(c)(95), $14,250,000.

For State Avenue Corridor BRT, Wyandotte County, Kansas, $1,500,000; and

For Troost Corridor BRT, Missouri, $6,260,000.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds made available by this Act under ''Federal Transit Administration, Capital investment grants'' and bus and bus facilities under ''Federal Transit Administration, Formula and bus grants'' for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2010, and other recoveries, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2007, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. Notwithstanding any other provision of law, unobligated funds made available for a new fixed guideway systems projects under the heading ''Federal Transit Administration, Capital Investment Grants'' in any appropriations Act prior to this Act may be used during this fiscal year to satisfy expenses incurred for such projects.

SEC. 164. In regard to the Central Link Initial Segment Project, to the extent that funds remain available within the current budget for the project, the Secretary shall amend the Full Funding Grant Agreement for said project to allow remaining funds to be used to support completion of the Airport Link extension of said project.

SEC. 165. Amounts provided for a high capacity fixed guideway light rail and mass transit project for the City of Albuquerque, New Mexico, in Public Laws 106–69, 106–346 and 107–87 shall be available for bus and bus facilities.

SEC. 166. Any unobligated amounts made available for the Commuter Rail, Albuquerque to Santa Fe, New Mexico under the heading ''Capital Investment Grants'' under the heading ''Federal Transit Administration'' in title I of division A of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2418) shall be made available

for public transportation buses, equipment and facilities related to such buses, and intermodal terminal in Albuquerque and Santa Fe, New Mexico, subject to the requirements under section 5309 of title 49, United States Code.

SEC. 167. Notwithstanding any other provision of law, funds made available for the ''Las Vegas Resort Corridor Fixed Guideway Project'', the ''CATRAIL RTC Rail Project'', and the ''Las Vegas, Nevada Monorail Project'' in Nevada in Public Laws 107–87, 108–7, 108–199 and 108–447 may be made available to the Regional Transportation Commission of Southern Nevada for bus or bus facilities projects eligible under section 5307 or section 5309 of title 49, United States Code, and shall remain available until expended.

SEC. 168. The Administrator of the Federal Transit Administration may conduct a study of the public transportation agencies in the urbanized areas described in section 5337(a) of title 49, United States Code (referred to in this section as ''agencies'').

(a) The study conducted under subsection (a) shall—

(1) analyze the state of repair of the agencies' rail infrastructure, including bridges, ties, and rail cars;

(2) calculate the amount of Federal funding received by the agencies during the 9-year period ending September 30, 2007, pursuant to—

(A) the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240);

(B) the Transportation Equity Act for the 21st Century (Public Law 105–178); and

(C) the Safe, Accountable, Flexible, Efficient Transportation Equity: A Legacy for Users (Public Law 109–59);

(3) estimate the minimum amount of funding necessary to bring all of the infrastructure described in paragraph (1) into a state of good repair; and

(4) determine the changes to the rail modernization formula program that would be required to bring all of the infrastructure described in paragraph (1) into a state of good repair.

(b) Not later than 1 year after the date of the enactment of this Act, the Administrator shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report that contains the results of the study conducted under this section.

SEC. 169. The second sentence of section 321 of the Department of Transportation and Related Agencies Appropriations Act, 1986 (99 Stat. 1287) is repealed.

SEC. 170. None of the funds provided or limited under this Act may be used to issue a final regulation under section 5309 of title 49, United States Code.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $17,392,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $156,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $122,890,545, of which $24,720,000 shall remain available until September 30, 2008, for salaries and benefits of employees of the United States Merchant Marine Academy; of which $13,850,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy; and of which $10,500,000 shall remain available until expended for maintenance and repair of Schoolships at State Maritime Schools.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $18,000,000, to remain available until expended.

ASSISTANCE TO SMALL SHIPYARDS

To make grants for capital improvements and related infrastructure improvements at qualified shipyards that will facilitate the efficiency, cost-effectiveness, and quality of domestic ship construction for commercial and Federal Government use as authorized under section 3506 of Public Law 109–163, $20,000,000, to remain available until expended: Provided, That to be considered for assistance, a qualified shipyard shall submit an application for assistance no later than 60 days after enactment of this Act: Provided further, That from applications submitted under the previous proviso, the Secretary of Transportation shall make grants no later than 120 days after enactment of this Act in such amounts as the Secretary determines: Provided further, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized, $13,408,000, of which $10,000,000 shall remain available until expended: 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, as amended: Provided further, That the Inspector General shall report to the House and Senate Committees on Appropriations by March 30, 2007, on whether the Maritime Administration is in compliance with the recommendations contained in the Inspector General's audit reports on the title XI program: Provided further, That not to exceed $3,408,000 shall be available for administrative expenses to carry out the guaranteed loan program, which shall be transferred to and merged with the appropriation for ''Operations and Training'', Maritime Administration.

SHIP CONSTRUCTION

(RESCISSION)

Of the unobligated balances available under this heading, $4,614,545 are rescinded.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefor shall be credited to the appropriation charged with the cost thereof: Provided, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 171. No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936 (46 App. U.S.C. 1101 et seq.), or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriations Act.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Pipeline and Hazardous Materials Safety Administration, $18,130,000, of which $639,000 shall be derived from the Pipeline Safety Fund.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $27,003,000, of which $1,761,000 shall remain available until September 30, 2010: Provided, That up to $1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $82,404,000, of which $18,810,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2010; of which $63,594,000 shall be derived from the Pipeline Safety Fund, of which $32,967,000 shall remain available until September 30, 2010: Provided, That not less than $1,043,000 of the funds provided under this heading shall be for the one-call State grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5128(b), $188,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2009: Provided, That not more than $28,318,000 shall be made available for obligation in fiscal year 2008 from amounts made available by 49 U.S.C. 5116(i) and 5128(b)–(c): Provided further, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or her designee.

RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION

RESEARCH AND DEVELOPMENT

For necessary expenses of the Research and Innovative Technology Administration, $12,000,000, of which $6,036,000 shall remain available until September 30, 2010: Provided, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $66,400,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department: Provided further, That

the funds made available under this heading shall be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $25,000,000: Provided, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: Provided further, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2008, to result in a final appropriation from the general fund estimated at no more than $23,750,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

(INCLUDING TRANSFERS OF FUNDS)

SEC. 180. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: Provided, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 183. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 184. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 185. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account, the Federal Transit Administration's ''Research and University Research Centers'' account, and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 186. Notwithstanding any other provisions of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 187. None of the funds in this Act to the Department of Transportation may be used to make a grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $1,000,000 or more is announced by the department or its modal administrations from: (1) any discretionary grant program of the Federal Highway Administration including the emergency relief program; (2) the airport improvement program of the Federal Aviation Administration; or (3) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs: Provided, That no notification shall involve funds that are not available for obligation.

SEC. 188. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 189. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: Provided, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: Provided, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: Provided further, That for purposes of this section, the term ''improper payments'', has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 190. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, said reprogramming action shall be approved or denied solely by the Committees on Appropriations: Provided, That the Secretary may provide notice to other congressional committees of the action of the Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 191. Out of funds appropriated or otherwise made available under this Act to the Surface Transportation Board of the Department of Transportation, when considering cases, matters, or declaratory orders before the Board involving a railroad, or an entity claiming or seeking authority to operate as a railroad, and the transportation of solid waste (as defined in section 1004 of 42 U.S.C. 6903), the Board shall consider any activity involving the receipt, delivery, sorting, handling or transfer in-transit outside of a sealed container, storage other than inside a sealed container, or other processing of solid waste to be an activity over which the Board does not have jurisdiction.

SEC. 192. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board of the Department of Transportation to charge or collect any filing fee for rate complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 193. Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Department of Transportation shall—

(1) conduct an investigation of rail service disruptions since 2004 and incidents since 2004 in which rail carriers failed to timely deliver various commodities, such as coal, wheat, ethanol, potatoes, specialty crops, and lumber; and

(2) submit a report containing legislative and regulatory recommendations designed to reduce such disruptions and incidents and to improve railroad service to—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Appropriations of the House of Representatives;

(C) the Committee on Commerce, Science, and Transportation of the Senate; and

(D) the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 194. None of the funds made available under this Act may be used to establish a cross-border motor carrier demonstration program to allow Mexico-domiciled motor carriers to operate beyond the commercial zones along the international border between the United States and Mexico.

SEC. 195. Not later than 30 days after the date of enactment of this Act, the Secretary of Transportation shall establish and maintain on the homepage of the Internet website of the Department of Transportation—

(1) a direct link to the Internet website of the Office of Inspector General of the Department of Transportation; and

(2) a mechanism by which individuals may anonymously report cases of waste, fraud, or abuse with respect to the Department of Transportation.

SEC. 196. PROHIBITION ON IMPOSITION AND COLLECTION OF TOLLS ON CERTAIN HIGHWAYS CONSTRUCTED USING FEDERAL FUNDS. (a) DEFINITIONS.—In this section:

(1) FEDERAL HIGHWAY FACILITY.—

(A) IN GENERAL.—The term ''Federal highway facility'' means—

(i) any highway, bridge, or tunnel on the Interstate System that is constructed using Federal funds; or

(ii) any United States highway.

(B) EXCLUSION.—The term ''Federal highway facility'' does not include any right-of-way for any highway, bridge, or tunnel described in subparagraph (A).

(2) TOLLING PROVISION.—The term ''tolling provision'' means section 1216(b) of the Transportation Equity Act for the 21st Century (23 U.S.C. 129 note; 112 Stat. 212);

(b) PROHIBITION.—

(1) IN GENERAL.—None of the funds made available by this Act shall be used to consider or approve an application to permit the imposition or collection of any toll on any portion of a Federal highway facility in the State of Texas—

(A)(i) that is in existence on the date of enactment of this Act; and

(ii) on which no toll is imposed or collected under a tolling provision on that date of enactment; or

(B) that would result in the Federal highway facility having fewer non-toll lanes than before the date on which the toll was first imposed or collected.

(2) EXEMPTION.—Paragraph (1) shall not apply to the imposition or collection of a toll on a Federal highway facility—

(A) on which a toll is imposed or collected under a tolling provision on the date of enactment of this Act; or

(B) that is constructed, under construction, or the subject of an application for construction submitted to the Secretary, after the date of enactment of this Act.

(c) STATE BUY-BACK.—None of the funds made available by this Act shall be used to impose or collect a toll on a Federal highway facility in the State of Texas that is purchased by the State of Texas on or after the date of enactment of this Act.

SEC. 197. The Secretary of Transportation may conduct a study of the use of non-hazardous recycled aggregates and other materials, including reused concrete and asphalt, in highway projects, to the maximum extent practicable and whenever economically feasible and consistent with public health and environmental laws.

This title may be cited as the ''Department of Transportation Appropriations Act, 2008''.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of the Secretary of Housing and Urban Development, $3,930,000: Provided, That not to exceed $25,000 of this amount shall be available for official reception and representation expenses.

EXECUTIVE OPERATIONS

OFFICE OF HEARINGS AND APPEALS

For the necessary salaries and expenses of the Office of Hearings and Appeals, $1,490,000.

OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION

For the necessary salaries and expenses of the Office of Small and Disadvantaged Business Utilization, $510,000.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For the necessary salaries and expenses of the Office of the Chief Financial Officer, $43,750,000.

OFFICE OF THE GENERAL COUNSEL

For the necessary salaries and expenses of the Office of the General Counsel, $86,820,000.

OFFICE OF THE CHIEF PROCUREMENT OFFICER

For the necessary salaries and expenses of the Office of the Chief Procurement Officer, $13,500,000.

CENTER FOR FAITH-BASED AND COMMUNITY INITIATIVES

For necessary salaries and expenses of the Center for Faith-Based and Community Initiatives, $1,860,000.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL AND INTERGOVERNMENTAL RELATIONS

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional and Intergovernmental Relations, $2,670,000: Provided, That the Secretary shall provide the Committee on Appropriations quarterly written notification regarding the status of pending congressional reports.

OFFICE OF THE ASSISTANT SECRETARY FOR PUBLIC AFFAIRS

For necessary salaries and expenses of the Office of the Assistant Secretary for Public Affairs, $2,630,000.

OFFICE OF DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY

For the necessary salaries and expenses of the Office of Departmental Equal Employment Opportunity, $3,440,000.

ADMINISTRATIVE ACTIVITIES

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration, $1,480,000.

ADMINISTRATION SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of Administration, $251,630,000: Provided, That funds provided under the heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109.

OFFICE OF DEPARTMENTAL OPERATIONS AND COORDINATION

For the necessary salaries and expenses of the Office of Departmental Operations and Coordination, $12,520,000.

OFFICE OF FIELD POLICY AND MANAGEMENT

For the necessary salaries and expenses of the Office of Field Policy and Management, $47,730,000.

PUBLIC AND INDIAN HOUSING

OFFICE OF THE ASSISTANT SECRETARY FOR PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of the Assistant Secretary for Public and Indian Housing, $1,620,000.

PUBLIC AND INDIAN HOUSING SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of Public and Indian Housing, $188,340,000.

TENANT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (''the Act'' herein), not otherwise provided for, $16,598,694,000, to remain available until expended, of which $12,398,694,000 shall be available on October 1, 2007, and $4,200,000,000 shall be available on October 1, 2008: Provided, That the amounts made available under this heading are provided as follows:

(1) $14,936,200,000 for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act): Provided, That notwithstanding any other provision of law, from amounts provided under this paragraph, the Secretary for the calendar year 2008 funding cycle shall provide renewal funding for each public housing agency based on voucher management system (VMS) leasing and cost data for the most recently completed period of 12 consecutive months for which the Secretary determines the data is verifiable and complete and by applying the 2008 Annual Adjustment Factor as established by the Secretary, and by making any necessary adjustments for the costs associated with the first-time renewal of tenant protection or HOPE VI vouchers or vouchers that were not in use during the 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act: Provided further, That notwithstanding the first proviso, except for applying the 2008 Annual Adjustment Factor and making any other specified adjustments, public housing agencies specified in category 1 below shall receive funding for calendar year 2008 based on the higher of the amounts the agencies would receive under the first proviso or the amounts the agencies received in calendar year 2007, and public housing agencies specified in categories 2 and 3 below shall receive funding for calendar year 2008 equal to the amounts the agencies received in calendar year 2007, except that public housing agencies specified in categories 1 and 2 below shall receive funding under this proviso only if, and to the extent that, any such public housing agency submits a plan, approved by the Secretary, that demonstrates that the agency can effectively use within 12 months the funding that the agency would receive under this proviso that is in addition to the funding that the agency would receive under the first proviso: (1) public housing agencies that are eligible for assistance under section 901 in Public Law 109–148 (119 Stat. 2781) or are located in the same counties as those eligible under section 901 and operate voucher programs under section 8(o) of the United States Housing Act of 1937 but do not operate public housing under section 9 of such Act, and any public housing agency that otherwise qualifies under this category must demonstrate that they have experienced a loss of rental housing stock as a result of the 2005 hurricanes; (2) public housing agencies that would receive less funding under the first proviso than they would receive under this proviso and that have been placed in receivership within the 24 months preceding the date of enactment of this Act; and (3) public housing agencies that spent more in calendar year 2007 than the total of the amounts of any such public housing agency's allocation amount for calendar year 2007 and the amount of any such public housing agency's available housing assistance payments undesignated funds balance from calendar year 2006 and the amount of any such public housing agency's available administrative fees undesignated funds balance through calendar year 2007: Provided further, That up to $100,000,000 shall be available only: (1) to adjust the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs resulting from unforeseen circumstances or from portability under section 8(r) of the Act of tenant-based rental assistance; and (2) for adjustments for public housing agencies that could experience a significant decrease in voucher funding that could result in the risk of loss of voucher units due to the use of VMS data based on a 12-month period: Provided further, That none of the funds provided under the first proviso in this section may be used to support a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract: Provided further, That the Secretary shall, to the extent necessary to stay within the amount provided under this paragraph, pro rate each public housing agency's allocation otherwise established pursuant to this paragraph: Provided further, That except as provided in the following proviso, the entire amount provided under this paragraph shall be obligated to the public housing agencies based on the allocation and pro rata method described above and the Secretary shall notify public housing agencies of their annual budget not later than 90 days after enactment of this Act: Provided further, That public housing agencies participating in the Moving to Work demonstration shall be funded pursuant to their Moving to Work agreements and shall be subject to the same pro rata adjustments under the previous proviso;

(2) $150,000,000 for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134), conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance: Provided, That the Secretary shall provide replacement vouchers for all units that cease to be available as assisted housing due to demolition, disposition, or conversion, subject only to the availability of funds;

(3) $50,000,000 for family self-sufficiency coordinators under section 23 of the Act;

(4) up to $6,494,000 may be transferred to the Working Capital Fund;

(5) $1,351,000,000 for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $5,000,000 shall be available as an incentive bonus as determined by the Secretary for administrative expenses for PHAs that voluntarily consolidate, and which up to $35,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, with up to $30,000,000 to be for fees associated with section 8 tenant protection rental assistance: Provided, That no less than $1,311,000,000 of the amount provided in this paragraph shall be allocated for the calendar year 2008 funding cycle on a basis to public housing agencies as provided in section 8(q) of the Act as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): Provided further, That if the amounts made available under this paragraph are insufficient to pay the amounts required by this paragraph, the Secretary may decrease the amounts allocated to agencies by a uniform prorated percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts required under this paragraph, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual Contributions for Assisted Housing'', the heading ''Housing Certificate Fund'', and the heading ''Project-based rental assistance'', for fiscal year 2007 and prior years, notwithstanding the purposes for which such amounts were appropriated: Provided further, That all amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(6) $30,000,000 for incremental voucher assistance through the Family Unification Program; and

(7) $75,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: Provided, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 305 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: Provided further, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: Provided further, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turnover.

HOUSING CERTIFICATE FUND

(RESCISSION)

Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual contributions for assisted housing'', the heading ''Tenant-based rental assistance'', and the heading ''Project-based rental assistance'', for fiscal year 2007 and prior years, $1,100,000,000 are rescinded, to be effected by the Secretary no later than September 30, 2008: Provided, That, if insufficient funds exist under these headings, the remaining balance may be derived from any other heading under this title: Provided further, That the Secretary shall notify the Committees on Appropriations 30 days in advance of the rescission of any funds derived from the headings specified above: Provided further, That any such balances governed by reallocation provisions under the statute authorizing the program for which the funds were originally appropriated shall be available for the rescission: Provided further, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be cancelled.

PROJECT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (''the Act'' herein), not otherwise provided for, $5,813,000,000, to remain available until expended: Provided, That the amounts made available under this heading are provided as follows:

(1) up to $5,522,810,000 for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act, for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph.

(2) not to exceed $286,230,000 for performance-based contract administrators for section 8 project-based assistance: Provided, That the Secretary may also use such amounts for performance-based contract administrators for: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959, as amended (12 U.S.C. 1701q, 1701q–1); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act; project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667).

(3) not to exceed $3,960,000 may be transferred to the Working Capital Fund; and

(4) amounts recaptured under this heading, the heading ''Annual Contributions for Assisted Housing'', or the heading ''Housing Certificate Fund'' may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g) (the ''Act'') $2,500,000,000, to remain available until September 30, 2011: Provided, That notwithstanding any other provision of law or regulation, during fiscal year 2008, the Secretary may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: Provided further, That for purposes of such section 9(j), the term ''obligate'' means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: Provided further, That of the total amount provided under this heading, up to $14,890,000 shall be for carrying out activities under section 9(h) of such Act; not to exceed $16,847,000 may be transferred to the Working Capital Fund; and up to $15,345,000 shall be to support the ongoing Public Housing Financial and Physical Assessment activities of the Real Estate Assessment Center (REAC): Provided further, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended: Provided further, That of the total amount provided under this heading, not to exceed $20,000,000 may be available for the Secretary of Housing and Urban Development to make grants, notwithstanding section 305 of this Act, to public housing agencies for emergency capital needs resulting from unforeseen or unpreventable emergencies and natural disasters occurring in fiscal year 2008: Provided further, That of the total amount provided under this heading, $40,000,000 shall be for supportive services, service coordinators and congregate services as authorized by section 34 of the Act and the Native American Housing Assistance and Self-Determination Act of 1996: Provided further, That of the total amount provided under this heading up to $8,820,000 is to support the costs of administrative and judicial receiverships: Provided further, That, notwithstanding any other provision of law or regulation, or any independent decision of the Secretary, during fiscal year 2008, the Secretary shall, in accordance with part 905.10(j) of title 24, Code of Federal Regulations and from amounts made available under this heading, award performance bonuses to public housing agencies that are designated high performers under the Public Housing Assessment System for the 2007 fiscal year.

PUBLIC HOUSING OPERATING FUND

For 2008 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g(e)), $4,200,000,000; of which $5,940,000 shall be for technical assistance related to the transition and implementation of asset-based management in public housing: Provided, That, in fiscal year 2008 and all fiscal years hereafter, no amounts under this heading in any appropriations Act may be used for payments to public housing agencies for the costs of operation and management of public housing for any year prior to the current year of such Act: Provided further, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

For grants to public housing agencies for demolition, site revitalization, replacement housing, and tenant-based assistance grants to projects as authorized by section 24 of the United States Housing Act of 1937, as amended, $100,000,000,

to remain available until September 30, 2008, of which not to exceed $1,980,000 may be used for technical assistance and contract expertise, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, by or to officials and employees of the department and of public housing agencies and to residents: Provided, That none of such funds shall be used directly or indirectly by granting competitive advantage in awards to settle litigation or pay judgments, unless expressly permitted herein.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $630,000,000, to remain available until expended: Provided, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race Census data and with the need component based on multi-race Census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: Provided further, That of the amounts made available under this heading, $2,000,000 shall be contracted through the Secretary as technical assistance and capacity building to be used by the National American Indian Housing Council in support of the implementation of NAHASDA; and $4,250,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of such Indian housing and tenant-based assistance, including up to $300,000 for related travel: Provided further, That of the amount provided under this heading, $1,980,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: Provided further, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $17,000,000.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), $9,000,000, to remain available until expended, of which $300,000 shall be for training and technical assistance activities.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $7,450,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $367,000,000.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b), $1,044,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $41,504,255.

COMMUNITY PLANNING AND DEVELOPMENT

OFFICE OF THE ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT

SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of the Assistant Secretary for Community Planning and Development, $1,520,000.

COMMUNITY PLANNING AND DEVELOPMENT SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of Community Planning and Development mission area, $93,770,000.

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $300,100,000, to remain available until September 30, 2009, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2010: Provided, That the Secretary shall renew all expiring contracts for permanent supportive housing that were funded under section 854(c)(3) of such Act that meet all program requirements before awarding funds for new contracts and activities authorized under this section: Provided further, That the Secretary may use not to exceed $1,485,000 of the funds under this heading for training, oversight, and technical assistance activities; and not to exceed $1,485,000 may be transferred to the Working Capital Fund.

RURAL HOUSING AND ECONOMIC DEVELOPMENT

For the Office of Rural Housing and Economic Development in the Department of Housing and Urban Development, $17,000,000, to remain available until expended, which amount shall be competitively awarded by September 1, 2008, to Indian tribes, State housing finance agencies, State community and/or economic development agencies, local rural nonprofits and community development corporations to support innovative housing and economic development activities in rural areas.

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $4,060,000,000, to remain available until September 30, 2010, unless otherwise specified: Provided, That of the amount provided, $3,705,430,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the ''Act'' herein) (42 U.S.C. 5301 et seq.): Provided further, That unless explicitly provided for under this heading (except for planning grants provided in the second paragraph and amounts made available under the third paragraph), not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: Provided further, That not to exceed $1,570,000 may be transferred to the Working Capital Fund: Provided further, That $3,000,000 is for technical assistance as authorized by section 107(b)(4) of such Act: Provided further, That $62,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 305 of this Act), up to $3,960,000 may be used for emergencies that constitute imminent threats to health and safety.

Of the amount made available under this heading, $248,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments: Provided, That none of the funds provided under this paragraph may be used for program operations: Provided further, That, for fiscal years 2006, 2007, and 2008, no unobligated funds for EDI grants may be used for any purpose except acquisition, planning, design, purchase of equipment, revitalization, redevelopment or construction.

Of the amount made available under this heading, $40,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, $6,000,000, to remain available until September 30, 2009, as authorized by section 108 of the Housing and Community Development Act of 1974, as amended: 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, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $275,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in section 108(k) of the Housing and Community Development Act of 1974, as amended.

BROWNFIELDS REDEVELOPMENT

For competitive economic development grants, as authorized by section 108(q) of the Housing and Community Development Act of 1974, as amended, for Brownfields redevelopment projects, $10,000,000, to remain available until September 30, 2009.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $1,970,000,000, to remain available until September 30, 2010, of which not to exceed $3,465,000 may be transferred to the Working Capital Fund: Provided, That up to $15,000,000 shall be available for technical assistance: Provided further, That of the total amount provided in this paragraph, up to $150,000,000 shall be available for housing counseling under section 106 of the Housing and Urban Development Act of 1968: Provided further, That, from amounts appropriated or otherwise made available under this heading, $25,000,000 may be made available to promote broader participation in homeownership through the American Dream Downpayment Initiative, as such initiative is set forth under section 271 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12821).

Of the overall funds made available for this account, up to $100,000,000 may be made available for mortgage foreclosure mitigation activities, under the following terms and conditions:

(1) The Secretary of Housing and Urban Development (''Secretary, ''the Department'') is authorized to provide, or contract with public, private or nonprofit entities (including the Neighborhood Reinvestment Corporation and Housing Finance Agencies) to make awards (with up to a 25 percent match by an entity of the amount made available to such entity) (except for the match, some or all of the award may be repayable by the contractor to the Secretary, upon terms determined by the Secretary) to provide mitigation assistance to eliminate the default and foreclosure of mortgages of owner-occupied single-family homes that are at risk of

such foreclosure, including mortgages known as subprime mortgages;

(2) These loss mitigation activities shall only be made available to homebuyers with mortgages in default or in danger of default where such activities are likely to ensure the long-term affordability of any mortgage retained pursuant to such activity; No Federal funds made available under this paragraph may be provided directly to lenders or homeowners for foreclosure mitigation assistance. An entity may use its own funds (including its match contribution) for foreclosure mitigation assistance subject to repayment requirements and the regulations issued by the Secretary;

(3) Loss mitigation activities shall involve a reasonable analysis of the borrower's financial situation, an evaluation of the current value of the property that is subject to the mortgage, the possible purchase of the mortgage, refinancing opportunities or the approval of a work-out strategy by all interested parties, and an assessment of the feasibility of the following measures, including:

(I) waiver of any late payment change or, as applicable, penalty interest;

(II) forbearance pursuant to the written agreement between the borrower and servicer providing for a temporary reduction in monthly payments followed by a reamortization and new payment schedule that includes any arrearage;

(III) waiver, modification, or variation of any term of a mortgage, including modifications that changes the mortgage rate, including the possible elimination of the adjustable rate mortgage requirements, forgiving the payment of principal and interest, extending the final maturity rate of such mortgage, or beginning to include an escrow for taxes and insurance;

(IV) acceptance of payment from the homebuyer of an amount less than the stated principal balance in financial satisfaction of such mortgage;

(V) assumption;

(VI) pre-foreclosure sale;

(VII) deed in lieu of foreclosure; and

(VIII) such other measures, or combination of measures, to make the mortgage both feasible and reasonable to ensure the long-term affordability of any mortgage retained pursuant to such activity.

(4) Activities described in subclasses (V)(VI)(VII) shall be only pursued after a reasonable evaluation of the feasibility of the activities described in subclasses (I), (II), (III), (IV) and (VIII), based on the homeowner's circumstances.

(5) The Secretary shall develop a listing of mortgage foreclosure mitigation entities with which it has agreements as well as a listing of counseling centers approved by the Secretary, with the understanding that an eligible mortgage foreclosure mitigation entity may also operate as a counseling center.

(6) Any mitigation funds recovered by the Department of Housing and Urban Development shall be revolved back into the overall mitigation fund or for other counseling activities, maintained by the Department and revolved back into mitigation and counseling activities.

(7) The Department shall report annually to the Congress on its efforts to mitigate mortgage default. Such report shall identify all methods of success and housing preserved and shall include all recommended efforts that will or likely can assist in the success of this program.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, $70,000,000, to remain available until September 30, 2010: Provided, That of the total amount provided under this heading, $26,500,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: Provided further, That $33,500,000 shall be made available for the first four capacity building activities authorized under section 4(b)(3) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), as in effect immediately before June 12, 1997 and of which up to $5,000,000 may be made available for rural capacity building activities: Provided further, That of the total amount made available under this heading; $3,000,000 shall be made available to the Housing Assistance Council; $2,000,000 shall be made available to the National American Indian Housing Council; $3,000,000 shall be made available as a grant to the Raza Development Fund of La Raza for the HOPE Fund, of which $500,000 is for technical assistance and fund management, and $2,500,000 is for investments in the HOPE Fund and financing to affiliated organizations; and $2,000,000 shall be made available as a grant to the Housing Partnership Network for operating expenses and a program of affordable housing acquisition and rehabilitation.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, $1,585,990,000, of which $1,580,990,000 shall remain available until September 30, 2010, and of which $5,000,000 shall remain available until expended for rehabilitation projects with ten-year grant terms: Provided, That of the amounts provided, $25,000,000 shall be set aside to conduct a demonstration program for the rapid re-housing of homeless families: Provided further, That of amounts made available in the preceding proviso, not to exceed $3,000,000 may be used to conduct an evaluation of this demonstration program: Provided further, That funding made available for this demonstration program shall be used by the Secretary, expressly for the purposes of providing housing and services to homeless families in order to evaluate the effectiveness of the rapid re-housing approach in addressing the needs of homeless families: Provided further, That not less than 30 percent of funds made available, excluding amounts provided for renewals under the shelter plus care program, shall be used for permanent housing for individuals and families: Provided further, That all funds awarded for services shall be matched by 25 percent in funding by each grantee: Provided further, That the Secretary shall renew on an annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary: Provided further, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: Provided further, That up to $8,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project and technical assistance: Provided further, That not to exceed $2,475,000 of the funds appropriated under this heading may be transferred to the Working Capital Fund: Provided further, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Shelter Plus Care renewals in fiscal year 2008.

HOUSING PROGRAMS

OFFICE OF THE ASSISTANT SECRETARY FOR HOUSING, FEDERAL HOUSING COMMISSIONER

SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of the Assistant Secretary for Housing, Federal Housing Commissioner, $3,420,000.

HOUSING SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of Housing, $351,560,000: Provided, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the housing mission area.

HOUSING FOR THE ELDERLY

(INCLUDING TRANSFER OF FUNDS)

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing, $735,000,000, to remain available until September 30, 2011, of which up to $603,900,000 shall be for capital advance and project-based rental assistance awards: Provided, That, of the amount provided under this heading, up to $60,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which up to $24,750,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) for conversion of eligible projects under such section to assisted living or related use and for emergency capital repairs as determined by the Secretary: Provided further, That of the amount made available under this heading, $20,000,000 shall be available to the Secretary of Housing and Urban Development only for making competitive grants to private nonprofit organizations and consumer cooperatives for covering costs of architectural and engineering work, site control, and other planning relating to the development of supportive housing for the elderly that is eligible for assistance under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q): Provided further, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 capital advance projects: Provided further, That not to exceed $1,400,000 of the total amount made available under this heading may be transferred to the Working Capital Fund: Provided further, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration.

HOUSING FOR PERSONS WITH DISABILITIES

(INCLUDING TRANSFER OF FUNDS)

For capital advance contracts, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, and for tenant-based

rental assistance contracts entered into pursuant to section 811 of such Act, $237,000,000, to remain available until September 30, 2011: Provided, That not to exceed $600,000 may be transferred to the Working Capital Fund: Provided further, That, of the amount provided under this heading $74,745,000 shall be for amendments or renewal of tenant-based assistance contracts entered into prior to fiscal year 2005 (only one amendment authorized for any such contract): Provided further, That all tenant-based assistance made available under this heading shall continue to remain available only to persons with disabilities: Provided further, That the Secretary may waive the provisions of section 811 governing the terms and conditions of project rental assistance and tenant-based assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: Provided further, That amounts made available under this heading shall be available for Real Estate Assessment Center Inspections and inspection-related activities associated with section 811 Capital Advance Projects.

OTHER ASSISTED HOUSING PROGRAMS

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, non-insured rental housing projects, $27,600,000, to remain available until expended.

(RESCISSION)

Of the amounts made available under the heading ''Rent Supplement'' in Public Law 98–63 for amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, non-insured rental housing projects, $27,600,000 are rescinded.

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 2007, and any collections made during fiscal year 2008 and all subsequent fiscal years, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act, as amended.

MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401 et seq.), up to $16,000,000, to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: Provided, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: Provided further, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2008 so as to result in a final fiscal year 2008 appropriation from the general fund estimated at not more than $0 and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2008 appropriation: Provided further, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: Provided further, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: Provided further, That notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2008, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of $185,000,000,000.

During fiscal year 2008, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $50,000,000: Provided, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative contract expenses, $77,400,000, of which not to exceed $25,550,000 may be transferred to the Working Capital Fund, and of which up to $5,000,000 shall be for education and outreach of FHA single family loan products: Provided, That to the extent guaranteed loan commitments exceed $65,500,000,000 on or before April 1, 2008, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), including the cost of loan guarantee modifications, as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended, $8,600,000, to remain available until expended: Provided, That commitments to guarantee loans shall not exceed $45,000,000,000 in total loan principal, any part of which is to be guaranteed.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $50,000,000, of which not to exceed $30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed $20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

For administrative contract expenses necessary to carry out the guaranteed and direct loan programs, $78,111,000, of which not to exceed $15,692,000 may be transferred to the Working Capital Fund: Provided, That to the extent guaranteed loan commitments exceed $8,426,000,000 on or before April 1, 2008, an additional $1,980 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments over $8,426,000,000 (including a pro rata amount for any increment below $1,000,000), but in no case shall funds made available by this proviso exceed $14,400,000.

For discount sales of multifamily real property under sections 207(1) or 246 of the National Housing Act (12 U.S.C. 1713(l), 1715z–11), section 203 of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z–11), or section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (12 U.S.C. 1715z–11a), and for discount loan sales under section 207(k) of the National Housing Act (12 U.S.C. 1713(k)), section 203(k) of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z–11(k)), or section 204(a) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Act, 1997 (12 U.S.C. 1715z–11a(a)), $5,000,000, to remain available until September 30, 2009.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

OFFICE OF THE GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

SALARIES AND EXPENSES

For the necessary salaries and expenses of the Office of the Government National Mortgage Association, $9,530,000.

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $200,000,000,000, to remain available until September 30, 2009.

POLICY DEVELOPMENT AND RESEARCH

OFFICE OF THE ASSISTANT SECRETARY FOR POLICY DEVELOPMENT AND RESEARCH

SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of the Assistant Secretary for Policy Development and Research, $1,570,000.

POLICY DEVELOPMENT AND RESEARCH SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of Policy Development and Research, $19,310,000.

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $61,440,000, to remain available until September 30, 2009: Provided, That of the total amount provided under this heading, $5,000,000 shall be for the Partnership for Advancing Technology in Housing (PATH) Initiative: Provided further, That of the funds made available under this heading, $20,600,000 is for grants pursuant to section 107 of the Housing and Community Development Act of 1974, as amended, as follows: $3,000,000 to support Alaska Native serving institutions and Native Hawaiian serving institutions as defined under the Higher Education Act, as amended; $5,000,000 for tribal colleges and universities to build, expand, renovate, and equip their facilities and to expand the role of the colleges into the community through the provision of needed services such as health programs, job training and economic development activities; $9,000,000 for the Historically Black Colleges and Universities program, of which up to $2,000,000 may be used for technical assistance; and $6,000,000 for the Hispanic Serving Institutions Program.

FAIR HOUSING AND EQUAL OPPORTUNITY

OFFICE OF THE ASSISTANT SECRETARY FOR FAIR HOUSING AND EQUAL OPPORTUNITY

SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of the Assistant Secretary for Fair Housing and Equal Opportunity, $1,490,000.

FAIR HOUSING AND EQUAL OPPORTUNITY SALARIES AND EXPENSES

For the necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, $69,390,000.

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and

Community Development Act of 1987, as amended, $52,380,000, to remain available until September 30, 2009, of which $25,000,000 shall be to carry out activities pursuant to such section 561: Provided, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: Provided further, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan: Provided further, That of the funds made available under this heading, $380,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited english proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL

OFFICE OF HEALTHY HOMES AND LEAD HAZARD CONTROL

SALARIES AND EXPENSES

For the necessary salaries and expenses of the Office of Healthy Homes and Lead Hazard Control, $6,140,000.

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $151,000,000, to remain available until September 30, 2009, of which $8,800,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: Provided, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, Operation Lead Elimination Action Plan (LEAP), or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: Provided further, That of the total amount made available under this heading, $48,000,000 shall be made available on a competitive basis for areas with the highest lead paint abatement needs: Provided further, That each applicant shall submit a detailed plan and strategy that demonstrates adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a Notice of Funding Availability: Provided further, That of the total amount made available under this heading, $2,000,000 shall be available for the Big Buy Program to be managed by the Office of Healthy Homes and Lead Hazard Control.

WORKING CAPITAL FUND

For additional capital for the Working Capital Fund (42 U.S.C. 3535) for the development of, modifications to, and infrastructure for Department-wide information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related development activities, $172,600,000, to remain available until September 30, 2009: Provided, That any amounts transferred to this Fund under this Act shall remain available until expended: Provided further, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts or from within this Act may be used only for the purposes specified under this Fund, in addition to the purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $112,000,000: Provided, That the Inspector General shall have independent authority over all personnel issues within this office.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, including not to exceed $500 for official reception and representation expenses, $66,000,000, to remain available until expended, to be derived from the Federal Housing Enterprises Oversight Fund: Provided, That the Director shall submit a spending plan for the amounts provided under this heading no later than January 15, 2008: Provided further, That not less than 80 percent of the total amount made available under this heading shall be used only for examination, supervision, and capital oversight of the enterprises (as such term is defined in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502)) to ensure that the enterprises are operating in a financially safe and sound manner and complying with the capital requirements under Subtitle B of such Act: Provided further, That not to exceed the amount provided herein shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: Provided further, That the general fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2008 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for fiscal year 2008 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2008 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2008 do not have the number of cases of acquired immunodeficiency syndrome (AIDS) required under such clause.

(b) The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2008, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

(c) Notwithstanding any other provision of law, the amount allocated for fiscal year 2008 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter ''metropolitan division'') of the New York-Newark-Edison, NY–NJ–PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by: (1) allocating to the City of Jersey City, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Hudson County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS; and (2) allocating to the City of Paterson, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(d) Notwithstanding any other provision of law, the amount allocated for fiscal year 2008 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to areas with a higher than average per capita incidence of AIDS, shall be adjusted by the Secretary on the basis of area incidence reported over a three year period.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989.

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 206. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of

Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2008 for such corporation or agency except as hereinafter provided: Provided, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. None of the funds provided in this title for technical assistance, training, or management improvements may be obligated or expended unless HUD provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each program, project or activity as part of the Budget Justifications. For fiscal year 2008, HUD shall transmit this information to the Committees by March 15, 2008 for 30 days of review.

SEC. 209. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 210. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2008 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (hereafter ''metropolitan division''), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan division that is located in New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2008 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the City of Raleigh, North Carolina, on behalf of the Raleigh-Cary, North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(c) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2008 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be in proportion to the number of cases of AIDS reported in the portion of the metropolitan statistical area located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 211. The Secretary of Housing and Urban Development shall submit an annual report no later than August 30, 2008 and annually thereafter to the House and Senate Committees on Appropriations regarding the number of Federally assisted units under lease and the per unit cost of these units to the Department of Housing and Urban Development.

SEC. 212. The Department of Housing and Urban Development shall submit the Department's fiscal year 2009 congressional budget justifications to the Committees on Appropriations of the House of Representatives and the Senate using the identical structure provided under this Act and only in accordance with the direction specified in the report accompanying this Act.

SEC. 213. Incremental vouchers previously made available under the heading ''Housing Certificate Fund'' or renewed under the heading, ''Tenant-Based Rental Assistance,'' for non-elderly disabled families shall, to the extent practicable, continue to be provided to non-elderly disabled families upon turnover.

SEC. 214. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, California, the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi shall establish an advisory board of not less than 6 residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 215. (a) Notwithstanding any other provision of law, subject to the conditions listed in subsection (b), for fiscal years 2008 and 2009, the Secretary may authorize the transfer of some or all project-based assistance, debt and statutorily required low-income and very low-income use restrictions, associated with one or more multifamily housing project to another multifamily housing project or projects.

(b) The transfer authorized in subsection (a) is subject to the following conditions:

(1) the number of low-income and very low-income units and the net dollar amount of Federal assistance provided by the transferring project shall remain the same in the receiving project or projects;

(2) the transferring project shall, as determined by the Secretary, be either physically obsolete or economically non-viable;

(3) the receiving project or projects shall meet or exceed applicable physical standards established by the Secretary;

(4) the owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials;

(5) the tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy;

(6) the Secretary determines that this transfer is in the best interest of the tenants;

(7) if either the transferring project or the receiving project or projects meets the condition specified in subsection (c)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary;

(8) if the transferring project meets the requirements of subsection (c)(2)(E), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions;

(9) any financial risk to the FHA General and Special Risk Insurance Fund, as determined by the Secretary, would be reduced as a result of a transfer completed under this section; and

(10) the Secretary determines that Federal liability with regard to this project will not be increased.

(c) For purposes of this section—

(1) the terms ''low-income'' and ''very low-income'' shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term ''multifamily housing project'' means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959 as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act; or

(E) housing or vacant land that is subject to a use agreement;

(3) the term ''project-based assistance'' means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act; and,

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959;

(4) the term ''receiving project or projects'' means the multifamily housing project or projects to which the project-based assistance, debt, and statutorily required use low-income and very low-income restrictions are to be transferred;

(5) the term ''transferring project'' means the multifamily housing project which is transferring the project-based assistance, debt and the

statutorily required low-income and very low-income use restrictions to the receiving project; and,

(6) the term ''Secretary'' means the Secretary of Housing and Urban Development.

SEC. 216. The funds made available for Native Alaskans under the heading ''Native American Housing Block Grants'' in title III of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 217. Incremental vouchers made available under this Act and previously made available under the heading, ''Housing Certificate Fund'' or renewed under the heading, ''Tenant-Based Rental Assistance'', for family unification shall, to the extent practicable, continue to be provided for family unification.

SEC. 218. The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third party liability for such damages, and any amounts collected under this subsection shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

(ADDITIONAL OBLIGATION LIMITATION)

(HIGHWAY TRUST FUND)

For an additional amount of obligation limitation to be distributed for the purpose of section 144(e) of title 23, United States Code, $1,000,000,000: Provided, That such obligation limitation shall be used only for a purpose eligible for obligation with funds apportioned under such section and shall be distributed in accordance with the formula in such section: Provided further, That in distributing obligation authority under this paragraph, the Secretary shall ensure that such obligation limitation shall supplement and not supplant each State's planned obligations for such purposes.

SEC. 219. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and

(7) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

(c) Not later than 30 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall issue final regulations to carry out the provisions of this section.

SEC. 220. Notwithstanding any other provision of law, in fiscal year 2008, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 221. The National Housing Act is amended—

(1) in sections 207(c)(3), 213(b)(2)(B)(i), 221(d)(3)(ii)(II), 221(d)(4)(ii)(II), 231(c)(2)(B), and 234(e)(3)(B) (12 U.S.C. 1713(c)(3), 1715e(b)(2)(B)(i), 1715l(d)(3)(ii)(II), 1715l(d)(4)(ii)(II), 1715v(c)(2)(B), and 1715y(e)(3)(B))—

(A) by striking ''140 percent'' each place such term appears and inserting ''170 percent''; and

(B) by striking ''170 percent in high cost areas'' each place such term appears and inserting ''215 percent in high cost areas''; and

(2) in section 220(d)(3)(B)(iii)(III) (12 U.S.C. 1715k(d)(3)(B)(iii)(III)) by striking ''206A'' and all that follows through ''project-by-project basis'' and inserting the following: ''206A of this Act) by not to exceed 170 percent in any geographical area where the Secretary finds that cost levels so require and by not to exceed 170 percent, or 215 percent in high cost areas, where the Secretary determines it necessary on a project-by-project basis''.

SEC. 222. Section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) is amended—

(1) in subsection (m)(1), by striking ''2003'' and inserting ''2008''; and

(2) in subsection (o), by striking ''September 30, 2007'' and inserting ''September 30, 2008''.

SEC. 223. Public housing agencies that own and operate 500 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: Provided, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 224. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1),(2)).

SEC. 225. The Secretary of Housing and Urban Development shall report quarterly to the House of Representatives and Senate Committees on Appropriations on the status of all section 8 project-based housing, including the number of all project-based units by region as well as an analysis of all federally subsidized housing being refinanced under the Mark-to-Market program. The Secretary shall in the report identify all existing units maintained by region as section 8 project-based units and all project-based units that have opted out of section 8 or have otherwise been eliminated as section 8 project-based units. The Secretary shall identify in detail and by project all the efforts made by the Department to preserve all section 8 project-based housing units and all the reasons for any units which opted out or otherwise were lost as section 8 project-based units. Such analysis shall include a review of the impact of the loss any subsidized units in that housing marketplace, such as the impact of cost and the loss of available subsidized, low-income housing in areas with scare housing resources for low-income families.

SEC. 226. The Secretary of Housing and Urban Development shall report quarterly to the House of Representatives and Senate Committees on Appropriations on HUD's use of all sole source contracts, including terms of the contracts, cost and a substantive rationale for using a sole source contract.

SEC. 227. Section 9(e)(2)(C) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)(2)(C)) is amended by adding at the end of the following:

''(iv) EXISTING CONTRACTS.—The term of a contract described in clause (i) that, as of the date of enactment of this clause, is in repayment and has a term of not more than 12 years, may be extended to a term of not more than 20 years to permit additional energy conservation improvements without requiring the reprocurement of energy performance contractors.''.

SEC. 228. The Secretary of Housing and Urban Development shall increase, pursuant to this section, the number of Moving-to-Work agencies authorized under section 204, title II, of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321–281) by making the Alaska Public Housing Agency a Moving-to-Work Agency under such section 204.

SEC. 229. (a) The referenced statement of managers under the heading ''Community Development Fund'' in title II of Public Law 108–447 is deemed to be amended with respect to item number 203 by striking ''equipment'' and inserting ''renovation and construction''.

(b) The referenced statement of managers under the heading ''Community Development Fund'' in title III of division A of Public Law 109–115 is deemed to be amended with respect to item number 696 by striking ''a Small Business Development Center'' and inserting ''for revitalization costs at the College of Agriculture Biotechnology and Natural Resources''.

(c) The referenced statement of managers under the heading ''Community Development Fund'' in title III of division A of Public Law 109–115 is deemed to be amended with respect to item number 460 by striking ''Maine-Mawoshen One Country, Two Worlds Project'' and inserting ''Sharing Maine's Maritime Heritage Project—Construction and access to exhibits''.

(d) The referenced statement of managers under the heading ''Community Development Fund'' in title III of division A of Public Law 109–115 is deemed to be amended with respect to item number 914 by striking ''the Pastime Theatre in Bristol, Rhode Island for building improvements'' and inserting ''the Institute for the Study and Practice of Nonviolence in Providence, Rhode Island for building renovations''.

(e) The referenced statement of managers under the heading ''Community Development Fund'' in title III of division A of Public Law

109–115 is deemed to be amended with respect to item number 918 by striking ''South Kingstown'' and inserting ''Washington County''.

(f) The referenced statement of managers under the heading ''Community Development Fund'' in title III of division A of Public Law 109–115 is deemed to be amended with respect to item number 624 by striking ''for the construction of a new technology building'' and inserting ''for renovations to the Wheeling Community Center''.

SEC. 230. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), the Secretary of Housing and Urban Development may, until September 30, 2008, insure and enter into commitments to insure mortgages under section 255 of the National Housing Act (12 U.S.C. 1715z–20).

SEC. 231. Notwithstanding any other provision of law, the Secretary of Housing and Urban Development may not rescind or take any adverse action with respect to the Moving-to-Work program designation for the Housing Authority of Baltimore City based on any alleged administrative or procedural errors in making such designation.

SEC. 232. Paragraph (4) of section 102(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302) is amended by adding at the end the following new sentence: ''Notwithstanding any other provision of this paragraph, with respect to any fiscal year beginning after the date of the enactment of this sentence, the cities of Alton and Granite City, Illinois, may be considered metropolitan cities for purposes of this title.''.

SEC. 233. (a) The amounts provided under the subheading ''Program Account'' under the heading ''Community Development Loan Guarantees'' may be used to guarantee, or make commitments to guarantee, notes or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: Provided, That, any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

(b) Not later than 60 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall promulgate regulations governing the administration of the funds described under subsection (a).

SEC. 234. Not later than 30 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall establish and maintain on the homepage of the Internet website of the Department of Housing and Urban Development—

(1) a direct link to the Internet website of the Office of Inspector General of the Department of Housing and Urban Development; and

(2) a mechanism by which individuals may anonymously report cases of waste, fraud, or abuse with respect to the Department of Housing and Urban Development.

SEC. 235. Not later than 90 days after the date of enactment of this Act, the Secretary of Housing and Urban Development may—

(1) develop a formal, structured, and written plan that the Department of Housing and Urban Development shall use when monitoring for compliance with the specific relocation restrictions in—

(A) the Community Development Block Grant entitlement program; and

(B) the Community Development Block Grant State program that receives economic development funds from the Department of Housing and Urban Development; and

(2) submit such plan to the Committee on Appropriations of both the Senate and the House of Representatives.

SEC. 236. (a) REQUIRED SUBMISSIONS FOR FISCAL YEARS 2007 AND 2008.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Housing and Urban Development may submit to the relevant authorizing committees and to the Committees on Appropriations of the Senate and the House of Representatives for fiscal year 2007 and 2008—

(A) a complete and accurate accounting of the actual project-based renewal costs for project-based assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f);

(B) revised estimates of the funding needed to fully fund all 12 months of all project-based contracts under such section 8, including project-based contracts that expire in fiscal year 2007 and fiscal year 2008; and

(C) all sources of funding that will be used to fully fund all 12 months of the project-based contracts for fiscal years 2007 and 2008.

(2) UPDATED INFORMATION.—At any time after the expiration of the 60-day period described in paragraph (1), the Secretary may submit corrections or updates to the information required under paragraph (1), if upon completion of an audit of the project-based assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), such audit reveals additional information that may provide Congress a more complete understanding of the Secretary's implementation of the project-based assistance program under such section 8.

(b) REQUIRED SUBMISSIONS FOR FISCAL YEAR 2009.—As part of the Department of Housing and Urban Development's budget request for fiscal year 2009, the Secretary of Housing and Urban Development shall submit to the relevant authorizing committees and to the Committees on Appropriations of the Senate and the House of Representatives complete and detailed information, including a project-by-project analysis, that verifies that such budget request will fully fund all project-based contracts under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) in fiscal year 2009, including expiring project-based contracts.

This title may be cited as the ''Department of Housing and Urban Development Appropriations Act, 2008''.

TITLE III

INDEPENDENT AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $6,150,000: Provided, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, $22,322,000: Provided, That not to exceed $2,000 shall be available for official reception and representation expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902) $84,500,000, of which not to exceed $2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments due in fiscal year 2008 only, on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $119,800,000, of which $5,000,000 shall be for a multi-family rental housing program.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $2,300,000.

Title II of the McKinney-Vento Homeless Assistance Act, as amended, is amended in section 209 by striking ''2007'' and inserting ''2008''.

TITLE IV

GENERAL PROVISIONS THIS ACT

(INCLUDING TRANSFERS OF FUNDS)

SEC. 401. Such sums as may be necessary for fiscal year 2008 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 402. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 403. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 404. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table

accompanying the statement of the managers accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: Provided, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided further, That the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: Provided further, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2008 from appropriations made available for salaries and expenses for fiscal year 2008 in this Act, shall remain available through September 30, 2009, for each such account for the purposes authorized: Provided, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 407. All Federal agencies and departments that are funded under this Act shall issue a report to the House and Senate Committees on Appropriations on all sole source contracts by no later than July 31, 2008. Such report shall include the contractor, the amount of the contract and the rationale for using a sole source contract.

SEC. 408. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 409. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: Provided, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: Provided further, That any use of funds for mass transit, railroad, airport, seaport or highway projects as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownsfield as defined in the Small Business Liability Relief and Brownsfield Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain: Provided further, That the Government Accountability Office, in consultation with the National Academy of Public Administration, organizations representing State and local governments, and property rights organizations, shall conduct a study to be submitted to the Congress within 12 months of the enactment of this Act on the nationwide use of eminent domain, including the procedures used and the results accomplished on a State-by-State basis as well as the impact on individual property owners and on the affected communities.

SEC. 410. 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. 411. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 412. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 413. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 414. 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.

SEC. 415. Not later than 120 days after the date of the enactment of this Act, the Secretary of Transportation shall submit to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, a report detailing how the Federal Aviation Administration plans to alleviate air congestion and flight delays in the New York/New Jersey/Philadelphia Airspace by August 31, 2008.

SEC. 416. None of the funds appropriated or otherwise made available by this Act may be obligated or expended by the Administrator of the Federal Aviation Administration to transfer the design and development functions of the FAA Academy in their entirety or to implement the Air Traffic Control Optimum Training Solution proposed by the Administrator in its entirety prior to September 30, 2008.

This Act may be cited as the ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008''.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. BOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The ACTING PRESIDENT pro tempore. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I congratulate and thank Senator MURRAY for being such an agile partner and such an effective leader. We finished the bill in almost record time. For a bill of this complexity, I might even claim it is record time.

The legislation is very complex. You have seen that it is controversial and can even be very political, as we saw with the Mexican trucking issue.

As always, Senator MURRAY deserves a great deal of credit and accolades for her ability to balance the many tough and controversial issues that make up the legislation, and to do so with a smile and good humor despite circumstances that would have brought out a more difficult response from a lesser person.

We also thank her crack staff, including Peter Rogoff, Bill Simpson, Rachel Milberg, Meaghan McCarthy, and Teri Curtin. I also thank my staff for a great job: Jon Kamarck, Ellen Beares, and Matt McCardle. Each of them brought special contributions, as well as hard work, to the bill, spending many late nights and weekends to make sure the HUD fiscal year 2008 appropriations bill would reflect a balanced and bipartisan approach to the legislation that could be supported by Members on both sides of the aisle. We thank the overwhelming majority who voted for it. A special thanks goes to our Republican and Democratic floor staff for bringing their special expertise and making us all look the part of respectable, hard-charging legislators and untangling the knots that sometimes occur in the process.

As I did on Monday, I want to brag about our ability to include funding increases above the budget request for HUD's housing and community development programs. These are important programs to help build our communities and without which a number of persons—a significant number of persons—would be placed at risk of homelessness. That would have been a particular hardship on many seniors and persons with disabilities.

I also want to repeat my gratitude that we were able to include $75 million in section 8 funds for the VA Affairs Supportive Housing Program. It is critical as service people continue to return from Iraq and face new realities

that can include the need for housing and other services. This program will become even more worthwhile as young, disabled service men and women make the difficult adjustment to civilian life.

As Members know, after 2 full days on this bill, with regard to FAA, this bill continues to support the beginning stage of the NextGen Air Transportation System. This bill also contains funds above the administration's request for flight inspection and certification personnel.

These funds are needed and will ensure the continued safety of the National Airspace System. I also want to note the additional funds for the Airport Improvement Program, which has been and remains an important bipartisan priority for this subcommittee.

In addition, the bill meets the guarantees of SAFETEA for highways and, and for the most part, transit. We include the revenue aligned budget authority, RABA, which was not included in the President's budget. In addition, we have included some $1 billion in obligation limitation as a starter account for the inspection of our aging bridges after those tragic deaths in Minnesota when the bridge collapsed.

Finally, as I noted previously, there are some issues that we will have to address before the bill can become law. For example, we include the revenue aligned budget authority which was not included in the President's budget. The bill also contains a $2.89 billion rescission of highway contract authority apportionments to the states, used as a budgetary offset. The bill also includes an additional $43,359,000 in Admin CA and another $172,243,000 in an unused transportation innovative financing infrastructure account, TIFIA, contract authority for a total offset of spending of $3.495 billion. HUD also includes a rescission of $1.1 billion.

Finally, I continue to be concerned over HUD's and OMB's failure to provide adequate funding for HUD's section 8 project-based housing program for fiscal year 2008. This is not an option but is a contractual obligation. Most important, this is a critical and important program that serves many of our most vulnerable citizens such as extremely low-income families, including seniors and persons with disabilities. HUD has been unable to fund fully or timely many of these contracts during fiscal year 2007, and I understand that this problem will only get worse in fiscal year 2008 with HUD facing a shortfall in its section 8 project-based account of $2 billion or more. I know this program enjoys wide support in this Congress and I would fully expect OMB to provide the necessary funds for the program through a budget amendment or as part of a continuing resolution or through emergency supplemental legislation.

And while I am pleased with much of the bill, especially needed spending in critical programs, I am concerned that we are on a collision course with the White House on the spending levels contained in this bill. I fear that both sides are going to have to make adjustments. I just hope that any adjustments do not result in the loss of any of the positive investments made we have made in this bill.

I will conclude by again thanking my colleague, Senator MURRAY, her staff, my staff, and the floor staff. Thanks for the help of everybody.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate insists on its amendment, requests a conference with the House, and the Chair appoints the following conferees.

The ACTING PRESIDENT pro tempore appointed Mrs. MURRAY, Mr. BYRD, Ms. MIKULSKI, Mr. KOHL, Mr. DURBIN, Mr. DORGAN, Mr. LEAHY, Mr. HARKIN, Mrs. FEINSTEIN, Mr. JOHNSON, Mr. LAUTENBERG, Mr. INOUYE, Mr. BOND, Mr. SHELBY, Mr. SPECTER, Mr. BENNETT, Mrs. HUTCHISON, Mr. BROWNBACK, Mr. STEVENS, Mr. DOMENICI, Mr. ALEXANDER, Mr. ALLARD, and Mr. COCHRAN conferees on the part of the Senate.

The ACTING PRESIDENT pro tempore. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, let me thank my colleague from Missouri, Senator BOND, who has worked hard with me, the staff, and all of us who have been working to get this bill to the floor and pass it. It is an extremely difficult bill, covering a wide variety of programs and projects throughout the country. We started this process way back in the beginning of the year with the budget process. He and I spent many conversations on the phone working together, getting our bill through subcommittee, full committee, and now to the Senate floor.

I could not have done it without Senator BOND's help and support, particularly in the housing arena, helping to work through a lot of difficult issues. I thank him in particular for his diligence and his ability to help us get through this today.

Also, I thank his staff: Jon Kamarck, Ellen Beares, and Matt McCardle. They have been there time and again to help us work through the issues. I thank my staff: Peter Rogoff, Rachel Milberg, Bill Simpson, Meaghan McCarthy, and Terri Curtin. They spent innumerable all-night sessions trying to get us to reach deadlines and get the bill to the Senate floor. Without their expertise, we would not be here. I thank them on behalf of all of us in this country. I thank, from my personal staff, Travis Lumpkin, who has been here working with us to get this bill through, as well as Mike Spahn, of my floor staff, who spent a lot of time helping us work through all the difficult parts of the bill. It takes a lot of people to get a bill of this complexity to the floor, and every one of them should be recognized.

We cannot do these bills on our own. A lot of people put a lot of time and energy into getting us to this point. I thank Senators BYRD and COCHRAN, the chairman and ranking member of the full committee, who have worked with all of us on appropriations to get our work done in a timely fashion.

This bill is headed to conference. It is an extremely important bill. As we have heard throughout the last days as we have debated the bill, every American is touched by the impact of this legislation. If you get up and go to work, whether you drive or, as we heard yesterday, ride a bike; whether you go on an Amtrak train or if you have to fly, what we decide in this bill and how we set spending priorities makes a difference in your life.

For many Americans who are facing a housing crisis today, this bill addresses those concerns, as the Senator from Missouri talked about. This is an extremely important piece of legislation. We received the President's budget with severe cuts in Amtrak, in housing, in FAA modernization, and many more that I have talked about over the last several days. This Senate has said we have to invest in the infrastructure of this country. We need to move forward in making sure that average, everyday Americans who get up and go to work, enjoy time with their families, who want to be able to participate in our communities, have a right to do that, and we have an obligation as a Congress to make sure the infrastructure is in place.

We are going to continue to work on this bill with our colleagues on the other side of the Capitol, our House counterparts. I hope we can get a bill to the President and get it signed and move these programs forward so the money we have debated and talked about will be allocated and our communities across this country will benefit from it.

Mr. President, I again thank my colleague from Missouri.

Mr. SALAZAR. Mr. President, I want to make a few comments about H.R. 3074, the Transportation, Housing, and Urban Development Appropriations Act of 2007, which we passed earlier today by an overwhelming bipartisan majority. This bill will make much-needed investments in aging roads and bridges around the country. It will help make the skies safer for travel. It will revitalize struggling communities with economic development grants. And it will get a roof over the heads of many of the 200,000 veterans who find themselves homeless on any given night.

I want to thank Chairman MURRAY, Ranking Member BOND, Chairman BYRD, Ranking Member COCHRAN, and all the members of the committee for their work on a bill that makes such wise investments in our transportation, in our communities, and in our veterans.

This summer, as Americans took to the highways with their families, traveling long stretches of bumpy roads across aging bridges on their way to their vacation destination, they were

painfully aware of our Government's neglect of our transportation infrastructure over the last several years.

Potholes and traffic jams can take a toll on your car and your pocketbook. A 2006 survey showed that driving on rough roads is costing the average urban motorist about $383 a year in added vehicle maintenance costs. With gas inching back toward $3 a gallon, that is an added strain on a family's budget.

Beyond this economic strain, though, failing and deteriorating infrastructure can lead to tragic consequences. Roadway conditions are a significant factor in approximately one-third of traffic fatalities.

The August 1 collapse of I–35W in Minneapolis was among the most tragic examples of this danger. Thirteen people died, and around 100 were injured, when the eight-lane truss bridge collapsed into the Mississippi River.

The Minneapolis disaster has engineers and planners around the country taking a second look at the condition of their bridges. And what they are finding is troubling.

In Colorado, nearly 7 percent of our bridges are structurally deficient and need immediate attention. 110 bridges that belong to the State need full replacement. Another 375 need rehabilitation. Unfortunately, the backlog of bridgework that needs to be done in our State is an overwhelming $758 million. In Colorado and across the country, we desperately need more resources to get this work done. I believe the Senate made a wise investment when it voted overwhelmingly in support of Senator MURRAY's amendment to add $1 billion in dedicated funding for the Federal Highway Administration's bridge replacement and rehabilitation program.

We also must recommit ourselves to investing in our roads and highways. They are the veins of commerce that sustain our economy. Our ability to move goods and people quickly and safely is absolutely fundamental to continued growth.

The American people, and the people of Colorado, understand this. When I visit a town like Gunnison, maintenance and improvements to Highway 50, which links Pueblo and the Front Range with Gunnison and the Western Slope, is at the top of the list for local elected officials. When I visit Eagle County, Clear Creek County, and Summit County, I–70 investments are front and center. And when I meet with officials in Lamar, Springfield, and Eads, maintenance of Highway 287, part of the ''Ports to Plains'' corridor, is the topic of conversation.

For each of these communities, good roads are essential for economic vitality. Across the political spectrum, across a broad range of interests and professions, Coloradans understand this. Two years ago, we voted to allow the state government to retain an additional $5.7 billion in revenues over 5 years to help fund our schools and our roads. The statewide referendum passed comfortably because the Colorado business community knows that failing infrastructure is a drag on an economy. Smart investments in bridges, roads, and airports yield strong returns over the long term.

The bill we passed earlier today makes these needed investments in our Nation's transportation infrastructure. It allocates $65.7 billion to transportation, including $40.2 billion for highway construction.

This will allow for us to move ahead with several vital projects in Colorado.

Notably, the bill includes $5 million for continued construction of a new interchange near Gate 20 at Fort Carson. The Mountain Post is accommodating two additional brigades and is growing by approximately 12,000 troops over the next 2 years. Gate 20 allows soldiers and contractors to enter the base from Fountain, Pueblo, and points south of the base. The base commander, General Mixon, sees this as a top priority and we help him fulfill it with this bill.

Additionally, the bill provides $2 million for work on the Ports to Plains Highway, U.S. 287, near Lamar. This builds on the over $11 million we have invested in his project over the past 3 years to build the capacity of this major north-south commercial artery. I have driven that road many times over the past few years, and it is improving steadily. You see more trucks on that road now, and you see more goods moving to market more quickly.

In southern Colorado, we have included funding to restore a road leading to one of our newest national parks, Great Sand Dunes, in my native San Luis Valley. 300,000 visitors a year come to Great Sand Dunes. It is a boon to the local economy, and the $3 million for resurfacing State Highway 150 to the Sand Dunes will help more Americans see this treasure of the American West.

But the transportation portion of this bill does not simply fund new roads. It also includes forward-thinking investments in mass transit solutions to reduce the wear and tear on our highways, to save gas, and to unclog traffic jams. This bill includes $70 million for the Denver Regional Transportation District's West Corridor Light Rail Project and $70 million for RTD's Southeast Corridor Multi-Modal Project. Coloradans know it as T–Rex. It blends light rail and highway improvements in one of the largest mass transit projects that is underway in the United States. It is changing how people commute and where they are choosing to live. This bill keeps Denver's transportation revolution on track.

Finally, I would also like to express my strong support for the funding this legislation makes available for the community development block grant program. I have heard from public officials across Colorado, and they all tell me that the CDBG program is one of the most effective Federal Government programs available to cities, towns, and rural communities in our State, and across the Nation.

Last year, Colorado alone received nearly $40 million from the CDBG program, with several towns and cities receiving in excess of $1.5 million apiece. While the President's budget would have cut this funding by 20 percent, the underlying legislation restores those cuts and provides $3.77 billion for the program. We should not be slashing funding for one of our most effective and efficient tools for energizing communities and improving housing infrastructure. This bill does the right thing and restores this program.

I am proud of the bill that we passed—it sets the right priorities and makes smart investments in our transportation infrastructure and in our communities. I want to again thank Chairman MURRAY, Ranking Member BOND, the Appropriations Committee, and their staffs for their work on this bill. I hope it is signed into law.

MORNING BUSINESS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate proceed to a period for the transaction of morning business, with Senators allowed to speak for up to 10 minutes each.

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

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. GRASSLEY. Mr. President, is the Senate in morning business?

The PRESIDING OFFICER. We are in morning business.

Mr. GRASSLEY. I ask to speak—it will not be for a very long time but longer than the usual 10 minutes allotted.

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

The Senator from Iowa is recognized.

Mr. GRASSLEY. I thank the Chair.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S. 2041 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

DRUG SAFETY

Mr. GRASSLEY. Mr. President, I wish to speak for a short period of time on another issue that I have been working on.

Yesterday, the Journal of the American Medical Association published a study on the diabetes drug Avandia. This study concluded Avandia significantly increases the risk of heart attacks, a subject that Senator BAUCUS and I have been investigating for some months. You will remember that it was back in May that a study in the New England Journal of Medicine first alerted the public of an increased risk of heart attacks from Avandia.

When that study was published, Senator BAUCUS, chairman of the Senate Finance Committee, and I raised concerns that the drugmaker had sought to silence a critic who voiced apprehension about Avandia back in 1999. Remember, this is 8 years ago. At the time, SmithKline Beecham manufactured Avandia. The company later merged with Glaxo Wellcome to form today's GlaxoSmithKline.

According to the Wall Street Journal, GlaxoSmithKline said the allegations that the company silenced critics of Avandia were ''absolutely false.''

Today I would like to discuss some internal company communications that suggest otherwise. The person who first blew the whistle about cardiovascular problems with Avandia was Dr. John Buse. He was a professor at the University of North Carolina.

Shortly after Avandia came on the market, back in 1999, Dr. Buse began warning his colleagues at medical meetings that the drug might be dangerous.

How did this company respond when this professor brought up these issues? In an e-mail dated June 25, 1999, two company executives discussed ways to silence Dr. Buse. I would like to read parts of the e-mail. One executive wrote of a plan to ''write him a firm letter that would warn him about doing this again . . . with the punishment being that we will complain up his academic line and to the CME granting bodies that accredit his activities.''

CME stands for continuing medical education. I will come back to that in just a second.

In response, another company executive e-mailed back, proposing to sue Dr. Buse and launched a media offensive promoting Avandia.

Based on this e-mail exchange, it seems to me that at least two drug company officials did attempt to silence a critic. In fact, Dr. Buse stopped making any critical statements about Avandia shortly after this e-mail exchange. Scientists should be able to raise issues related to public health and safety in a free and uncensored manner, not the way they do things in China. And when these scientists are suppressed, we ought to consider that a very serious problem. The reason why is because the scientific process will take care of itself. If scientist Grassley has a suggestion and you think it is crazy, you are a scientist, my work can be reviewed by you and it has to stand the test of peer review. So I think it is a very good process, and if we just let it go on, it will show whether this scientist or that scientist is right or wrong.

The scientific process, if suppressed, I say, is a very serious problem. But more important in this whole process, the American public loses. Instead of Avandia being more critically examined for safety, it was heavily marketed and became what experts have called the best selling diabetes drug in America. It has been reported to me that this huge volume of sales may have resulted in 60,000 to 100,000 heart attacks from 1999 until the year 2006—that is about 20 a day—from the users of Avandia.

What happened to the company executives who sought to attack Dr. Buse for voicing his scientific opinion? Based on the information I have received to date, nothing has happened to these corporate executives.

Let me return to the issue of continuing medical education. In the e-mail exchange I quoted, the two company officials discussed complaining about Dr. Buse to the accrediting bodies of continuing medical education. Every year, medical professionals must get continuing medical education credits to stay current in their profession. The continuing medical education companies and the doctors who teach the classes are supposed to be independent of drug companies that fund the courses. But I think we now know what we have often suspected: Continuing medical education courses often are not independent at all. In fact, the drug companies have a lot to say about what goes on in these courses and who gets paid to teach them.

In April, the Finance Committee staff released a report on pharmaceutical company support of continuing medical education. Drug companies pour about $1 billion every year into continuing medical education, and the report noted that some educational courses have become veiled forms of advertising.

Of course, this also ties in to last week's introduction of the bill I submitted called the Physicians Payments Sunshine Act. I introduced that bill with Senator KOHL, who is chairman of the Aging Committee, because Americans have a right to know how the drug companies are using money to try to shape the medical field. The bill requires drug and device companies to report payments and other gifts they give to doctors, bringing a little transparency to the practice of companies such as GlaxoSmithKline. I hope to see more of my colleagues sign on to this legislation. I cannot spotlight every instance where a drug company goes after an independent scientist with a stick, as they did with Dr. Buse, but together we can splash some sunlight on the financial carrots drug companies use to try to shape doctors' behavior.

Before I yield the floor, I ask unanimous consent to have the e-mails I referred to printed in the RECORD.

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

From: Tachi Yamada
To: William D Claypool
CC: David M Stout, Jean-Pierre Garnier
Subject: Re: Avandia Renegade
Date: 06/25/1999 19:15:33 (GMT–05:00)

BILL: I spoke to both JP and David Stout today about this situation. I doubt that speaking to his chairman about him will do much good—in fact if he's as bad as he seems to be, his chairman probably already has doubts about him. In any case, I plan to speak to Fred Sparling, his former chairman (they are actively looking for his replacement) as soon as possible. I think that there are two courses of action. One is to sue him for knowingly defaming our product even after we have set him straight as to the facts—the other is to launch a well planned offensive on behalf of Avandia so that the listeners begin to understand at the very least that there are two sides to this story. I suspect that the latter approach would be preferred—it wouldn't look good for SB to be at war with a KOL.

TACHI.

William D Claypool on 25–Jun–1999 12:23
CLINICAL RESEARCH AND DEVELOPMENT
To: Tachi Yamada
Subject: Avandia Renegade

TACHI: At Avandia Day today, mention was made of John Buse from UNC who apparently has repeatedly and intentionally misrepresented Avandia data from the speaker' dais in various fora, most recent among which was the ADA. The sentiment of the SB group was to write him a firm letter that would warn him about doing this again (he will be speaking next at a major European congress in Stockholm in July) with the punishment being that we will complain up his academic line and to the CME granting bodies that accredit his activities. There was brief mention of a law suit but this was reserved for a later approach. The question comes up as to whether you think this is a sensible strategy, whether you know any of the principals at UNC (I don't), and whether we have other avenues to ensure his accuracy in the future (we don't really do too much work at UNC to make any threats)? I imagine that Paul Wadkins is too new in post for us to ask him to exert any influence on our behalf at his new institution.

Any thoughts?

Thanks.

BILL.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

VA WAIT TIMES

Mrs. MURRAY. Mr. President, I rise today, after two days of testimony by General Petraeus and Ambassador

Crocker, to talk about a subject we have still heard virtually no discussion of from this administration: the impact of this war on our servicemembers and veterans.

General Petraeus and Ambassador Crocker have now spent countless hours in an attempt to sell both the Congress and the American people on the virtues of the President's surge. Their aim is to convince us to spend more time, more money, and more lives in Iraq. Yet we have heard precious little about the impact of this surge on the men and women who are actually on the battlefield fighting.

That is a disturbing omission that leaves me—and I am sure thousands of military families across the country—deeply unsettled and greatly concerned for the future of our Nation's plan to take care of these heroes.

We all know going to war has a profound effect on our men and women in uniform, and the wars in Iraq and Afghanistan are no exception. As the Iraq war now enters its fifth year, it is clear the fighting overseas has taken a tremendous toll on the lives of our troops, who have served this Nation so honorably, and on their families, who have supported them so fully. Yet, over and over again, in their sales job, this administration has either failed to make the cost of caring for our wounded warriors a priority or—as we found this week—blatantly misled Congress and the American people about that cost.

Unfortunately, on Monday, just 2 days ago—the same day General Petraeus appeared in the House to talk about the results of the surge—we learned from the VA inspector general that the Department of the VA repeatedly—repeatedly—understated the wait times of our injured veterans seeking care.

How can we be expected to trust this administration about the continuation of a surge when they continue to cover up the costs of this war?

Administration officials, including Secretary Nicholson himself, have repeatedly told Congress and the American people that 96 percent of all veterans seeking primary care and 95 percent of veterans seeking specialty care were seen within 30 days of their desired appointment date.

Well, this week, the inspector general found that in reality only 75 percent of veterans have waited less than 30 days. In fiscal year 2006, the VA underestimated the number of Iraq and Afghanistan veterans who would be seen by 45,000 people. For the current year—fiscal year 2007—the VA has now been forced to revise its projection up by 100,000 people. Now the VA is projecting it will see 263,000 Iraq and Afghanistan vets in 2008. Yet, I am told by some that the VA should actually be preparing to see more than 300,000 returning veterans.

Frankly, I think it is very important that we do not underestimate this number. We have seen the past failures in the VA to accurately project the numbers, and I think it is very important this administration get those numbers right.

The VA's fiscal year 2008 budget also assumed a decrease in the number of inpatient mental health patients, when all signs everywhere we heard and turned to pointed to an increase in need.

In February of this year, I had the opportunity to ask VA Secretary Nicholson, how the President's escalation of the war would impact our care for veterans. He told me it would have a ''minimal'' impact. Now, not only does that statement fly in the face of reason, it boggles my mind.

I told Secretary Nicholson, when he told me that:

> When the President has proposed a surge in troops to Iraq, when the men and women in uniform are being deployed for their second and third tours of duty, and when more and more of our troops are coming home with [post-traumatic stress disorder] and other mental health care needs, I don't understand how the VA can assume that they will treat fewer patients for inpatient mental health care.

The VA Secretary's duty is to protect our veterans, not a dishonest administration. If the VA had been frank with us about waiting times and backlogs from the beginning, we in Congress would have been able to invest in our facilities and in allocating our resources properly.

If we were getting accurate information, and not being served a political line, we could do our job and serve the veterans. Unfortunately, based on our experience with VA leadership over the past several years, I have serious doubts about the level of frankness we can expect from a VA that has tried to minimize the cost, both in money and in lives, of this war.

This spring, as our military was surging in Iraq, we learned that the VA officials—the officials—had received bonuses, while our veterans faced waiting lines and backlogs for benefits. To me, that is plain wrong. Senior career officials throughout the VA were getting a generous package of more than $3.8 million in payments by that financially strapped agency, at the same time as our veterans waited up to a year—up to a year—to see a doctor, and at the same time VA officials were misleading Congress and the American people.

This week's IG report found:

> . . . .that schedulers at some facilities were interpreting the guidance from their managers to reduce waiting times as instructions to never put patients on the electronic waiting list.

Well, that obviously results in ''gaming'' of the procedure. So a veteran calls in, asks for an appointment, and instead of putting them in line, they are told to call back in a month or two, before they get on the waiting list. That is the wrong way to treat our veterans.

I have to ask, were officials receiving bonuses for cooking their books on wait times? Well, in light of this week's report, it seems to me to be a fair question.

The inspector general's report on the VA's failure to provide an accurate account of how long our veterans are waiting for care is a frustrating reminder of that agency's need for honesty and leadership. Whether the VA's numbers were intentionally skewed or incompetently reported, the result is the same: Our veterans pay the price.

Now, I have long said the VA provides excellent care to our veterans—once they get in the door. The VA has a long-term focus on patients, it has a great integrated delivery model, and it has a first-rate health IT system that provides distinct advantages over our private sector care. We have to keep it that way.

But too often, for our veterans, getting in the door is the problem. Every one of us has heard at home from veterans who have waited months to see a primary care doctor. Some of those veterans have had to wait years to get surgery. For too many years, under this administration, veterans have been last in line, and we in Congress have had to fight this administration tooth and nail to meet their needs.

It is clear that 5 years into this war—5 years into this war—the VA is still not on a wartime footing to deal with this problem. It is far past time for the VA to put an end to the pattern of dishonesty that has plagued them. From exaggerated reports of success, to failures to present their real funding needs, to poor conditions at our facilities, the VA is not coming clean with the American people. And every time the VA tries to save political face, do you know who it ends up costing? Our men and women who have served us honorably overseas, our veterans.

No matter how anyone in this country feels about the war, Americans support our veterans. Everywhere I go, people stand up and say to me that they do not support the war, but they will be there with their pocketbooks and their hearts to make sure our veterans are taken care of when they get home.

In order for us to do that—and everyone here wants to do that—we need to have an honest assessment from this administration about what the costs are or we cannot provide the support that Americans want us to provide.

The President of the United States has a responsibility now to send us a nominee to fill the soon-to-be-vacant position at the VA. We need a new nominee, a new Secretary, who is going to be an honest advocate. We need a new VA Secretary who is going to fill the needs of our current veterans and future veterans and who will honor their sacrifice with superior service.

I am looking forward to the President finding and sending to us someone who will fill that position that we can finally trust, who will bring about a culture of change, who will bring us accurate information, who we do not have to second guess, and, most importantly, who will be willing to stand up

and be honest with the American people about the cost of war when it comes to the men and women who are fighting for every one of us.

If we are just being told a happy picture all the time, and not getting the reality of what is out there, we in Congress cannot do our job to make sure our veterans get what they need. The men and women who have served in the military have borne significant burdens. They have assumed great risk for our country, and they have sacrificed their lives and their limbs to protect all of us and our freedoms. They have done their job. They have done what this country has asked. They have done it honorably. It is time this administration helps us keep a promise to them to fulfill their needs. Our Nation has a moral obligation to care for those who have served this country in uniform, and that begins by an honest assessment of the cost.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I share some of the feelings of the distinguished Senator from Washington about our veterans. There is no question about it, we need to do more for them, and we will.

TESTIMONY OF GENERAL DAVID PETRAEUS

Mr. HATCH. Mr. President, we live in a cynical age where the truth is often discarded because it does not meet the goals of an election campaign strategy or it is not what the core constituencies of certain political movements wish to hear.

One does not need to look any further to prove this point than the media's portrayal of General Petraeus's testimony before Congress this week.

Lost in the coverage were the hard facts and the veracity of the personal assessments of a remarkable leader. He has spent years in Iraq, first, as the commander of the 101st Airborne Division during the initial race to Baghdad and then as the officer in charge of training the Iraqi Army. This was followed by his authorship of the ''Army-Marine Corps Counterinsurgency Manual'' that was used as the basis for our current strategy, and now in his role as the commander of Multi-National Forces—Iraq.

This man deserves the plaudits and credit from all of us. Think about it. How many of us would spend years away from our wives, our families. The sacrifices of our men and women over there is remarkable. This man is one of the most remarkable.

So let us lay aside the rhetoric and learn the truth outlined by this seasoned commander.

Here are General Petraeus's own words:

> As a bottom line up front, the military objectives of the surge are, in large measure, being met. In recent months, in the face of tough enemies and the brutal summer heat of Iraq, Coalition and Iraqi Security Forces have achieved progress in the security arena. Though improvements have been uneven across Iraq, the overall number of security incidents in Iraq has declined in eight of the past 12 weeks, with the number of incidents in the last two weeks at the lowest levels seen since June 2006. One reason for the decline in incidents is that Coalition and Iraqi forces have dealt significant blows to al-Qaida-Iraq.

The general goes on to point out:

> Coalition and Iraqi operations have helped reduce ethno-sectarian violence, as well, bringing down the number of ethno-sectarian deaths substantially in Baghdad and across Iraq since the height of the sectarian violence last December. The number of overall civilian deaths has also declined during this period, although the numbers in each of the areas are still at troubling levels. Iraqi Security Forces have also continued to grow and to shoulder more of the load, albeit slowly and amid continuing concerns about the sectarian tendencies of some elements in their ranks. In general, however, Iraqi elements have been standing and fighting and sustaining tough losses, and they have taken the lead in operations in many areas.

These are the words of a trusted and very capable commander who was unanimously confirmed by the Senate. They are insightful, and they show that at long last, we are beginning to make significant progress in Iraq.

I believe Churchill could have been talking about our current prospects in Iraq when he said:

This is not the end. It is not even the beginning of the end. But it is, perhaps, the end of the beginning.

Yet even before General Petraeus gave us his professional military opinion on the status of the war, some attempted to undermine the veracity of his analysis and, worse, the character of the General himself.

Of course, I am speaking of the disgraceful actions of MoveOn.org and their now infamous advertisement. Before even having the opportunity to hear General Petraeus's analysis, this group stated that General Petraeus is a ''military man constantly at war with the facts.'' It claimed he was ''cooking the books.'' It asserted that his action is a betrayal of the American people.

This is shameful.

There is no need to read between the lines.

There is no subtext here.

The text is clear.

MoveOn.org has called General Petraeus a liar.

That is disgusting. It is beneath the dignity of decent and honorable people.

According to this group, General Petraeus is injuring his country and endangering those under his command by lying about the progress in Iraq.

Now, anyone who has had the opportunity to meet the General and anybody who has bothered to follow his career or his academic pursuits knows these are disgraceful and unwarranted allegations. However, there might be a silver lining to this libel. Now, all of America understands why MoveOn.org and other groups like it are called the nutroots. These people are nuts. They don't care who they hurt. They don't care whom they smear. They don't care whom they libel. To them, politics is more important than anything else, and the accumulation of power is most important of all. Perhaps if they rejoined the reality-based policy community, they would have actually waited to hear the General's analysis before criticizing it.

Here is the reality.

General Petraeus is a consummate professional. He is a man who has dedicated his life to our country.

And I would note that when you put on a uniform, dedicating your life to your country has the potential to mean a good deal more than running for Congress.

But to Moveon.org, which has sadly become a core participant in the Democratic party's policymaking, General Petraeus is a disgrace to the uniform.

Let me be clear. It is MoveOn.org that is the disgrace. And I think it is important that the entire Congress publicly repudiate these absurd charges. I hope those in this body who are fond of listening to and following MoveOn.org's misguided policies see this group for what it is—an American embarrassment.

I have been very interested in watching the debates both on the Republican side and on the Democratic side. I have been impressed with the candidates for President. There is no question. They are decent and honorable people. But they ought to decry this. They should start by demanding that people within their party start acting responsibly. The same applies to Republicans. If we have people who are doing disgraceful, offensive things such as MoveOn.org, we ought to rise out of our seats and condemn them. I believe good people in both parties will do that. But thus far, there has been a silence on these issues, especially when it comes to General Petraeus and Ambassador Crocker.

What was particularly galling about the inaccuracies of MoveOn.org's comments is that many Members of Congress have been to Iraq in the previous few months and have seen with their own eyes the progress that is being made. Therefore, I would like to take this opportunity to share with my colleagues some of the experiences I had during a trip I made to Iraq a few months ago with Senator SMITH and one of the great Congresswomen in the House, Congresswoman HARMAN.

As part of my preparation for this trip, I read with great interest the articles written by Michael Fumento and published in the Weekly Standard about the time he was embedded with U.S. forces in Ramadi.

Mr. Fumento wrote as recently as eight months ago that our forces in Ramadi, described the time between when they went out on patrol and when they were attacked as the 45-minute rule. Under this rule, our forces hypothesized that it took the enemy 15 minutes to determine where an American patrol was and then 30 minutes to

organize an attack. Unfortunately, those attacks occurred with great frequency and severity.

However, during my recent trip to Ramadi, I walked—admittedly in body armor and with a reasonably sized military escort—in one of its major markets in the heart of the city downtown. There, I saw what would be unimaginable a few months ago: shopkeepers selling their goods, children playing, and urban life beginning to reemerge.

How did this happen? First, the local tribal leaders made a decision that they would no longer tolerate the yoke of tyranny that had been placed upon them by al-Qaida—and make no mistake, al-Qaida is whom we are fighting in Ramadi. These leaders saw firsthand their fellow Sunni Muslims murdered and tortured under al-Qaida's false exploitation of a noble and peaceable religion. Not surprisingly, these sheiks began assisting coalition forces and, most importantly, their own Iraqi security forces in rooting out the terrorists. For example, once the local leaders decided to support the Coalition, 1,000 citizens of Ramadi joined the Iraqi security forces almost over night.

The success I witnessed was attained due to the implementation of the new tactics articulated in General Petraeus's innovative counterinsurgency strategy. Under this plan, large areas of Ramadi were encircled and then, led by Iraqi security forces, a thorough search was conducted in each area. Once these searches were completed and al-Qaida rooted out, the progress was made permanent by placing Joint Security Stations throughout the newly cleared territory.

These Joint Security Stations are one of the major reasons we have seen such advancement in Ramadi and other locations in Iraq. Joint Security Stations are manned by Iraqi Army and police forces as well as American forces who live in these installations in order to provide a permanent security presence for cleared neighborhoods.

Joint Security Stations accomplish three vital goals. First, much like the local police officer in any city, the U.S. forces become intimately involved in the security of the enjoining population. Second, our soldiers also learn about the environment in which they are living and, therefore, can more readily adapt their operations to better achieve the goal of providing security for the local population. Third, our forces help to train and support the Iraqi units assigned to the Joint Security Stations. Ensuring the Iraqi forces have sufficient capabilities to independently provide security to their own population is, of course, one of the primary goals of General Petraeus's strategy.

The implementation of the Joint Security Stations is radically different from previous tactics. In the past, U.S. forces would clear an area and then return to bases on the periphery of town and then move on to their next assignment. The predictable result was that shortly after the U.S. operation concluded, the insurgents would return to the area.

No longer.

Joint Security Stations provide continuous security to the local population. That is why the additional troops that were sent to Iraq as part of the surge are so important. It is not more for more's sake but to have sufficient forces to implement effective counterinsurgency strategies such as the Joint Security Stations.

Fortunately, the success we are seeing in Al Anbar is being replicated in other locations throughout Iraq. In Baghdad, I was briefed by General Petraeus and Ambassador Crocker as to the situation in that city. Here, too, I found that through the implementation of new strategies and tactics such as the Joint Security Stations, progress has been made.

One of the early criticisms of the new strategy was the contention that, even if you secure Baghdad, the terrorists will move to the provinces such as Diyala in the north. In fact, the then-leader of al-Qaida, Abu Zarqawi, was killed in Diyala in 2006. However, just as in Ramadi, the Iraqi local leaders decided they did not want to live under the tyranny of al-Qaida, and they joined with us in the effort to throw the terrorists out of the major Diyala city of Baqubah.

However, what also made a lasting impression was the way in which General Petraeus and Ambassador Crocker worked together. There are no bureaucratic fiefdoms here. Far from it. In fact, as one watched the General and Ambassador finish one another's sentences, one was struck as to not only how integrated our new strategy is, but how each leader was searching to incorporate the other's department's strengths in order to achieve the well-defined goal of defeating the insurgency and creating an Iraq that could independently secure its own future.

Now, does this mean victory in Iraq is imminent? Hardly.

If one looks to history, counterinsurgency operations are successful only after a significant period of time. We have only recently developed and implemented our new strategy.

So what are the other possible strategies?

Some of my friends on the other side of the aisle recently supported the Levin-Reed amendment to the Defense Authorization bill that would start the reduction of our forces in 120 days. Their legislation would only permit the forces to remain in Iraq that are necessary to protect U.S. and Coalition personnel and infrastructure; train, equip, and provide logistics support to the Iraqi security forces; and engage in targeted counterterrorism operations against al-Qaida, affiliated groups, and other terrorist organizations.

Let's consider that strategy for a moment. Would that not mean that U.S. forces would be confined to large operating bases in order to protect Coalition infrastructure and support Iraqi forces—only venturing out to conduct raids against terrorists?

Does this strategy sound familiar? It certainly does to me.

The Levin-Reed plan reminds me of the failed Rumsfeld plan. Remember, under Rumsfeld's plan our forces were concentrated in large bases on the periphery of urban areas, only venturing into town to conduct raids and, as my colleague from Delaware often reminded us, conducting patrols where our forces would only speed through areas.

That was a failed policy, not because it was not well implemented; it just did not work.

Yet my colleagues on the other side are determined to repeat it. But this time we would proceed with even fewer troops, which we all know, and many of my Democratic friends continue to point out, was one of the reasons our initial strategy failed in the first place.

Then there is the cost in human lives if the Democrats plan is implemented.

As General Petraeus's testimony articulated, elements of the Iraqi security forces are making progress, but they continue to require strong support from Coalition forces. That training and support are, in part, being provided by the Joint Security Stations.

But, if we are to leave precipitously, how many innocent people will be killed? Remember, it is al-Qaida that is a major instigator of the sectarian violence in Iraq. According to their adherents, their goal is simple: Join us, live by our strict rules, or be slaughtered.

I understand the American people are discouraged by this war—but how will history judge us if we permit the wholesale slaughter of innocent civilians?

If these arguments do not sway you, then let me ask a question about our own self-interest.

What happens if Iraq becomes a failed state? Does anyone really believe al-Qaida would not use Iraq as a base of operations to conduct terrorist attacks against our homeland?

Does anyone really believe that al-Qaida would not exploit the petroleum wealth of Iraq to further their objectives? Remember, in Afghanistan—a country of few natural resources—there were reports after the fall of Kabul that al-Qaida was working on chemical and biological weapons.

I wonder what al-Qaida would buy with the billions of dollars it would accumulate if it controlled even a fraction of Iraq's oil wealth.

Mr. President, we as Americans are known for asking ''what is the bottom line?''

Here it is:

We have made enormous mistakes in prosecuting the war in Iraq. So what do we do? Do we concede defeat, which is really what the Levin-Reed amendment offers? Do we hope for the best, that al-Qaida will leave us in peace. Or do we follow the only sensible strategy that

is beginning to show some signs of success?

I believe we all know the sensible answer to that question.

We must not yield.

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

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

The legislative clerk proceeded to call the roll.

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

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

FREE INTERNET ACCESS

Mr. STEVENS. Mr. President, since its inception, the Internet has provided a powerful economic boost to our Nation, especially in rural areas. It has become an important everyday tool for millions of Americans, a valuable educational resource, and a powerful mechanism for communication.

To ensure the Internet's benefits are available to as many people as possible, Congress should reduce obstacles to broadband access. One way to accomplish this goal is to prevent taxes from being imposed on Internet access, because such taxes will only drive up the overall cost of the use of the Internet.

The Internet Tax Freedom Act, first passed by Congress in 1998, established a moratorium on State and local governments' ability to tax Internet access. Extended in 2004, that moratorium will expire on November 1—less than 2 months from today. Legislation has been introduced in both the House and Senate to extend the Internet tax moratorium. I have been supportive of such legislation and expressed support when the Senate Commerce Committee explored the issue at a hearing on May 23 of this year.

Our chairman, Senator INOUYE, has been very supportive of the concept of keeping taxes off the Internet.

Tremendous investment, growth, and innovation in broadband deployment has occurred since the moratorium was first adopted. In order for this progress to continue, Congress should extend the Internet tax moratorium before it expires this fall.

If it is not extended by November 1, more states could take the opportunity to quickly pass laws and impose new taxes on the Internet. Such taxes would only serve to expand the digital divide between those who can afford broadband access and those who cannot.

The Internet has allowed States such as Alaska to compete on a more level playing field. Alaskans are now able to market their goods to customers in the lower 48 and around the world, which is especially beneficial for small businesses located in remote areas. Improved broadband access has also eliminated distance barriers for education and medicine, providing rural areas with a higher quality of life.

Faster, cheaper Internet access also helps drive America's economic engine and creates new jobs. Continued broadband deployment will help ensure America keeps this competitive edge. Without it, our Nation will fall behind in the global economy. If discriminatory taxes are imposed on Internet access, our country will face a real danger, and the rest of the world will no longer look to the United States for Internet innovations.

The date the Internet tax moratorium is set to expire—November 1—is fast approaching. It is my hope Congress will act to extend this important moratorium before that deadline arrives.

While the expiration of the Internet tax moratorium is the most pressing broadband issue before Congress right now, several more issues should also be addressed to encourage greater broadband deployment and availability in this country. First and foremost, universal service should be updated so that rural America has the same broadband opportunities as the rest of America. This will require the work of both Congress and the Federal Communications Commission.

Additionally, the Government should try to stay away from doing things that would reverse the recent policy trends of encouraging broadband deployment through free market principles.

I sincerely hope that the Congress will act to extend this moratorium in a prompt fashion.

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. CASEY. 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 from Pennsylvania is recognized.

9/11 REMEMBRANCES IN PENNSYLVANIA

Mr. CASEY. Mr. President, I rise for a few moments to do something that I had hoped to do yesterday but didn't have the opportunity in the midst of our hearings on Iraq and so much else going on. I don't want to miss the opportunity to commend so many people in Somerset County in Pennsylvania, who, on two occasions—Monday night and, of course, yesterday—were observing the 9/11 remembrances.

In the case of the Monday night event I attended at the Somerset Alliance Church in Somerset, PA, I wanted to commend them for so much. There are several groups—I will not mention names—such as the National Park Service, of course, that helped bring that event together, as well as doing so much other work at the crash site; the families of Flight 93, the Flight 93 Advisory Commission, the Flight 93 Memorial Task Force, and so many others too numerous to name.

On Monday night, the service I attended was a night of grief, a night of gratitude, and I think a night of renewal. There was grief in the obvious sense that we still grieve for those who perished heroically on September 11, 2001, at every site—in this case in Shanksville, Somerset County, PA. Certainly, it was a night to grieve.

It was also a night to express gratitude in two ways at least: One, gratitude for those who gave their lives heroically so that the plane crashed in Pennsylvania instead of coming here to destroy the Capitol or some other part of our Government, and where more lives might have been lost, as well as, I think, to express gratitude to those brave Americans on that plane, but also to express the gratitude of the people who came after that tragedy in Somerset County, where the families, in particular, wanted to use this Monday night ceremony to thank the people of Somerset County. So many people have provided some measure of comfort over all these 6 years to the families who loved and lost. So I think it was also a night for gratitude.

Finally, it was a night to express our shared feeling of renewal, renewing not just our commitment to take care of those families and to do all we can to help them, but also our collective renewal to continue the fight for the ages—the fight against terrorism all across our country and across the world. So it was a night to renew our commitment to that basic shared promise that we make to each other that we will never stop fighting against terrorism, and we will be ever vigilant against this threat to all of America and, indeed, to the world.

I wanted to pay tribute to those in Somerset County who came together this past Monday night for a ceremony entitled ''The Spirit of Community: A Service of Remembrance for the Passengers and Crew of Flight 93.'' I thank, in particular, the families for paying tribute to those in the community of Somerset County who have helped them.

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

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

EASTERN CONGO

Mr. BROWNBACK. Madam President, I rise to speak on a situation now developing to which I hope my colleagues will pay some attention. If we get involved at an early phase, it may be something we can head off rather than have it develop full scale. And I will

have some pictures. I am talking about the situation in the Democratic Republic of Congo.

We have seen a situation there where thousands of people have been dying on a monthly basis. It had been stabilizing some with the U.N. policing force that was in the area, the largest in the world. Now it is escalating again. It had stabilized. It is something we have to get after right now and, if we can, it might be such that we can stop it from spreading. But we have to pay some attention to it and look at it now.

Not even 12 months after their first free elections in 40 years, the fragile stability of the entire country is at stake. Senator DURBIN and I visited there about a year and a half ago. It was starting to achieve some stability. They hadn't voted yet for the election. Now we are seeing the present situation in eastern Congo, specifically in an area called North Kivu, gravely deteriorating. According to the U.N. relief agencies, we have seen nearly 40,000 people displaced this month. We saw another 100,000 displaced in June, in addition to the 100,000 displaced in January, all from this year. So nearly a quarter million people have been displaced in this one region.

These displacements come from rising tensions between the renegade General Nkunda and those loyal to the Congolese Government. Nkunda says he is protecting the Tutsi-Congolese minority from the Congolese Government and from the Hutu militias. These are militias that fled Rwanda after committing genocide there in 1994. So this has a connection to Rwanda. That is what is so deadly about it. We have seen it activated before, and it is deadly.

Neither General Nkunda nor the Hutu militias have ever been disarmed, raging havoc on the civilian population for years. The fighting between Nkunda's rebels and Congolese forces has spilled into the Virunga Mountains where the mountain gorillas reside, the sole place where this endangered species lives, a species so close to extinction already, yet nine were killed this year in fighting.

President Kagame of Rwanda said Monday that Nkunda has legitimate political grievances against the Congolese Government. We have to call him on that. President Kagame stated Nkunda was simply protecting a section of the Congolese from extermination, but there are no reported actions against the Tutsi-Congolese.

This can be kind of convoluted on names, but this is how it started the first time around, a rebel general saying: I am protecting the people in the minority. Then they started attacking the people. People fled into refugee camps, and more died. When you flee for your life in these areas of the Congo, there is not always another town or village to go into. One area where there was fighting over the weekend took place in a settlement village—a refugee camp from a conflict 10 years earlier. It burned the village simply because the people could not return to their previous homes. Now, due to fighting, they are homeless and fleeing once again.

I want to show a few pictures because it always seems we talk about numbers when we talk about distant places. People say: Well, I am sure that goes on all the time. It doesn't. It doesn't need to go on at all. It helps people to see that there are real people who suffer.

Here is a picture of a mother who brought her child into a therapeutic feeding camp because the child was dying of starvation due to constant movement of the family from village to village. The child became sick when they had no other place to go but the jungle to seek refuge. That happens when there is no stabilized place; children die in particular. Others do too.

Here is a 2-year-old who caught malaria due to the family hiding for so long in the bush after having fled their home. Malnourishment was quick to follow, as the family could find no food in the bush. So we have a 2-year-old with malaria, malnourished, on the verge of death.

This room is where about 75 to 90 women and children stay when they are receiving medical treatment and food supplements from a village clinic in the village of Kitchanga in North Kivu Province of Congo. This shows the crowded conditions into which people are forced.

Here is a 3-year-old who was diagnosed with malaria, tuberculosis, and malnourishment from hiding in the jungle with his family. Every breath he took was preceded by a raspy cough due to the stage of tuberculosis. His mother wanted to get him to a health clinic earlier but had to hide the family in the bush for several weeks because the road into town had been blocked by a militia.

These are real people suffering, dying because of this situation.

This is a 3-year-old diagnosed with malaria. They began treatment for the malaria, and his body rejected the treatment. They found that while he had been eating about once a day, he was anemic due to lack of nutrition in the food his family had been able to find in the jungle as they hid from militia groups that had burned their village and home to the ground. His body began to shut down. He rejected the oral and IV treatments. This 3-year-old passed away within 6 hours of rejecting the IV treatments, 15 minutes after this photo was taken.

These are real lives and real people. I have shown a few of them from this raging war that goes on while we have a blind eye to it.

Sexual violence and rape is also on the rise in Congo. The Washington Post reported the intensity and frequency of the rape is worse in the DRC than anywhere else in the world. The U.N. emergency relief agencies report that 4,500 cases of sexual violence have been reported since January of 2007 in this one province alone. We are looking at, in less than 9 months, 4,500 cases of sexual violence in one province. Women are brutally raped in front of crowds, families, husbands, resulting in serious physical and emotional trauma. I visited a hospital with Senator DURBIN in the eastern city of Goma where women could be treated for ailments due to brutal rapes. Because of their condition, many women are outcasts from their community and families, and the pain goes on.

I have made a number of trips to Africa, most recently to Ethiopia in January. We must be engaged in this continent. It is a humanitarian cause. It is a growing strategic cause. As China tries to integrate more into Africa and militant Islamists engage more as well, we need to be engaged—if not for a strategic reason, look at the faces of the people who are dying—in helping them out.

I urge my colleagues to examine this troubling situation. Today, there will be a letter circulating to Secretary Rice urging the State Department to take more action against these atrocities in a forgotten area of the world and find ways to be an increasing force for good in this part of the world. We can help with the malnourishment situation. Ultimately, we also have to speak to the Rwandan Government and to the Congolese Government and to the U.S. forces in that area to take care of the people and to knock it off and for us to step up our engagement.

Ultimately, I speak for the people of Congo because I think we should care about them. It is our goodness that leads to our greatness as a country. It is something we should be interested in. We said about Rwanda: Never again. Now we are seeing even sections of that fight continue 15 years later and infecting Congo. We said never again; we should mean never again. We should be engaged. We need to become the kind of people who are strong to protect the weak.

This week, we had an excellent report from General Petraeus on military action in a key part of the world. I am delighted that press was delivered and that we can now discuss the political solution. I don't think we are on an effective political track. We need to do that. I just came from a consumer product safety hearing on Chinese products, the failure of those products. We need to address that. But we also should not ignore places that are less obvious to us in the world, where there is carnage and deprivation and humanitarian need. We can be more involved.

I urge my colleagues to sign on to this letter. I urge them to get interested. Let us mean ''never again'' and do something about it.

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

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

ATTORNEY GENERAL NOMINEE

Mr. MCCONNELL. Madam President, the Senate will soon be asked to confirm a new Attorney General. For the past several months, our Democratic colleagues have pleaded for this very thing. They have spoken at length about the importance of the Justice Department and the urgent need to install new leadership there as soon as possible.

They do not want to make the pick. All they want is someone with ''integrity'' and ''experience,'' who ''respects the rule of law,'' and who can ''hit the ground running.'' These are their words. The senior Senator from New York has assured us he and his colleagues will not ''obstruct or impede'' such a nominee—again, their own words. This was their plea and their promise.

It now appears, however, that despite these promises, some of our Democratic colleagues may indeed obstruct and impede.

Roll Call reported Monday that Democrats on the Judiciary Committee may intentionally—intentionally—delay confirmation of the next nominee, whoever he or she is, in order to extract still more administration documents in the U.S. attorneys matter. It cited one Democratic leadership aide as saying that ''it would not be surprising if Democrats decide to take their time on the nomination as a way to force the administration's hand.''

So our Democratic colleagues have repeatedly told us that the central concern in all of this was the health and well-being of the Justice Department. Yet now they say they are willing to hold up the new Attorney General in exchange for more documents related to their fishing expedition—which, so far, has been long on fishermen and short on fish.

Let's remember that over the last 7 months, the Senate Judiciary Committee has held no fewer than 13 hearings on the U.S. attorneys matter—13 hearings. The administration has cooperated extensively in this process. It has provided more than 8,000 pages of documents, along with dozens of witnesses in both public hearings and private interviews.

None of these documents, none of these witnesses, none of these hearings has produced evidence of illegality on the part of the administration in the U.S. attorneys matter. Despite their best efforts, our Democratic friends have candidly and publicly conceded they have yet to find—again, in their own words—a ''smoking gun,'' which is not to say these investigations have been a complete waste of time for Senate Democrats.

While the Senate Judiciary Committee was holding hearings, the Democratic Senatorial Campaign Committee was hard at work too. According to the Washington Post, as the Judiciary Committee hearings began, the Democrats' campaign committee began to raise money off the matter.

Here, in fact, is a copy of one of the DSCC's fundraising solicitations. It points to the U.S. attorneys matter and asks for a donation. Interesting timing.

Well, Madam President, as the adage goes: The proof is in the pudding. Our Democratic colleagues will help prove their concern for the Justice Department was genuine and not motivated by partisan politics by confirming a nominee in a timely manner.

Now, we know what the precedents are. Since the Carter administration, it has taken, on average—let me say this again—since the Carter administration, it has taken, on average, about 3 weeks from nomination to confirmation for a nominee for Attorney General—3 weeks, on average, from nomination to confirmation for Attorneys General since the Carter administration.

Some nominees have actually taken less time. Benjamin Civiletti and Janet Reno, the second Attorney General nominees of President Carter and President Clinton, were confirmed in 12 and 13 days, respectively, after their nominations. Richard Thornburgh, President Reagan's third Attorney General, was confirmed 17 days after he was nominated.

Now is the chance for our Democratic colleagues to prove they meant what they said. If they were serious when they cried out for new leadership at the Justice Department, they will follow Senate precedent. They will carefully weigh the qualifications of the nominee and vote in a timely fashion, as has been the case since the Carter administration.

If, instead, our colleagues intentionally delay the nominee and hold him or her hostage, they will show the American people that their concern for the Department was insincere and that they simply did not mean it when, as the senior Senator from New York put it: ''This Nation needs a new attorney general, and it can't afford to wait.''

In these times, it is especially important that the Senate act promptly. We are, after all, at war, and as the distinguished ranking member of the committee has noted, apart from the Defense Department, no Department of the executive branch is more important to defending our Nation than the Department of Justice.

So, Madam President, we need to act.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, I just note, listening to the Republican leader, it is a little difficult to accuse us of delaying a nomination that has not yet been made. This is a new one.

The way it works is the President actually has to nominate somebody before we can consider the nomination. So before we rush out here and start accusing our side of delaying a nomination that has not yet been made, they might want to direct their attention to the White House. They are the ones who have an obligation to make the nomination.

PAY-GO

Mr. CONRAD. Madam President, I have come to the floor because at the end of last week the ranking member of the Budget Committee made a speech on pay-go in which he suggested it is a meaningless exercise and that it makes no contribution to fiscal responsibility. I come to the floor because I beg to differ, and I think I have a responsibility, as chairman of the Budget Committee, to give the other side of the story.

The Senate pay-go rule says that any new mandatory spending or tax cuts must be offset or get a supermajority vote. So if you want new spending or new tax cuts, you can have them, but you either have to pay for them or get a supermajority vote. That is the Senate rule. It is a good rule, and it has been effective at contributing to fiscal discipline.

If we look back in history, here is what we see, as demonstrated on this chart. We had a strong pay-go rule in effect from 1991 to 2000, and the deficit was reduced each and every year. In fact, we moved into surplus—in fact, a surplus so large that for 2 years we stopped using the Social Security trust fund to fund the operating expenses of the Federal Government. That is what happened with a strong pay-go rule.

Then our colleagues on the other side took control of both Chambers, took control of the White House, weakened the pay-go rule, and look what happened to deficits afterward. The surplus was squandered. We moved into deficits that grew year after year after year to record levels.

Now we have restored pay-go, and we are moving back toward a balanced budget. Pay-go, in fact, is working. The Senate pay-go scorecard shows a positive balance of $450 million. So, in fact, pay-go is working. Every bill coming out of conference this year has been paid for. Every one that has come out of conference has been paid for, or more than paid for. Pay-go also has provided a significant deterrent, preventing many costly bills from ever being offered. Let me say I know that because as the Budget Committee chairman, I am besieged by Members who want to somehow get around pay-go. When we tell them: No, we are going to insist that things be paid for, it is quite remarkable how many of these things go away or are reduced so that they can be paid for.

Now, Senator GREGG himself, in a previous incarnation, was a strong supporter of pay-go. Here is what he said previously:

The second budget discipline, which is pay-go, essentially says if you are going to add a

new entitlement or you are going to cut taxes during a period, especially of deficits, you must offset that event so that it becomes a budget-neutral event that also lapses. If we do not do this, if we do not put back in place caps and pay-go mechanisms, we will have no budget discipline in this Congress and, as a result, we will dramatically aggravate the deficit which, of course, impacts a lot of important issues, but especially impacts Social Security.

Senator GREGG was exactly right then. Why he has done a U-turn I don't know. The fact is pay-go has been a useful discipline in this Congress, and he previously—even he has acknowledged that fact.

Now, the Senator from New Hampshire also criticized the use of the reconciliation process that was just used to extend assistance to college students. He said that was an abuse of reconciliation. I would remind him and our colleagues on the other side of the aisle of what they did when they controlled the reconciliation process. In the bill we just passed, we paid for it completely, and had over $700 million of deficit reduction. That is what reconciliation is intended to do—to provide for deficit reduction.

Here is what they did when they controlled the reconciliation process. They adopted legislation that was not paid for, tax cuts that were not offset, and they added $1.7 trillion to the debt using reconciliation, which was designed to reduce deficits and reduce debt. They stood the whole process on its head and used those special rules, those fast-track procedures to explode the deficits and debt.

In using reconciliation, we have not only been able to increase the assistance that will go to college students in this country, but paid for it completely. In the 2005–2006 budget reconciliation our friends on the other side controlled, they increased the deficit by $31 billion. It is true they had some spending cuts, but they had even more tax cuts, so once again, they added to the deficit and debt.

So let's be clear. In the Senate reconciliation rule we have adopted, we have said reconciliation—which is a special fast-track procedure that has a limited time for discussion and debate and limits amendments—that special procedure can only be used if deficit reduction is the result. That is not what they did with reconciliation. They used it to explode deficit and debt. But on our side, we use the reconciliation process for the reason intended. There is a 60-vote point of order against any reconciliation bill that would increase the deficit or reduce a surplus.

The higher education reconciliation bill that was criticized by my colleague on the other side—which, by the way, passed here with an overwhelming bipartisan vote—but that bill increased the Pell grant to $5,400 by 2012; cut the student loan interest rates in half; and reduced the deficit by $752 million. That is in keeping with the spirit of reconciliation that is for deficit reduction. We compare and contrast that with what the other side has done. When they had the control of reconciliation, they used that fast-track procedure not to reduce deficits, which was the whole reason for reconciliation; they instead used it to explode deficits and debt.

Our colleague on the other side also attacked the children's health insurance legislation that will cover 4 million additional children and is paid for. Let's review what that legislation does. It provides health care coverage to 4 million additional children. It is fully paid for over both 6 and 11 years, as required under pay-go. It is a 5-year reauthorization; Congress will reauthorize in 2012 with new policies and new offsets. Hopefully, by then we will have enacted reform of health care in America and we will have provided coverage, universal coverage. I think there is a growing bipartisan consensus that any health care reform should provide universal coverage, because that is the way we can most effectively run a health care system. It also provides important coverage to kids, while spurring action on broader health care reform.

Let me get back to the simple fact. This bill is paid for. The reconciliation bill for education was paid for. It was paid for because we put in place a pay-go requirement that says: If you are going to have new spending, you have to offset it or get a supermajority vote. We might have been able to get a supermajority vote without paying for these things. We didn't choose to do that. We chose to be fiscally responsible. We chose to pay for an expansion of children's health care. We chose to pay for additional assistance to our young men and women going to college. That was the right thing to do.

I might add, if you compare and contrast what they are complaining about, which is the outyear potential funding for children's health insurance, I am talking about this little line out here. This is what they are complaining about, this little tiny gap, and that is a theoretical gap. It is fascinating, because these tax cuts they want to extend without paying for them creates this chasm. They make no complaint about this chasm. They direct all of their attention to this theoretical gap, this tiny thing you probably can't even see on television. There is no credibility to that complaint. They say nothing about this chasm, and they focus all of their complaint on this tiny difference that is wholly theoretical, because this is a 5-year bill. It doesn't extend beyond 2012. They are talking about what is going to happen in the sweet by and by. Nobody can tell us what is going to happen past 2012. We know this bill is paid for until 2012. What happens in the future will be dependent upon the actions of future Congresses.

So as I have reviewed the remarks of my colleague on the other side criticizing pay-go, criticizing the higher education bill that passed here overwhelmingly; criticizing the children's health care insurance expansion that is fully paid for, I don't find much merit. A lot of rhetoric there, but not much merit.

IRAQ

Mr. CONRAD. Madam President, yesterday was 9/11. I think all of us recall that fateful day. I certainly do. Earlier that morning, I had spoken to an education conference south of the Pentagon. I had driven by the Pentagon right before it was struck. I came and parked on the Mall in front of the Capitol. I came up the steps to a leadership meeting. Security people were coming down the steps ordering people out of the building, saying they were concerned about an attack on the Capitol itself. I left here and my military aide met me as I walked back to my offices—I guess, more accurately, I jogged back to my offices because we were being urged to leave quickly. I could hear a fighter plane overhead. My military aide turned to me and said: You know, Senator, those are our guys. Those are the Happy Hooligans from Fargo, ND. The first planes in the air to protect the Capitol were the Happy Hooligans of Fargo, ND. You may be asking yourselves: How can it be that a National Guard unit from Fargo, ND, are the first planes in the sky to protect the Nation's Capital? The reason is they are given that responsibility and they are aircraft flown by North Dakota pilots who are based at a base close by the Nation's Capital. They fly what is called the CAP over the Capitol to protect us, and they were the first planes in the air to provide fighter protection to this Capitol complex. It made me proud at the time to know those were the Happy Hooligans of Fargo, ND.

When I went back to my office, I was doing a national radio interview with a man named Ed Schultz who has a national radio show. We were watching in horror as the Twin Towers started to collapse. Security people ran in again and ushered us out, telling us there was a plane 8 minutes out and they were afraid it was headed for the Capitol complex. That is the plane that ultimately crashed in Pennsylvania. I don't think anyone knows for certain where that plane was headed. Most assume it was either the Capitol or the White House that was the intended target of that plane. I think we will always be forever grateful for the men and women who were on that plane who fought back. You think of the incredible bravery of those people, to know they were hijacked, to have learned through cell phone contact that the World Trade Center had been attacked, the Pentagon had been attacked, and they did not just sit. They got out of their chairs and fought back. By doing so, they may have saved either the White House or this Capitol. That was an act of extraordinary heroism and courage.

Later that day, Members of Congress, Republicans and Democrats, joined on the Capitol steps, and I will forever remember how spontaneously at the end of the remarks of the leadership we sang ''God Bless America.'' I remember that feeling at that moment: that we are not Republicans, we are not Democrats; we are all Americans, and we stand together and will defend this Nation and we will hold those to account who did this dastardly deed. I hope we all think of ourselves as Americans first.

I also think we have to remember that it has now been 2,192 days since that attack. The President promised we would hold those responsible to account. The President said very clearly that this act would not stand. It is especially painful then to see Osama bin Laden and Zawahiri and the other leadership of al-Qaida go on the air, threatening to attack us again.

This is what the President said then:

> There's no question about it, this act will not stand; we will find those who did it; we will smoke them out of their holes; we will get them running and we'll bring them to justice.

The President was right in making that statement. That is precisely what our focus should have been.

Then you see this Newsweek headline: ''He Is Still Out There. The Hunt For Bin Laden.''

Somehow, we got confused about who attacked us. I just saw an ad being run about Iraq saying they attacked us on September 11. That is not true. Iraq did not attack us on September 11; al-Qaida attacked us. In fact, there wasn't a single Iraqi on any of the planes that hit the World Trade Center or the Pentagon—not one. We know from the 9/11 Commission that the attack was not directed by Saddam Hussein, as evil and dreadful a man as he was.

No, that attack was directed by Osama bin Laden and was carried out by al-Qaida, not Iraq. In fact, the 9/11 Commission tells us and our intelligence tells us that al-Qaida was not active in Iraq at the time. They have become active. Now we have al-Qaida in Iraq, but they were not there at the time.

It is so important that we get these facts right. Al-Qaida attacked us. Osama bin Laden led that attack. He is still on the loose and so is his chief aide, Mr. Zawahiri. It is critically important that we get it right who attacked us and whom we need to hold to account. I hope we will never give up our efforts to hunt down Osama bin Laden and Zawahiri and the rest of the al-Qaida leadership cadre because they are plotting to attack us again.

I have always believed that Iraq was a fateful mistake, a diversion of going in the wrong place, after the wrong enemy, at the wrong time, instead of pursuing the people who did attack us, who did kill Americans, who are plotting to attack us again.

We had, yesterday, very important testimony from General Petraeus and Ambassador Crocker. Let me say I have high regard for General Petraeus. I thought the ad that was run by some the other day was unfortunate and wrong. General Petraeus is a patriot. General Petraeus is somebody who deserves our respect. That doesn't mean you have to agree with every position he takes. That is not the point. But he is somebody who is among our finest. We should never in this country start turning on our own, those who serve us bravely and well in the military. That is not right. Ambassador Crocker is one of our finest diplomats. I don't agree with every policy prescription they propose, but they don't deserve to be personally attacked. That is not right. We have to remember and we have to keep perspective somehow about how we advance our national interest.

Let me say that yesterday the Washington Post ran a series of polls reporting on what the Iraqi people think is going on. You know, there is a cultural chasm here, I am afraid, between those of us raised in the Western culture and the people we are dealing with in that part of the world. I went to school and graduated from a high school at Wheelus Air Force Base High School in Tripoli, Libya, North Africa. I lived in the Arab world for 2 years. I have some sense of the enormous difference in the way they see things and the way we see things. It is instructive to ask what do the Iraqi people think is happening in their country. After all, it is their country, and what they think has a lot to say about what the outcome is going to be.

The Washington Post reported in depth a poll yesterday. The question was:

> Do you think this increase in U.S. forces in Baghdad and surrounding provinces in the past six months has made security better, worse, or had no effect?

In the deployment areas, the areas where we deployed the additional troops, here is what the Iraqi people think. They think, by 70 percent, that the surge has made things worse; 18 percent think it has made things better; 11 percent think it has had no effect. In the areas outside the deployment, elsewhere in Iraq, 68 percent think it has made things worse.

Now, is anybody paying any attention here? We have gone, theoretically, first of all, from eliminating weapons of mass destruction that didn't exist, to eliminating a nuclear program that didn't exist, to deposing Saddam Hussein, who did exist and has been deposed; then we are told we are supposed to be making things better for the Iraqi people. But the Iraqi people overwhelmingly think we have made things worse. Now a substantial majority of the people in Iraq think it is OK to attack American forces. We are caught in what is primarily—not solely or exclusively but primarily—a sectarian conflict, a civil war between the Sunni and Shia. This is a battle that has been going on for over 1,300 years. Why we would want our young men and women to be refereeing a fight between Shia and Sunni, at enormous cost in lives and treasure, absolutely eludes me.

We have so much else to do—first of all, in terms of our own security, going after the people who did attack us—al-Qaida and going after the leadership of al-Qaida, bin Laden and Zawahiri, who are still on the loose and still plotting to attack us. We are in Iraq being told the idea is now that we are to give breathing room for the Iraqi Government to make political progress to reduce the sectarian violence. Yet the overwhelming majority of the Iraqi people say this expanded deployment has made things worse; 70 percent in the deployment areas say we have made things worse, and only 18 percent say we have made things better.

Who has a better idea of what is going on in Iraq? I think we ought to be paying some attention to what the Iraqi people think is going on there. When a majority of the Iraqi people say it is OK to attack American forces, and we are there, theoretically, to help them, there is an enormous disconnect here. There is an enormous disconnect between what we apparently think we are doing and what we are actually accomplishing.

I am one who does not favor setting a strict deadline for leaving. I don't think that it is militarily wise to say to your opponents that we are leaving by a specific date. But we have to change course in Iraq. We have now lost thousands of brave men and women, with tens of thousands badly wounded. We have committed over a half trillion dollars, and we are told the President is now going to come and ask for another $195 billion. But the President is telling us we don't have the money, for example, for the Transportation bill we passed. The President says we don't have the money for that. How many more bridges have to collapse in this country before we have the money to take care of our own citizens' safety?

The President says we don't have the money to maintain the COPS program, which put 100,000 police officers on the street. The President said we should cut that 90 percent at a time when crime is rising in America. We have, apparently, $195 billion to spend in Iraq, but we don't have the several hundred million dollars we need to keep those police on the street in our country.

As I look at this, I am increasingly convinced we need to redeploy our forces; we need to, as a matter of our national security, refocus our effort on going after the people who did attack us on 9/11 and fully intend to attack us again, and that is al-Qaida, not Iraq.

I hope we will think very carefully in the coming days, as the debate intensifies, on what our future policy should be.

NATIONAL DAY OF ENCOURAGEMENT

Mr. PRYOR. Madam President, I rise today with great pleasure to commend an exceptional group of my constituents and acknowledge September 12, 2007, as the National Day of Encouragement. The concept behind the National Day of Encouragement was developed in June 2007 as part of the National Leadership Forum at Harding University in Searcy, AR.

The National Leadership Forum, NLF, was composed of a group of enterprising high school students from around the country who were challenged to think of constructive ways to help their respective schools. One group said that discouragement or ''the lack of encouragement'' was the biggest problem they faced in school as well as in society today. From there, the idea of an official Day of Encouragement as a possible solution was born.

According to Andrew Baker, the co-director of NLF, the students chose September 12 as the National Day of Encouragement in hopes of ''balancing the discouraging feelings of 9/11''. The goal was to ''challenge people not to just think about the idea of encouragement but to do something that will encourage someone else.''

Since the conception of the National Day of Encouragement, grassroots efforts have been working towards creating a real sense of encouragement in cities, schools, places of employment, and homes. Even the smallest gesture such as a smile, a pat on the back, or a kind word, has the ability to communicate love and compassion that can raise spirits and spur motivation, especially on a day like September 12.

Americans have endured great hardship and heartbreak as a result of the terrorist attacks, but this has not broken our faith, courage and an unshakable commitment to freedom, democracy and, most importantly, each other. Yesterday, we remembered the tragedy of September 11, and we honored its victims. Today, we honor the victims again by remembering the sacrifices made by thousands of Americans to help the victims of the attacks and their families. Their acts of kindness and generosity inspired and encouraged the entire Nation.

I encourage my fellow colleagues, citizens of all ages, as well as those in schools, organizations, businesses, and media outlets, to encourage others on this day, through an act of service, a thoughtful letter, or words of kindness and inspiration to thereby boost the overall morale of all.

I would also like to commend the extraordinary group of high school students who participated in the National Leadership Forum this year. They have shown the ability to analyze critical issues with insight and intellect, and it is an honor to stand here before you today and recognize all of them and their accomplishments.

I yield the floor.

ADDITIONAL STATEMENTS

IN RECOGNITION OF THE 130TH ANNIVERSARY OF THE AMERICAN HUMANE ASSOCIATION

• Mr. ALLARD. Madam President, children and animals are the most vulnerable of our Nation's population, as they do not have a voice of their own. Organizations which aid animals or children are very important in creating and maintaining a humane, safe and just society. That is why I rise today to honor and praise the American Humane Association on the occasion of its 130th anniversary.

The American Humane Association is unique in America in that it is not only the oldest but the only national organization with the dual mission of protecting both animals and children. As a true American icon of humanity, the American Humane Association has been the voice of the most vulnerable both animals and children—for each and every one of its 13 decades of existence.

American Humane was formed on October 9, 1877, with the vital mission of protecting both children and animals from abuse, neglect, cruelty and exploitation. Over those years covering much of two centuries, American Humane has actively and successfully promoted humane values and education, built significant public awareness and understanding, and has developed programs and processes that effectively protect both children and animals. It has been a leader in advancing humanity in this Nation and has been a model for the rest of the world to see and emulate.

Among numerous other initiatives, American Humane, based in Denver, CO, originated such programs as ''Be Kind to Animals Week,'' and ''Tag Day,'' to educate the public on the need to treat animals humanely and to adequately identify their animals. American Humane is the only organization to monitor and certify the making of movies to ensure ''No Animals Were Harmed.'' The organization also created ''The Front Porch Project,'' an initiative to educate communities on how to protect children from abuse, and it was the world's first organization to identify ''The Link'' between animal abuse and human violence.

I am grateful for American Humane's continuing good work in advancing humanity on a national scale. The United States of America is greatly enriched by the ongoing work of American Humane Association, and I congratulate the Association on this significant historical milestone.•

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

HILTON HUMANITARIAN PRIZE TO TOSTAN

• Mrs. CLINTON. Madam President, I would like to commend the Senegalese-based nonprofit organization Tostan, which today will receive the Conrad N. Hilton Humanitarian Prize. Tostan, founded by former Peace Corps volunteer Molly Melching, promotes basic education and helps to empower women and men to change their communities.

As one resident of The Gambia noted, ''With this program, people will make change from within for themselves without anyone else's help.''

The work of Tostan has transformed the lives of residents in Senegal and other African countries. While I was First Lady, I had the opportunity to visit Dakar to meet with Molly and the women and men who were working to address female genital cutting, FGC, in their communities.

I learned in these encounters that an extraordinary power is unleashed when people reach out to their neighbors and find common ground. When men and women begin to lift themselves up, they lift up their families and their communities as well.

Tostan is the catalyst for change in communities across Africa, and it produces results: More than 160,000 individuals have attended human rights and democracy classes run by Tostan; more than 1,000 community management committees—80 percent of which are headed by women—have benefited from Tostan's guidance; and more than 2 million people in over 2,000 villages have made a public commitment to ending practices like FGC or child marriage.

Indeed, earlier this year, women in Senegal announced that they will be seeking to make that country the first in Africa to eliminate FGC entirely within the next 5 years—a pledge that would not have been possible without the work of Tostan over these many years.

Tostan will be using the award money from the Hilton prize to further its activities in countries across Africa to end female genital cutting, improve literacy, and promote small business and community development. I look forward to learning how these additional resources are used in the expansion of their programs.

The work of Tostan is a shining example of how democracy works; how women's voices and men's voices, can be heard, and can lead to change in their communities. I would like to again congratulate Tostan for receiving the Conrad N. Hilton Humanitarian Prize.•

RECOGNIZING APPALACHIAN STATE UNIVERSITY MOUNTAINEERS FOOTBALL TEAM

• Mrs. DOLE. Madam President, today I would like to recognize the Appalachian State University Mountaineers football team for pulling off one of the biggest upsets in college football history. To recognize this achievement, Senator BURR and I have introduced Senate resolution number S. Res. 309.

On September 1, 2007, the Appalachian State Mountaineers of the

NCAA Football Championship Subdivision, formerly known as Division 1–AA, beat the University of Michigan Wolverines, ranked fifth nationally, of the NCAA Football Bowl Subdivision, formally known as Division 1–A, by a score of 34–32 in front of 109,000 spectators at ''The Big House'' in Ann Arbor, MI. No Division 1–AA team has ever been victorious over a nationally ranked Division 1–A opponent.

The win over the Wolverines was an extraordinary team effort. Quarterback Armanti Edwards threw for 227 yards and three touchdowns while rushing for 62 yards and one touchdown. The receiving corps combined for 227 yards of offense with two touchdowns from Dexter Jackson and one from Hans Batichon. In addition, the defense had an outstanding game and forced two critical turnovers in the second half—one fumble recovery and one interception—to guide the Mountaineers to victory.

During the fourth quarter the Mountaineers came up with the special plays needed to complete the monumental win. With Appalachian State trailing 32–31, Brian Quick blocked a Michigan field goal setting-up what would become the game-winning drive. On the ensuing drive, kicker Julian Rauch put a 24-yard field goal through the uprights to move the Mountaineers ahead 34–32 with 26 seconds left in the game. The Mountaineers, however, still needed one more big play from its special teams. With just a few seconds remaining, Corey Lynch dramatically blocked a Wolverine field goal attempt to seal the victory.

After the final gun, head coach Jerry Moore, who put together a masterful game plan, was carried off the field by his players in victory. The Appalachian State Mountaineers' victory over the Michigan Wolverines demonstrates that any achievement is possible with hard work and a great deal of heart.

I applaud the tremendous effort by the players, head coach Jerry Moore, and the assistant coaches and support personnel who all played critical roles in this historic victory. In addition, I would like to congratulate Dr. Kenneth E. Peacock, chancellor of Appalachian State University, Charles Cobb, athletic director, and all of the students and fans to whom this win meant so much.●

30TH ANNIVERSARY OF THE CARLSBAD MEDICAL CENTER

● Mr. DOMENICI. Madam President, today I wish to recognize the Carlsbad Medical Center for reaching its 30th birthday. I had the pleasure of being the keynote speaker during the dedication ceremony in 1977. Since then, the hospital has grown and weathered many changes over the last 30 years.

The medical field has experienced many advances and changes in the past three decades. New technology has brought many new ways of treating patients. Technology has increased the number of patients served and helped to increase test accuracy. The future will bring many more medical advances, and I am certain this facility will be ready for anything that comes its way.

The Carlsbad Medical Center has aged gracefully and along the way has helped thousands of patients in need. It has been an honor to watch this facility and the progress they have made over the last 30 years. I look forward to another 30 years of growth.●

SALUTING THE AUGUSTINE AND STRASSER FAMILIES

● Mr. HARKIN. Madam President, today I call to the attention of my colleagues three very special families from Rose Hill, IA, and their extraordinary contributions to our Nation.

First, a little bit of background. As we all know, the National Guard and the Reserves have been shouldering a huge share of the combat burden in Iraq and Afghanistan. They are not only away from their families, they are also away from their employers. Bear in mind that these are citizen soldiers. In civilian life, they are teachers, firefighters, farmers, attorneys, and members of just about every other profession. And when they are deployed, their employers also have to make sacrifices.

Every year, the Department of Defense presents its Freedom Award to a small number of employers that go above and beyond the call of duty in supporting employees who are deployed with the Guard or Reserve. This year, one of those employers is Augustine & Sons farm in Rose Hill, IA.

Augustine & Sons is not one of those big corporate conglomerate farms. We are talking about a family farm owned and worked by brothers Dan and Mike Augustine. They are the sixth generation of the Augustines to farm this land since it was homesteaded in 1852. They have just two employees on the farm, and one of those employees is Matthew Strasser, a first sergeant with the Iowa National Guard who is on his second deployment overseas. First Sergeant Strasser previously served in Kosovo, and he is now deployed in Afghanistan.

The next time we see one of those bumper stickers that says, ''Support Our Troops,'' we should think of the Augustine families. When First Sergeant Strasser left for Afghanistan, the Augustines lost one-half of their two-man workforce. But the Augustine brothers have continued to pay his entire salary, including an annual bonus. The Strasser family continues to live rent-free in a house on the farm. The Augustine families look in on the Strassers like they are just one big family—helping with chores, taking the boys fishing, and much more.

It is just an extraordinary story of good, decent people going the extra mile—I should say, the extra 100 miles—to extend a helping hand and to be endlessly generous. The Augustines may have a relatively small farm, but they have very big hearts.

The Augustine and Strasser families are in Washington today, and the Augustines will be presented with a 2007 Freedom Award at a special dinner this evening. It was a great honor to have them at my weekly constituent breakfast this morning. I had the pleasure of meeting Dan Augustine, his wife Teresa and son Ryan; Mike Augustine, his wife Leesa, and son Caitlin; and Jessica Strasser, the wife of 1SG Matthew Strasser, and their sons Reece and Tyler.

I am sure that the entire Senate joins me in saluting 1SG Matthew Strasser for his courageous service in Afghanistan and also for the sacrifices on the homefront by Jessica Strasser and their sons. We also are deeply grateful to the Augustine families for their generosity and their very special brand of patriotism.

Yesterday, Americans commemorated the anniversary of the September 11, 2007, attacks. It has always struck me that those attacks, which represented humanity at its very worst, have led to so many acts of generosity and sacrifice that represent humanity at its very best. The Augustine and Strasser families make me very proud to be an American, and it was wonderful to meet them this morning.●

HONORING MAJOR GENERAL MICHAEL A. GORMAN

● Mr. JOHNSON. Madam President, today I pay tribute to MG Michael A. Gorman. September 15, 2007, will mark the end of an illustrious, 41 year career that began on March 7, 1966. Major General Gorman is a home-grown South Dakotan who has served his State and Nation with distinction.

Major General Gorman began his distinguished service to the Nation by enlisting in the South Dakota Army National Guard in 1966. In 1974, he was commissioned an engineer officer upon graduating from the South Dakota Officer Candidate School program. He has held numerous positions in the 109th Engineer Battalion, commanded South Dakota's 88th Troop Command, served as Director of Human Resources, Deputy Chief of Staff for Logistics, and Assistant Adjutant General for the South Dakota Army National Guard. Major General Gorman also serves on the Governor's cabinet as the Secretary of Military and Veteran's Affairs. In this capacity, he is the principle adviser to the Governor on military and veteran matters. He is concluding his meritorious career as the Adjutant General for the South Dakota National Guard.

I would like to personally thank Major General Gorman for his service as the Adjutant General with the South Dakota National Guard. His military service, patriotism, and dedication to the National Guard and South Dakota's veterans have been invaluable, and I commend him for his

dedication to our country and our State during the many years he has served. I have enjoyed working with him on a variety of issues and appreciate the compassion and understanding he has shown to the men and women under his command, especially during these very challenging times for our Nation and our military.

His efforts to recruit, train, equip, and mobilize South Dakotans for service have been critical to the Guard's mission accomplishment, as has his commitment to care for our State's veterans. His outstanding service on behalf of our State's service men and women is appreciated; he has set an exceptional example for military personnel to follow.

I commend him for all he has done for the people of South Dakota. His dedicated service to our grateful Nation will not be forgotten.●

TRIBUTE TO WGNO-TV, NEW ORLEANS

● Ms. LANDRIEU. Madam President, today I wish to speak about a television station in my hometown of New Orleans. As all our local news media have, WGNO-TV/ABC 26 has been there through thick and through thin, telling Louisiana's story of recovery following Hurricane Katrina. But often missed as you watch the local news broadcasts and read the local papers is that the story of rebuilding and recovery these journalists are telling is as much their own story as it is the community's.

After many years broadcasting from New Orleans' World Trade Center, WGNO moved into a new studio facility at the New Orleans Centre, near the Louisiana Superdome, just a few weeks before Katrina hit. Forced out of the space by the approaching storm, they broadcast their coverage from ABC station WBRZ-TV in Baton Rouge, as well as various locations on the road, reporting from the heart of the devastation.

When they moved back to New Orleans to begin telling the story of rebuilding, they told it from a facility all too familiar to their viewers—a set of trailers parked behind the Superdome. A makeshift studio and control room were assembled in part with equipment procured on the Internet. Months later, after a decision was made to not reopen the New Orleans Centre, effectively evicting the station, WGNO moved back into the World Trade Center facility they had vacated in July 2005.

Tonight, WGNO formally celebrates the opening of a brand-new broadcast center in Metairie, Louisiana. Their first broadcast from their new home was on August 29—the 2-year anniversary of Katrina—and I was proud to be their first in-studio guest.

It took 2 years for the hard-working staff of WGNO to move into a permanent new home. For many of my constituents, it will be much longer. But one guiding light will be, as it has been since the storm first struck, the dedicated reporting of our local news organizations—not just WGNO, but also their colleagues at WWL-TV, WVUE-TV and WDSU-TV, our local radio stations, the Times Picayune and our vibrant weekly community papers, and all the others who have stayed with us every minute of these difficult 2 years. Even as many of their own reporters, engineers and other personnel have faced their own tremendous challenges, having in many cases lost homes and loved ones, they have continued to be a voice for our great city and State.

I congratulate WGNO as they celebrate their new home, and thank them and all of our local news media for their continued service.●

HONORING LOOK'S GOURMET FOOD COMPANY, INC.

● Ms. SNOWE. Madam President, today I celebrate the recent inclusion of a small business from my home State of Maine on the Inc. 5,000 list of this Nation's fastest-growing private companies. Look's Gourmet Food Company, Inc., of Whiting has been a dominant player in the canned food industry since its inception in 1917. Notably, during the past 3 years, the company has grown over 200 percent, garnering the attention of Inc., a magazine that reports on small business and entrepreneurship issues. Companies on the list were ranked based on their percentage of revenue growth between 2003 and 2006. Moreover, all the firms had to be based in the United States, independent, and privately held. Of particular distinction is that Look's Gourmet Food Company placed 41st among 160 food and beverage companies subcategory. This is truly an honor for the State of Maine—especially for downeast Maine.

When Mike Cote became the owner of the former A.M. Look Canning Company in April 2003, he set out to increase sales and promote a positive view of canned seafood. He began by changing the seafood processor's name to Look's Gourmet Food Company and redesigning the labels on the cans. Since that time, sales have tripled, and the company has acquired new equipment to keep up with growing demand. In addition, through the community development block grant program, Look's has purchased a warehouse in the nearby former Cutler Navy base dedicated to packing and shipping. A business that continues to grow, Look's currently employs 21 full-time workers.

Look's Gourmet Food Company boasts a line of over 30 products including: whole Maine lobster meat, Maine cherrystone clams, clam chowder, lobster bisque, and clam juice. Look's also cans four varieties of beans, a traditional downeast Maine dessert known as Indian pudding, and more recently, has added kippers, herring, and mackerel to its seafood repertoire. The company produces small, 60-gallon batches of its chowders and bisques, while refusing to use additives or preservatives, rendering an unrivaled product. What makes Look's so unique is that it is the last remaining multiproduct food cannery in Maine, and one of just three food canneries in the State.

Forming unique partnerships, Look's teams up with other local companies to produce high-quality foods. For instance, Look's has five different sauces that it uses when packing its herring fillets, including one made using products from Raye's Mustard which is made locally in Eastport. Additionally, to bolster another small business, Look's gives discarded mussel shells to Artful Wares, a Maine enterprise that makes silverware handles from crushed shells, thereby reducing waste and ensuring Artful Wares a supply of shells.

In listing Look's Gourmet Food on its 5,000 list, Inc. noted that Look's is growing due to its use of all-natural ingredients, as well as the sale of products in both specialty and mainstream grocery stores. Inc. also points to Look's export business to Japan and its desire to sell in Europe. This proactive business model has benefitted Look's as well, and the company has certainly earned the recognition it has received. I congratulate Mike Cote and everyone at Look's Gourmet Food for their exceptional achievement.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE TERRORIST ATTACKS ON THE UNITED STATES OF SEPTEMBER 11, 2001, AS RECEIVED DURING RECESS OF THE SENATE ON SEPTEMBER 12, 2007—PM 24

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a

notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent to the *Federal Register* the enclosed notice, stating that the emergency declared with respect to the terrorist attacks on the United States of September 11, 2001, is to continue in effect for an additional year.

The terrorist threat that led to the declaration on September 14, 2001, of a national emergency continues. For this reason, I have determined that it is necessary to continue in effect after September 14, 2007, the national emergency with respect to the terrorist threat.

GEORGE W. BUSH.

THE WHITE HOUSE, *September 12, 2007*.

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–3259. A communication from the Acting Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, five quarterly Selected Acquisition Reports for the quarter ended June 30, 2007; to the Committee on Armed Services.

EC–3260. A communication from the Chief, Programs and Legislation Division, Department of the Air Force, transmitting, pursuant to law, a report relative to the Department's decision to conduct a public-private competition for the multi-functional Base Operating Support mission at Keesler Air Force Base, Mississippi; to the Committee on Armed Services.

EC–3261. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Reports of Government Property'' (DFARS Case 2005-D015) received on September 11, 2007; to the Committee on Armed Services.

EC–3262. 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 ''Captan, 2,4-D, Dodine, DCPA, Endothall, Fomesafen, Propyzamide, Ethofumesate, Permethrin, Dimethipin, and Fenarimol; Tolerance Actions'' (FRL No. 8142-2) received on September 11, 2007; to the Committee on Environment and Public Works.

EC–3263. 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 ''Comprehensive Procurement Guideline V for Procurement of Products Containing Recovered Materials'' ((RIN2050-AE23) (FRL No. 8468-3)) received on September 11, 2007; to the Committee on Environment and Public Works.

EC–3264. 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 ''Nonroad Diesel Technical Amendments and Tier 3 Technical Relief Provision'' ((RIN2060-AO37) (FRL No. 8467-2)) received on September 11, 2007; to the Committee on Environment and Public Works .

EC–3265. 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 ''Procedures for Implementing the National Environmental Policy Act and Assessing the Environmental Effects Abroad of EPA Actions'' ((RIN2020-AA42) (FRL No. 8467-5)) received on September 11, 2007; to the Committee on Environment and Public Works.

EC–3266. 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 ''Revisions to the California State Implementation Plan, Mojave Desert Air Quality Management District'' (FRL No. 8456-4) received on September 11, 2007; to the Committee on Environment and Public Works.

EC–3267. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Disaster/Combat Zone Relief and Dischargeability'' (Rev. Rul. 2007-59) received on September 10, 2007; to the Committee on Finance.

EC–3268. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Determination of Housing Cost Amounts Eligible for Exclusion or Deduction for 2007'' (Notice 2007-77) received on September 10, 2007; to the Committee on Finance.

EC–3269. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Treatment of Certain Nuclear Decommissioning Funds for Purposes of Allocating Purchase Price in Certain Deemed and Actual Asset Acquisitions'' ((RIN1545-BC99) (TD 9358)) received on September 10, 2007; to the Committee on Finance.

EC–3270. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a semiannual report detailing payments made to Cuba relative to its telecommunications services; to the Committee on Foreign Relations.

EC–3271. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. military personnel and civilian contractors involved in the anti-narcotics campaign in Colombia; to the Committee on Foreign Relations.

EC–3272. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the report of a nomination for the position of Director, received on September 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3273. A communication from the Federal Register Liaison, Office of the General Counsel, Patent and Trademark Office, transmitting, pursuant to law, the report of a rule entitled ''April 2007 Revision of Patent Cooperation Treaty Procedures'' (RIN0651-AC09) received on September 10, 2007; to the Committee on the Judiciary.

EC–3274. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report relative to the activities and operations of the Criminal Division of the Public Integrity Section during calendar year 2006; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Small Business and Entrepreneurship, with an amendment in the nature of a substitute:

S. 1256. A bill to amend the Small Business Act to reauthorize loan programs under that Act, and for other purposes (Rept. No. 110–154).

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. BOND (for himself and Mrs. LINCOLN):

S. 2040. A bill to amend the Internal Revenue Code of 1986 to increase the alternative tax liability limitation for small property and casualty insurance companies; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. DURBIN, Mr. LEAHY, Mr. SPECTER, and Mr. WHITEHOUSE):

S. 2041. A bill to amend the False Claims Act; to the Committee on the Judiciary.

By Ms. STABENOW (for herself, Mr. ISAKSON, Mr. WARNER, and Mr. WHITEHOUSE):

S. 2042. A bill to authorize the Secretary of Health and Human Services to conduct activities to rapidly advance treatments for spinal muscular atrophy, neuromuscular disease, and other pediatric diseases, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SALAZAR:

S. 2043. A bill to prohibit the closure or relocation of any county office of the Farm Service Agency until at least 1 year after the enactment of an omnibus law to provide for the continuation of agricultural programs for fiscal years after fiscal year 2007; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. OBAMA (for himself, Mr. DURBIN, Mr. KENNEDY, and Mrs. MURRAY):

S. 2044. A bill to provide procedures for the proper classification of employees and independent contractors, and for other purposes; to the Committee on Finance.

By Mr. PRYOR (for himself and Mr. INOUYE):

S. 2045. A bill to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KERRY:

S. 2046. A bill to establish a pilot program for police departments to use anonymous texts from citizens to augment their anonymous tip hotlines; to the Committee on the Judiciary.

By Mr. COLEMAN (for himself and Ms. KLOBUCHAR):

S. 2047. A bill to require enhanced disclosures to consumers purchasing flood insurance and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. FEINSTEIN:

S. 2048. A bill for the relief of Jose Buendia Balderas, Alicia Aranda De Buendia, and Ana Laura Beundia Aranda; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself, Mr. SMITH, Mr. ROCKEFELLER, Ms. SNOWE, Mr. MENENDEZ, and Mr. KERRY):

S. 2049. A bill to prohibit the implementation of policies to prohibit States from providing quality health coverage to children in need under the State Children's Health Insurance Program (SCHIP); to the Committee on Finance.

By Mr. BROWN:

S. 2050. A bill to amend title II of the Social Security Act to eliminate the five-month waiting period in the disability insurance program, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. LOTT (for himself and Mr. PRYOR):

S. Res. 318. A resolution supporting the We Don't Serve Teens campaign; considered and agreed to.

By Mr. OBAMA (for himself, Mr. DURBIN, Mr. KERRY, Mrs. CLINTON, Mr. ALEXANDER, Mr. CARDIN, Mr. LUGAR, Mr. LEVIN, Mr. HARKIN, Mr. LIEBERMAN, Mr. REID, Mr. KENNEDY, Mr. BINGAMAN, Mrs. BOXER, Mr. DODD, Ms. LANDRIEU, Mr. SCHUMER, Ms. STABENOW, Mr. BROWN, Mr. VOINOVICH, Ms. MIKULSKI, and Mr. WYDEN):

S. Con. Res. 44. A concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued honoring Rosa Louise McCauley Parks; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 22

At the request of Mr. WEBB, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 22, a bill to amend title 38, United States Code, to establish a program of educational assistance for members of the Armed Forces who serve in the Armed Forces after September 11, 2001, and for other purposes.

S. 316

At the request of Mr. KOHL, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 316, a bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

S. 399

At the request of Mr. BUNNING, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 399, a bill to amend title XIX of the Social Security Act to include podiatrists as physicians for purposes of covering physicians services under the Medicaid program.

S. 545

At the request of Mr. LOTT, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 545, a bill to improve consumer access to passenger vehicle loss data held by insurers.

S. 790

At the request of Mr. LUGAR, the name of the Senator from Florida (Mr. NELSON) 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. 911

At the request of Mr. REED, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 911, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 961

At the request of Mr. NELSON of Nebraska, the name of the Senator from New Mexico (Mr. BINGAMAN) 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. 963

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 963, a bill to authorize the Secretary of Education to make grants to educational organizations to carry out educational programs about the Holocaust.

S. 1116

At the request of Mr. SALAZAR, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1116, a bill to facilitate the use for irrigation and other purposes of water produced in connection with development of energy resources.

S. 1160

At the request of Ms. STABENOW, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1160, a bill to ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing the competitiveness of United States-grown specialty crops.

S. 1239

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

S. 1257

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

S. 1356

At the request of Mr. BROWN, the name of the Senator from Illinois (Mr. OBAMA) 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. 1382

At the request of Mr. REID, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1382, a bill to amend the Public Health Service Act to provide the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1587

At the request of Ms. SNOWE, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1587, a bill to amend the Internal Revenue Code to allow a special depreciation allowance for reuse and recycling property and to provide for tax-exempt financing of recycling equipment, and for other purposes.

S. 1709

At the request of Mr. BIDEN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1709, a bill to amend the National Underground Railroad Network to Freedom Act of 1998 to provide additional staff and oversight of funds to carry out the Act, and for other purposes.

S. 1734

At the request of Mr. SCHUMER, his name was added as a cosponsor of S. 1734, a bill to provide for prostate cancer imaging research and education.

S. 1827

At the request of Mr. THUNE, his name was added as a cosponsor of S. 1827, a bill to amend title XVIII of the Social Security Act to require prompt payment to pharmacies under part D, to restrict pharmacy co-branding on prescription drug cards issued under such part, and to provide guidelines for Medication Therapy Management Services programs offered by prescription drug plans and MA–PD plans under such part.

S. 1833

At the request of Mr. NELSON of Florida, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1833, a bill to amend the Consumer Product Safety Act to require third-party verification of compliance of children's products with consumer product safety standards promulgated by the Consumer Product Safety Commission and for other purposes.

S. 1843

At the request of Mr. KENNEDY, the name of the Senator from Maryland (Mr. CARDIN) 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. 1866

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1866, a bill to amend title 49, United States Code, to exempt certain local restrictions from review under the airport noise and access restriction review program.

S. 1867

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1867, a bill to require the Administrator of the Federal Aviation Administration to conduct a study on the operation of helicopters over Long Island, New York and for other purposes.

S. 1880

At the request of Mr. KERRY, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Delaware (Mr. BIDEN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1880, a bill to amend the Animal Welfare Act to prohibit dog fighting ventures.

S. 1956

At the request of Mr. BAUCUS, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1956, a bill to amend part E of title IV of the Social Security Act to provide equitable access for foster care and adoption services for Indian children in tribal areas, and for other purposes.

S. CON. RES. 37

At the request of Mr. BIDEN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. Con. Res. 37, a concurrent resolution expressing the sense of Congress on federalism in Iraq.

S. RES. 178

At the request of Mr. BINGAMAN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor 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. 201

At the request of Mr. CHAMBLISS, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. Res. 201, a resolution supporting the goals and ideals of ''National Life Insurance Awareness Month''.

At the request of Mr. NELSON of Nebraska, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. Res. 201, supra.

AMENDMENT NO. 2829

At the request of Mr. MENENDEZ, the names of the Senator from New York (Mr. SCHUMER) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of amendment No. 2829 proposed to H.R. 3074, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

AMENDMENT NO. 2836

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 2836 intended to be proposed to H.R. 3074, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself, Mr. DURBIN, Mr. LEAHY, Mr. SPECTER, and Mr. WHITEHOUSE):

S. 2041. A bill to amend the False Claims Act; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, for 27 years, I have come to the Senate floor to discuss legislation that will help the Government run efficiently and effectively. I have been an outspoken advocate for whistleblowers, which whistleblowers in good faith bring forth information about waste, fraud, and abuse of taxpayers' dollars. I have championed oversight efforts, and I have spent my time in the Senate asking the tough questions of Government bureaucrats in order to expose these problems, particularly problems that have been brought to my attention by patriotic whistleblowers.

One thing I learned from oversight is that no matter how engaged Congress may be, there are not enough hands to find all the waste, fraud, and abuse in Government programs. Instead, we have to rely then, as I have indicated, on those courageous and patriotic individuals who speak out and blow the whistle, to go to court to collect Government money that was lost to unscrupulous contractors who are selling false or fraudulent goods, in the case of 100 years ago, to Union troops because that is why the False Claims Act came about, and to make sure that we protect whistleblowers when a program is not working and taxpayers' dollars are being lost.

These whistleblowers, by sticking their necks out, are individuals often at risk. They risk everything to fix problems within our Government because they believe in doing their job the way it was intended to be done, and they probably do not get the attention of higher-ups in the bureaucracy. That is why they become whistleblowers and come to Congress to bring these faults out. Somehow they end up being as welcome in the bureaucracy as a skunk is at a picnic.

However, pointing out fraud is one thing; getting results, fixing the problem, and recouping taxpayers' money lost to fraud, waste, and abuse is quite another thing.

The key to recouping these lost funds is ensuring that we have effective laws on the books. One such law is the Federal False Claims Act. I have come to the floor today to remind people about the history of the False Claims Act, but also to suggest some improvements in that act so it can be an even more useful tool in the fight against waste, fraud, abuse, and the protection of whistleblowers.

I have referred to the False Claims Act. This is known as the Lincoln law because it has some history going back to the Civil War. The Lincoln law was originally passed by Congress to combat war profiteering by Government contractors during the Civil War. The False Claims Act allowed individual citizen whistleblowers to go to court to collect Government money that was lost to unscrupulous contractors who were selling false or fraudulent goods to Union troops.

This legal mechanism, known as qui tam, a Latin term, is the key component to the False Claims Act allowing individual citizens to act as private attorneys general to help stop fraud and recover lost money. However, following World War II, the False Claims Act was weakened by an act of Congress which lowered the penalties limiting the money the Government could recover from fraud. This remained the state and the language of the False Claims Act until 1986 when I authored amendments to the act which restored teeth and breathed new air and new life into a law that was designed to protect all American taxpayers.

I am happy to report that in the 20 years since I introduced and Congress passed the 1986 amendment, the Federal Government has used the False Claims Act to recover over $20 billion from those who defraud Government. That is $20 billion that would otherwise be lost and gone forever.

More importantly, this $20 billion serves as a deterrent reminder to those who wish to steal from the Government. We cannot measure the deterrent value of this legislation, but I personally feel, and I have had students of Government tell me, the deterrent value of the False Claims Act is much greater than even the $20 billion that we can quantify that has come back to the Federal Treasury.

Today, the False Claims Act faces a situation where it may not be as effective as intended. Recent decisions by Federal courts have limited the False Claims Act in a way that was not envisioned when I authored the 1986 amendments. These court decisions threaten to undermine both the spirit and intent of the 1986 amendments.

The first case, U.S. Totten v. Bombardier Corporation, held that false claims presented to Government grantees, in this case employees at Amtrak, were not actually presented to the Federal Government. As a result, the Government was precluded from recovering money lost to fraud and abuse perpetuated against Amtrak.

The second case, Rockwell International Corporation, et al, v. U.S.,

was decided earlier this year by the U.S. Supreme Court. In this case, the Court interpreted an area of the False Claims Act, known as the public disclosure bar, which prohibits a false claims case from moving forward if the case is based upon publicly disclosed information, such as a government report, unless the whistleblower filing the case was the ''original source'' of the information.

Now here, the Supreme Court held that a qui tam whistleblower was barred from receiving a share of any money recovered unless that whistleblower was the original source of all claims ultimately settled. Now, I say to my colleagues that this may not sound like a very troublesome decision. However, it is, and the impact is that oftentimes a case is brought by a whistleblower on a certain set of facts and then expanded by the Department of Justice, which ultimately settles on other grounds. As a result, this case creates a disincentive for a whistleblower to bring forth information about fraud, as they may not get to share in any part of the recovery.

You see, one of the incentives for the whistleblowers is if they bring a case that brings back money into the Federal Treasury, they get part of that settlement as an incentive to do this. Quite frankly, a whistleblower sticks their neck out. By doing the right thing, they are probably ruining themselves professionally. Let us say that they get part of the recovery. Well, the Federal Government gets billions of dollars that we would not have even gotten if we had not had the information from the whistleblower. That is why the whistleblower is very important.

Now, there is another case that gives us problems. This third case that challenges the intent of the False Claims Act is United States DRC v. Custer Battles, decided a year ago. In that case, a jury found that a defense contractor in Iraq had defrauded the Government of $10 million. However, the judge overturned the jury verdict, finding that the money lost was not U.S. taxpayer money but was instead Iraqi money under the control of the U.S. Government. As a result of this case, the U.S. Government may not recover for any fraud committed against the U.S. Government if the funds are not American funds, even if the U.S. Government has been entrusted with the management of those funds.

These decisions, I can tell you as author of this legislation, are contrary to the spirit and the intent of the 1986 amendments. Today, I am joined by Senator DURBIN as the lead cosponsor, along with Senator LEAHY and Senator SPECTER—and in those two individuals I will say that Senator LEAHY is chairman of the Judiciary Committee which has jurisdiction, and Senator SPECTER is the former chairman of the committee and now the Ranking Republican—so I feel by having Senator DURBIN, Senator LEAHY, and Senator SPECTER as cosponsors of this False Claims Act Correction Act, as powers within the Senate to bring attention to what the courts have done, this injustice to the False Claims Act and gutting of the False Claims Act, this act will bring it back to its original intent.

This legislation will correct judicial interpretations damaging the False Claims Act. This bill is narrowly tailored to ensure that the intent of Congress in the 1986 amendments is upheld and nothing more. The False Claims Act Correction Act will correct these three judicial interpretations in addition to also making technical and correcting amendments.

First, the bill will address the Totten decision by removing the requirement that false claims be directly presented to a government official, instead tying the liability directly to Government money and property.

Next, the bill will address the Rockwell decision by requiring the Attorney General to file a timely motion to dismiss claims that violate the public disclosure bar. By allowing the Attorney General to present to the court information about public disclosures upfront in a case, the bill would eliminate procedural uncertainties that exist now by allowing public disclosures to be addressed at any time in the case.

The False Claims Act Correction Act also clarifies that nontaxpayer funds under the trust and administration of the U.S. Government subject to fraud are actionable under the False Claims Act. Thus, money directly under the control of the U.S. Government subject to fraud that are currently outside the scope of the False Claims Act would now be covered. This will correct the problems that have arisen following the decision in the Custer Battles case.

Additionally, the bill clarifies a split between the Federal Circuit Courts of Appeal that currently exists regarding whether a government employee may file a False Claims Act case. More specifically, the bill provides that a government employee would be able to bring a False Claims Act case based upon information learned in the course of their employment, only when the employee: No. 1, discloses the fraud to their supervisors; No. 2, discloses the fraud to the inspector general of that agency; and, No. 3, discloses the fraud to the Attorney General and then waits 12 months without the Government acting. After these conditions are met, then, and only then, may a government employee act as a qui tam whistleblower.

Finally, the bill makes two technical corrections to the False Claims Act. The first is a technical-correcting amendment that clarifies the statute of limitations. The second is a technical amendment to the civil investigative demands that the Department of Justice is already authorized to issue. These technical corrections will streamline the procedures for filing as well as prosecuting False Claims Act cases by both qui tam whistleblowers as well as cases instituted originally by the Department of Justice.

The False Claims Act Correction Act is a narrowly tailored bill that seeks to ensure the legislative intent of the 1986 amendments is truly understood. This is not a Democratic or Republican issue. It is an American taxpayer issue. I am proud to say this bill has strong bipartisan support, as I am joined by Senator DURBIN as the lead Democratic cosponsor, and I wish to emphasize Senator LEAHY's and Senator SPECTER's cosponsorship of this legislation.

I am glad we have a bipartisan coalition ready to work to fix the False Claims Act with these narrowly tailored corrections, but I encourage my colleagues not to bow to special interest groups who have worked to weaken the No. 1 tool for recovering Government dollars lost to fraud.

I will say at this point that yesterday I had a private discussion with a Senator who will go unnamed. He said, even as corrective as this legislation is, and it is only meant to be correcting, that already we have the pharmaceutical companies out working against this legislation. So this may not be easy to get through, even though it is sticking with the original intent. So I don't want to get into a situation such as I did in 1986, when we wrote a bill that was bipartisan, and it took about a year to get the various holds off that were put on this. In those days, we had secret holds. Under the new rules of the Senate, we are not supposed to have any secret holds anymore.

So if people have complaints about this legislation, I wish to work it out, but I don't know how anybody can hold up legislation where the underlying legislation has brought $20 billion that would have otherwise been lost to fraud back to the Federal Treasury. The American taxpayers deserve a law that detects, prevents, and recovers money lost to fraud. The False Claims Act works and has recovered this $20 billion, and that law is 20 years old. But let me say this money didn't start rolling in until about 6 or 7 years after that 1986 law was passed.

The False Claims Act Correction Act will provide necessary and narrowly tailored corrections to ensure that the False Claims Act works to protect the taxpayers into the future, as I visualized it would in 1986 in spirit as well as in letter. I urge my colleagues to support this important legislation.

I have had the pleasure of having the Presiding Officer ask to be a cosponsor of the bill, so I ask unanimous consent that Senator WHITEHOUSE be added as a cosponsor at this point.

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

Mr. President, I ask unaniumous 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 placed in the RECORD, as follows:

S. 2041

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 ''False Claims Act Correction Act of 2007''.

SEC. 2. FALSE CLAIMS GENERALLY.

Section 3729 of title 31, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) LIABILITY FOR CERTAIN ACTS.—

''(1) IN GENERAL.—Subject to paragraph (2), any person who—

''(A) knowingly presents, or causes to be presented a false or fraudulent claim for Government money or property for payment or approval;

''(B) knowingly makes, uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim for Government money or property paid or approved;

''(C) conspires to commit any substantive violation set forth in this section or otherwise to defraud the Government by getting a false or fraudulent claim for Government money or property paid or approved;

''(D) has possession, custody, or control of Government money or property and, intending to defraud the Government, to retain overpayment, or knowingly to convert the money or property, permanently or temporarily, to an unauthorized use, fails to deliver or return, or fails to cause the return or delivery of the money or property, or delivers, returns, or causes to be delivered, or returned less money or property than the amount due or owed;

''(E) authorized to make or deliver a document certifying receipt of property used, or to be used, by the Government and, intending to defraud the Government, makes or delivers the receipt without completely knowing that the information on the receipt is true;

''(F) knowingly buys, or receives as a pledge of an obligation or debt, public property from an officer or employee of the Government, or a member of the Armed Forces, who lawfully may not sell or pledge property; or

''(G) knowingly makes, uses, or causes to be made or used, a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the Government,

is liable to the United States Government for a civil penalty of not less than $5,000 and not more than $10,000 plus 3 times the amount of damages which the Government, its grantee, or administrative beneficiary sustains because of the act of that person.

''(2) LESSER PENALTY.—If the court finds that—

''(A) the person committing the violation of this subsection furnished officials of the United States responsible for investigating false claims violations with all information known to such person about the violation within 30 days after the date on which the defendant first obtained the information;

''(B) such person fully cooperated with any Government investigation of such violation; and

''(C) at the time such person furnished the United States with the information about the violation, no criminal prosecution, civil action, or administrative action had commenced under this title with respect to such violation, and the person did not have actual knowledge of the existence of an investigation into such violation,

the court may assess not less than 2 times the amount of damages which the Government, its grantee or administrative beneficiary sustains because of the act of the person.

''(3) COSTS OF CIVIL ACTIONS.—A person violating this subsection shall also be liable to the United States Government for the costs of a civil action brought to recover any such penalty or damages.''.

(2) by striking subsections (b) and (c) and inserting the following:

''(b) DEFINITIONS.—For purposes of this section—

''(1) the terms 'known', 'knowing', and 'knowingly' mean that a person, with respect to information—

''(A) has actual knowledge of the information;

''(B) acts in deliberate ignorance of the truth or falsity of the information; or

''(C) acts in reckless disregard of the truth or falsity of the information,

and no proof of specific intent to defraud is required;

''(2) the term 'Government money or property' means—

''(A) money or property belonging to the United States Government;

''(B) money or property the United States Government provides, has provided, or will reimburse to a contractor, grantee, agent or other recipient to be spent or used on the Government's behalf or to advance Government programs;

''(C) money or property belonging to any administrative beneficiary, as defined herein;

''(3) the term 'claim' includes any request or demand, whether under a contract or otherwise, for Government money or property; and

''(4) the term 'administrative beneficiary' means any natural person or entity, including any governmental or quasi-governmental entity, on whose behalf the United States Government, alone or with others, collects, possesses, transmits, administers, manages, or acts as custodian of money or property.'';

(3) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively; and

(4) in subsection (c), as redesignated, by striking ''subparagraphs (A) through (C) of subsection (a)'' and inserting ''subsection (a)(2)''.

SEC. 3. GOVERNMENT RIGHT TO DISMISS CERTAIN ACTIONS.

Section 3730(b) of title 31, United States Code, is amended by adding at the end thereof the following:

''(6)(A) Not later than 60 days after the date of service under paragraph (2), the Government may move to dismiss from the action the qui tam relator that is an employee of the Federal Government if—

''(i) all the necessary and specific material allegations contained in such action were derived from an open and active fraud investigation by the Government; or

''(ii) the person bringing the action learned of the information that underlies the alleged violation of section 3729 that is the basis of the action in the course of the person's employment by the United States, and none of the following has occurred:

''(I) In a case in which the employing agency has an inspector general, such person, before bringing the action—

''(aa) disclosed in writing substantially all material evidence and information that relates to the alleged violation that the person possessed to such inspector general; and

''(bb) notified in writing the person's supervisor and the Attorney General of the disclosure under division (aa).

''(II) In a case in which the employing agency does not have an inspector general, such person, before bringing the action—

''(aa) disclosed in writing substantially all material evidence and information that relates to the alleged violation that the person possessed, to the Attorney General; and

''(bb) notified in writing the person's supervisor of the disclosure under division (aa).

''(III) Not less than 12 months (and any period of extension as provided for under subparagraph (B)) have elapsed since the disclosure of information and notification under either subclause (I) or (II) were made and the Attorney General has not filed an action based on such information.

''(B) Prior to the expiration of the 12-month period described under subparagraph (A)(ii)(III) and upon notice to the person who has disclosed information and provided notice under subparagraph (A)(ii) (I) or (II), the Attorney General may file a motion seeking an extension of such 12-month period. Such 12-month period may be extended by a court for not more than an additional 12-month period upon a showing by the Government that the additional period is necessary for the Government to decide whether or not to file such action. Any such motion may be filed in camera and may be supported by affidavits or other submissions in camera.

''(C) For purposes of subparagraph (A), a person's supervisor is the officer or employee who—

''(i) is in a position of the next highest classification to the position of such person;

''(ii) has supervisory authority over such person; and

''(iii) such person believes is not culpable of the violation upon which the action under this subsection is brought by such person.

''(D) A motion to dismiss under this paragraph shall set forth documentation of the allegations, evidence, and information in support of the motion.

''(E) Any person bringing a civil action under paragraph (1) shall be provided an opportunity to contest a motion to dismiss under this paragraph. The court may restrict access to the evidentiary materials filed in support of the motion to dismiss, as the interests of justice require. A motion to dismiss and papers filed in support or opposition of such motion shall not be—

''(i) made public without the prior written consent of the person bringing the civil action; and

''(ii) subject to discovery by the defendant.

''(F) If the motion to dismiss under this paragraph is granted, the matter shall remain under seal.

''(G) No later than 6 months after the date of the enactment of this paragraph, and every 6 months thereafter, the Department of Justice shall report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives relating to—

''(i) the cases in which the Department of Justice has filed a motion to dismiss under this paragraph;

''(ii) the outcome of such motions; and

''(iii) the status of false claims civil actions in which such motions were filed.''.

SEC. 4. BARRED ACTIONS.

(a) PROVISIONS RELATING TO ACTIONS BARRED.—Section 3730(b)(1) of title 31, United States Code, is amended by adding at the end the following: ''No claim for a violation of section 3729 may be waived or released by any action of any person, except insofar as such action is part of a court approved settlement of a false claim civil action brought under this section. Nothing in this section shall be construed to limit the ability of the United States to decline to pursue any claim brought under this subchapter.''.

(b) DISMISSAL.—Section 3730(e)(4) of title 31, United States Code, is amended to read as follows:

''(4)(A) Upon timely motion of the Attorney General, a court shall dismiss an action or claim brought under section 3730(b) if the

allegations relating to all essential elements of liability of the action or claim are based exclusively on the public disclosure of allegations or transactions in a Federal criminal, civil, or administrative hearing, in a congressional, Federal administrative, or Government Accountability Office report, hearing, audit or investigation, or from the news media.

''(B) In this paragraph:

''(i) The term 'public disclosure' includes only disclosures made on the public record or that have otherwise been disseminated broadly to the general public.

''(ii) The person bringing the action does not create a public disclosure by obtaining information from a Freedom of Information Act request or from information exchanges with law enforcement and other Government employees if such information does not otherwise qualify as publicly disclosed.

''(iii) An action or claim is based on a public disclosure only if the person bringing the action derived his knowledge of all essential elements of liability of the action or claim alleged in his complaint from the public disclosure.''.

(c) QUI TAM AWARDS.—Section 3730(d)(3) of title 31, United States Code, is amended to read as follows:

''(3)(A) Whether or not the Government proceeds with the action, the court may, to the extent the court considers appropriate, reduce the share of the proceeds of the action which a person would otherwise receive under paragraph (1) or (2) of this subsection (taking into account the role of that person in advancing the case to litigation and any relevant circumstances pertaining to the violation), if the court finds that person—

''(i) planned and initiated the violation of section 3729 upon which the action was brought; or

''(ii) derived the knowledge of the claims in the action primarily from specific information relating to allegations or transactions (other than information provided by the person bringing the action) that the Government publicly disclosed, as that term is defined in subsection (e)(4)(A), or that the Government disclosed privately to the person bringing the action in the course of its investigation into potential violations of this subchapter.

''(B) If the person bringing the action is convicted of criminal conduct arising from the role of that person in the violation of section 3729, that person shall be dismissed from the civil action and shall not receive any share of the proceeds of the action. Such dismissal shall not prejudice the right of the United States to continue the action, represented by the Department of Justice.''.

SEC. 5. RELIEF FROM RETALIATORY ACTIONS.

Section 3730(h) of title 31, United States Code, is amended to read as follows:

''(h) RELIEF FROM RETALIATORY ACTIONS.—

''(1) IN GENERAL.—Any employee, government contractor, or agent shall be entitled to all relief necessary to make that employee, government contractor whole, if that employee, government contractor or Agent is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment because of lawful acts done by the employee, government contractor, or agent on behalf of the employee, government contractor, or agent or associated others in furtherance of other efforts to stop 1 or more violations of this subchapter.

''(2) RELIEF.—Relief under paragraph (1) shall include reinstatement with the same seniority status that employee, government contractor, or agent would have had but for the discrimination, 2 times the amount of back pay, interest on the back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys' fees. An action under this subsection may be brought in the appropriate district court of the United States for the relief provided in this subsection.''.

SEC. 6. STATUTE OF LIMITATIONS.

Section 3731(b) of title 31, United States Code, is amended to read as follows:

''(b)(1) A civil action under section 3730 may not be brought more than 10 years after the date on which the violation of section 3729 or 3730 is committed.

''(2) Upon intervention, the Government may file its own complaint in intervention or amend the complaint of a person who has brought an action under section 3730(b) to clarify or add detail to the claims in which the Government is intervening and to add any additional claims with respect to which the Government contends it is entitled to relief. For statute of limitations purposes, any such Government pleading shall relate back to the filing date of the complaint of the person who originally brought the action, to the extent that the claim of the Government arises out of the conduct, transactions, or occurrences set forth, or attempted to be set forth, in the prior complaint of that person.''.

SEC. 7. CIVIL INVESTIGATIVE DEMANDS.

Section 3733(a)(1) of title 31, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by inserting '', or a designee (for purposes of this section),'' after ''Whenever the Attorney General''; and

(2) in the matter following subparagraph (D), by—

(A) striking ''may not delegate'' and inserting ''may delegate''; and

(B) adding at the end the following: ''Any information obtained by the Attorney General or a designee of the Attorney General under this section may be shared with any qui tam relator if the Attorney General or designee determine it is necessary as part of any false claims act investigation.''.

Mr. DURBIN. Mr. President, I am pleased to join my colleague Senator GRASSLEY in introducing the False Claims Act Correction Act of 2007. This bipartisan legislation takes important steps to modernize and strengthen the Federal False Claims Act and will help protect the Government and taxpayers from waste, fraud, and abuse of Government funds.

During the Civil War, President Abraham Lincoln saw the need for a law that would prevent war profiteers and other unscrupulous Government contractors from defrauding the Government and the Nation's taxpayers. Lincoln urged the passage of legislation that would allow the Government to seek damages and penalties against perpetrators of fraud, and that would permit whistleblowers with information about false or fraudulent claims to file qui tam lawsuits on the Government's behalf in exchange for a share of the recovered funds. In 1863, Congress heeded Lincoln's call and enacted the Federal False Claims Act, FCA, which became known as ''Lincoln's Law.''

Lincoln's Law is still in effect today and it is still much-needed. In recent years, there have been alarming reports of waste, fraud, and abuse of Government funds in the Iraq war and reconstruction effort, in the recovery from Hurricane Katrina and other disasters, in military and homeland security procurement contracts, and in Federal healthcare programs. We need strong laws that can expose and root out such fraudulent practices.

The last major update of the FCA took place in 1986, when Senator GRASSLEY and Congressman BERMAN sponsored amendments that revitalized the FCA and its qui tam provisions in response to widespread reports of defense contractor fraud. Since 1986, the Federal Government and qui tam relators have worked together to recover over $20 billion in moneys that would otherwise have been lost to fraud, waste or abuse in Government programs. The recovery of this enormous sum is a victory for taxpayers, and a demonstration of the success of the FCA and its qui tam model.

It has now been 21 years since the enactment of the 1986 FCA amendments, and during that time changes in the interpretation of the act and in the nature of Government contracting have threatened to limit the FCA's effectiveness. In particular, several recent court decisions have weakened the intent and application of Senator GRASSLEY's 1986 amendments to the FCA and have limited the FCA's ability to reach certain types of fraud and abuse involving Government programs.

The False Claims Act Correction Act seeks to correct these court decisions and to ensure the FCA's utility as an effective tool against fraud. It does so in several ways.

First, the False Claims Act Correction Act clarifies the ''presentment requirement'' in the FCA. In 2004, the DC Circuit Court of Appeals held that liability under the FCA can only be found if the allegedly fraudulent claim is ''presented to an officer or employee of the United States Government.'' This interpretation has been used by courts to dismiss a number of FCA cases where abuses of Federal Government funds were clearly evident but where the false claims were submitted to grantees or agents of the Federal Government—such as the Iraq Coalition Provisional Authority—and not directly to Government employees. Our legislation would make clear that FCA imposes liability if a person presents a false or fraudulent claim for Federal Government money or property, and that the claim need not be directly presented to a Government employee.

Our legislation also clarifies the applicability of the FCA's ''public disclosure bar.'' The FCA currently allows a relator's FCA case to be dismissed if the case is based on information that was publicly available at the time of the filing, unless the relator was the ''original source'' of the public information. In its 2007 decision in Rockwell Int'l Corp. et al. v. United States, the Supreme Court held that the public disclosure bar prevents a relator from recovering money unless the relator was an original source for all the

claims that are settled or upon which a verdict is rendered. The Rockwell holding is troubling because relators often file actions based on facts which prove to be the tip of the iceberg, and upon further investigation DOJ discovers more fraud and ends up settling or winning the case on the grounds of the latter fraud.

The Rockwell court's interpretation of the public disclosure bar might discourage whistleblowers from filing legitimate FCA cases and alerting DOJ to fraud. Our legislation would preclude a relator from recovery under the public disclosure bar only where the relator derived knowledge of all essential elements of the claim from public disclosure. Thus, only relators who truly contributed no new information to the case would be barred.

Among its other provisions, the False Claims Act Correction Act resolves a split among the Federal circuit courts by allowing a Government employee to act as a qui tam relator when the employee learns of fraudulent conduct on the job, provided that the employee has first taken steps to report the fraud internally. Our legislation also strengthens the protections in the FCA for whistleblowers, so that whistleblowers who are Government contractors and agents can receive the same antiretaliation protection as employees of the company perpetrating the alleged fraud. Our bill further simplifies the FCA statute of limitations with a clear 10-year standard for all cases, and also makes technical changes to enhance DOJ's usage of the civil investigative demand process in DOJ investigations of potential FCA violations.

The changes that our legislation would make to the FCA are narrowly tailored, and are designed to clarify the FCA's scope in keeping with the intent of the authors of the 1986 FCA amendments. I commend Senator GRASSLEY, the Senate architect of the 1986 FCA amendments, for his devotion to ensuring the effective functioning of the FCA, and I am proud to join him in introducing this legislation to better combat waste, fraud, and abuse of Government programs.

In sum, the False Claims Act Correction Act will enhance whistleblowers' ability to shine a light on fraudulent conduct involving Government funds, and to hold the perpetrators accountable through legitimate qui tam claims. The bill's reforms will ensure that the FCA can continue to serve as a viable tool for recovering taxpayer funds lost to fraud, waste or abuse. The legislation we are introducing today will strengthen the legacy of Lincoln's Law, and I am pleased to serve as its lead cosponsor. I urge my colleagues to support its passage.

Mr. SPECTER. Mr. President, I seek recognition to discuss the False Claims Act Correction Act of 2007. The False Claims Act was passed by Congress in 1863 in order to combat war profiteering during the Civil War. The goal of the law was to encourage individuals to alert the Government when fraud against the Government was occurring. The statute does this by providing a portion of the Government's recovery to the whistleblower. This law is as important today, as it was in 1863, because we still must combat fraud and abuse of Government programs. These amendments ensure that the False Claims Act has not been eroded in scope or application.

I am cosponsoring the bill offered by the distinguished Senator from Iowa because Congress needs to clarify its intent that there is liability under the False Claims Act for submitting false claims for Government funds and property—regardless of whether they are submitted directly to Government agents or are submitted to others who disburse Government money or property.

A defendant may not make a preemptive disclosure that operates to bar the whistleblower or relator from recovering—the only claims that should be barred are those that are true piggyback claims, where the relator was not the original source of the information, and the whistleblower's actions were not the impetus for the recovery.

Government employees may be qui tam relators—whistleblowers—and may be awarded a portion of the Government's recovery based on false claims if, when the Government employee has learned of fraudulent conduct on the job and has reported it up the chain of command, and then reported it to the Office of Inspector General, still no action has been taken within 12 months.

Retaliatory action based on protected activity by whistleblowers is prohibited.

Federal prosecutors who are investigating False Claim Act complaints filed under seal may share information obtained by Civil Investigative Demands, CIDs, with relators.

For purposes of the running of the statute of limitations, if the Government intervenes in a False Claims Act case, the intervention relates back to the date the whistleblower filed suit.

Taxpayer dollars must not be wasted or fraudulently paid to unscrupulous contractors.

By Ms. STABENOW (for herself, Mr. ISAKSON, Mr. WARNER, and Mr. WHITEHOUSE):

S. 2042. A bill to authorize the Secretary of Health and Human Services to conduct activities to rapidly advance treatments for spinal muscular atrophy, neuromuscular disease, and other pediatric diseases, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. STABENOW. Mr. President, today I am pleased to introduce the SMA Treatment Acceleration Act. I also thank my colleagues, Senators ISAKSON, WARNER, and WHITEHOUSE, for joining me in sponsoring this important legislation.

In April, I met with Malorie Fox, a beautiful 4-year-old from Ada, Michigan, and several other Michigan families about Spinal Muscular Atrophy, SMA, the number one genetic killer of children under 2 years of age. SMA is a degenerative disease that weakens the body's muscles until they can no longer function, that includes the ability to breathe.

Sadly, Malorie was diagnosed with SMA shortly before her first birthday. Her parents were told by her doctors that most children diagnosed with SMA never reach this milestone. Thankfully, Malorie survived, and with her parents Michelle and James, she continues to fight this disease. On her homepage, Malorie wrote: ''My mommy & daddy focus on the things I CAN do, not those that I cannot.''

Malorie and her family are not alone. It is estimated that SMA occurs in about 1 in every 6,000 births. Approximately 1 in 40 individuals, 7.5 million Americans, carry the gene that causes SMA, making it the second most common autosomal recessive genetic disorder. This incidence rate shows neither racial nor gender bias.

Presently, there is no known treatment for SMA, though there have been several exciting research breakthroughs over the past decade. In fact, the National Institutes of Health singled out SMA from more than 600 neurological disorders as the disease closest to treatment based on scientists' advanced genetic understanding of the disease. Private foundations and national nonprofit organizations dedicated to finding a cure for SMA have also made substantial financial contributions.

To support the investigators and families who are working to find a treatment or cure, the SMA community, including Fight SMA, Families of SMA, and the SMA Foundation, has united behind this legislation. This bill will provide a roadmap and federal funding to better coordinate and facilitate SMA research and treatment. Additionally, the legislation will establish a program to provide information and education on SMA to health professionals and the general public related to advances in the diagnosis and treatment of SMA and the provision of care to SMA patients.

Next Monday is Malorie's birthday, and I couldn't wish for anything more for her birthday than a cure for SMA. This legislation will be an important step forward in fulfilling that wish. I urge my colleagues to join with us in passing it.

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

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

SPINAL MUSCULAR ATROPHY FOUNDATION,
September 12, 2007.

Hon. DEBBIE STABENOW,
U.S. Senate,
Washington, DC.

DEAR SENATOR STABENOW: We write to express our strong support for the SMA Treatment Acceleration Act, your bipartisan legislation to help find a treatment or cure for

Spinal Muscular Atrophy (SMA), the number one genetic killer of children under the age of two.

Our organizations support cutting edge SMA research and represent thousands of families across the country that have been affected by SMA, an inherited disease that destroys the nerves controlling muscle movement, which affects crawling, walking, head and neck control, swallowing, and even breathing. The gene mutation that causes SMA is carried by one in every 40 people, or approximately 7.5 million Americans.

These are hopeful times for families affected by Spinal Muscular Atrophy. Researchers have discovered the gene responsible for SMA, opening the door to promising new treatments. SMA was selected by the National Institutes of Health (NIH) as the prototype for an accelerated drug discovery effort, singling out SMA as the disease closest to treatment of more than 600 neurological disorders.

In order to build upon the substantial investment made by national non-profit organizations and the progress being made by researchers towards bringing treatments to children affected by SMA, our organizations are united behind the SMA Treatment Acceleration Act. This legislation would authorize critical funding in order to upgrade and unify existing SMA clinical trial sites to establish a clinical trials network for SMA; enhance and provide ongoing support to the existing SMA patient registry; establish an SMA coordinating committee consisting of representatives from relevant government agencies and the public; establish an SMA research collaborative at NIH to ensure cooperation across multiple Institutes; and support efforts to identify barriers to drug development and recommend steps to expand existing industry incentives to promote SMA drug development.

We thank you for your leadership in the effort to conquer this terrible disease, and we look forward to working with you to enact this important legislation.

Sincerely,

CYNTHIA JOYCE,
SMA Foundation.
KENNETH HOBBY,
Families of SMA.
MARTHA SLAY,
FightSMA.

By Mr. PRYOR (for himself and Mr. INOUYE):

S. 2045. A bill to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. INOUYE. Mr. President, in recent months, the American public has been faced with a series of high profile recalls of consumer products. In the last 2 months alone, approximately 2 million toys were recalled for violating lead paint standards, and more than 5 million toys were recalled for containing magnets that come loose and create an ingestion hazard. The recalls were not limited to toys. Candles, all-terrain vehicles, cribs, bunk beds, space heaters, clothes, knives, scuba masks, radios, lamps, and electronic equipment were also recalled.

Public outcry and press reports have intensified the focus on the Consumer Product Safety Commission, CPSC, the agency charged with monitoring the safety of these products. What Americans have found is a CPSC restrained by the combination of a far-reaching mandate, a shrinking staff, and the smallest budget of any federal health and safety agency.

This is why I rise today to cosponsor the CPSC Reform Act of 2007, introduced by Senator MARK PRYOR. This act is a comprehensive and aggressive reauthorization bill designed to revitalize the Commission and improve consumer safety through stronger consumer protection laws, increased authority, and increased authorization levels necessary for the CPSC to do its job well.

To say a CPSC budget and staffing increase is long overdue is a gross understatement. The last time the CPSC was reauthorized was in 1990. In order for the CPSC to complete its mission, it needs steady funding. This is why the CPSC Reform Act officially reauthorizes the Commission for the next 7 years. Beginning with an authorization of $80 million for fiscal year 2009, the funding levels would increase by 10 percent per year, culminating at approximately $141.7 million for fiscal year 2015.

Furthermore, to improve CPSC's ability to test consumer products, the bill authorizes an additional $20 million for fiscal year 2009 and fiscal year 2010 for much needed repair, re-equipping, and upgrading of the CPSC's research, development, and testing facility.

The CPSC Reform Act also directs the Commission to increase its number of full-time employees to at least 500 within the first 5 years, returning the CPSC to staffing levels comparable to those maintained by the Clinton administration. When the CPSC was established in 1973, it had 786 full-time employees responsible for the safety of 10,000 consumer products. Today, the CPSC is responsible for more than 15,000 consumer products—many of which are manufactured overseas. Yet today, the CPSC functions with only 420 full-time employees. This bill takes great strides in restoring these staffing levels.

Additionally, although the CPSC is authorized to have five Commissioners, the agency has been operating with only two Commissioners since July 2006. The CPSC Reform Act eliminates a 1992 limitation on the use of funds for more than three Commissioners and urges the President to appoint a full complement of five Commissioners.

Adequate funding and staffing are only the beginning. The CPSC Reform Act also strengthens consumer products safety laws.

First, the Act increases the maximum per violation civil penalty from $8000 to $250,000 and the maximum civil penalty for a related series of violations from $1.825 million to $100 million.

Second, the Act strikes the requirement that violators of the Consumer Product Safety Act, CPSA, may only be criminally prosecuted after repeated warnings. It also makes a knowing violation of the CPSA punishable by up to a 1-year imprisonment and a knowing and willful violation punishable by up to a 5-year imprisonment.

The act also goes to the heart of the recent consumer product recalls. It bans the use of lead in children's products and establishes a maximum level trace amount of lead allowed in such products. It directs manufacturers to label children's products with marks that can be used to identify the source, production date, and other information useful to facilitate a recall.

Additionally, the act directs the CPSC to establish a protocol for manufacturers and importers to have independent third party compliance certification for children's consumer products under CPSC jurisdiction. Further, the measure authorizes the CPSC to refer importers found to have committed multiple violations of the CPSA to U.S. Customs and Border Protection with the recommendation that the importer's license be revoked.

The CPSC is tasked with keeping unsafe and harmful products off our store shelves and out of our homes and the hands of our children. This line of defense has grown thin because of a lack of resources, staffing, and authorities. Although the dedicated career staff has continued to work diligently under trying circumstances and limited resources, Congress must act quickly to give them the tools to do their job better, so that consumer confidence can be restored.

I look forward to working with my colleagues on this comprehensive CPSC reauthorization legislation.

By Mr. COLEMAN (for himself and Ms. KLOBUCHAR):

S. 2047. A bill to require enhanced disclosures to consumers purchasing flood insurance and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. COLEMAN. Mr. President, I rise today to introduce the Flood Insurance Disclosure Act of 2007. I thank my Minnesota colleague, Senator KLOBUCHAR, for her cosponsorship of this bill.

Last month, the southeastern part of my State of Minnesota was the scene of devastating, historic flooding that claimed seven lives, caused widespread damage to the area's homes, businesses and infrastructure and disrupted the day-to-day lives of countless Minnesotans.

As I traveled in the flood ravaged areas, I was troubled to hear and learn that only a few residents had flood insurance. Even more troubling were reports that some residents had been told they could not get flood insurance.

One telling statistic is that in the seven Federally declared disaster counties, which include Olmsted and Winona counties, less than 1 percent of all households had flood insurance. Certainly we can do better and must do better.

In an effort to increase the number of residents with flood insurance and to make sure residents get the information they need about flood insurance, today I am introducing legislation to amend the National Flood Insurance Act of 1968 to require insurance companies to disclose noncoverage of flood insurance in homeowner's and renter's policies, as well as the resident's eligibility for flood insurance.

The Federal Government long ago recognized the importance of flood insurance and that is why we have the National Flood Insurance Program which makes available, in partnership with insurance companies, flood insurance to households. At the end of day, flood insurance can serve as a financial life saver in flood disasters, while federal disaster assistance is, at best, a lifeline.

At the end of the day flood insurance is really about an ounce of prevention being worth a pound of cure. It is my hope that through this legislation more Minnesotans and Americans will obtain flood insurance in order to protect their financial well-being in the event of a flood disaster.

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. 2047

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 ''Flood Insurance Disclosure Act of 2007''.

SEC. 2. ADDITIONAL REQUIREMENTS OF INSURERS.

Part A of Chapter II of the National Flood Insurance Act of 1968 (42 U.S.C. 4051 et seq.) is amended by adding at the end the following:

''SEC. 1337. ADDITIONAL REQUIREMENTS OF INSURERS.

''(a) DISCLOSURE OF NONCOVERAGE.—

''(1) IN GENERAL.—Each insurance company or other insurer shall disclose, in writing, to any homeowner or renter who purchases a homeowner's or renter's insurance policy from such company or insurer that such policy does not include flood insurance coverage as described under chapter I.

''(2) PLACEMENT OF DISCLOSURE.—The disclosure required under paragraph (1) shall be—

''(A) in English;

''(B) composed in a clear and conspicuous manner; and

''(C) displayed on the insurance policy described under such paragraph.

''(b) DISCLOSURE OF ELIGIBILITY.—Each insurance company or other insurer shall disclose, in writing, at the time of sale of any homeowner's or renter's insurance policy to the purchaser of such policy—

''(1) that such person may be eligible to purchase flood insurance coverage as described under chapter I; and

''(2) the telephone number and Internet address by which the purchaser can contact the National Flood Insurance Program in order to obtain such flood insurance coverage.

''(c) RECORD KEEPING.—Each insurance company or other insurer shall keep and maintain an accurate record of each disclosure provided under this section.''.

By Mrs. FEINSTEIN:

S. 2048. A bill for the relief of Jose Buendia Balderas, Alicia Aranda De Buendia, and Ana Laura Beundia Arandia; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am offering legislation to provide lawful permanent residence status to Jose Buendia Balderas, his wife, Alicia Aranda De Buendia, and their daughter, Ana Laura Buendia Aranda, Mexican nationals who have been living and working in the Fresno area of California for over 20 years.

Jose Buendia is a remarkable individual who epitomizes the American dream. His father worked as an agricultural laborer in the Bracero program over 25 years ago. In 1981, Jose followed his father to the U.S., where he worked in the shadows to help provide for his family in Mexico.

Since then, Jose has moved from working as a landscaper to construction, where he is now a valued employee of Bone Construction in Reedley, CA. He has been employed by this cement company for the past 8 years. Although he knew nothing about construction when he began working in the field, he was disciplined and persistent in his training and is now a lead foreman. His employer, Timothy Bone, says Mr. Buendia is a ''reliable, hardworking and conscientious'' employee. In fact, it was Mr. Bone who contacted my office to seek relief for Mr. Buendia.

Alicia Buendia, Jose Buendia's wife, has been working as a seasonal fruit packer for several years. The family has consistently paid all of their taxes. Recently, they paid off their mortgage and today, they are debt free. They have health insurance, savings and retirement accounts, participate in the company profit-sharing company, and support their family here and in Mexico. In short, they are living the American dream.

Their daughter, Ana Laura, is an outstanding student. She earned a 4.0 GPA at Reedley High School and was awarded an academic scholarship to the University of California—Berkeley. Unfortunately, because of her immigration status, she was unable to accept the scholarship and her parents now pay full out-of-State tuition for her to attend the University of California—Irvine.

Their son, Jose, is a U.S. citizen, and attends Reedley High School. For both Jose and Ana Laura, the U.S. is the only country they know.

What makes the story of the Buendias so tragic is that they would have been eligible to correct their illegal status but for the unscrupulous practices of their former immigration attorney.

Because Mr. Buendia has been in this country for so long, he qualified for legalization pursuant to the Immigration and Reform Control Act of 1986. Unfortunately, his legalization application was never acted upon because his attorney, Jose Velez, was convicted of fraudulently submitting legalization and Special Agricultural Worker applications.

This criminal conduct tainted all of Mr. Velez's clients. Although Mr. Buendia's application was found not to contain any fraudulent documentation associated, it was submitted while his lawyer was under investigation. The result was that Mr. Buendia was unable to be interviewed and obtain legal status.

To complicate matters, it took the Immigration and Naturalization Service nearly 7 years to determine that Mr. Buendia's application contained no fraudulent information. In the meantime, the Immigration and Naturalization Service reinterpreted the law and determined that he was no longer eligible for relief because he had left the U.S. briefly when he married his wife.

Despite these setbacks, the Buendia family has continued to seek legal status. They believed they were successful when an immigration judge granted the family relief based on the hardship their U.S. citizen son would face if his family was deported to Mexico. Unfortunately, the Government appealed the judge's decision and had it overturned by the Board of Immigration Appeals.

Despite the problems with adjusting their legal status, this family has forged ahead and continued to play a meaningful role in their community. They have worked hard. They have invested in their neighborhood. They are active in the PTA and their local church.

I believe the Buendia family should be allowed to continue to live in this country that has become their own. If this legislation is approved, the Buendias will be able to continue to contribute significantly to the U.S. It is my hope that Congress passes this private legislation.

Mr. President, I ask unanimous consent that 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. 2048

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

SECTION 1. PERMANENT RESIDENT STATUS FOR JOSE BUENDIA BALDERAS, ALICIA ARANDA DE BUENDIA, AND ANA LAURA BUENDIA ARANDA.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Jose Buendia Balderas, Alicia Aranda De Buendia, and Ana Laura Buendia Aranda shall each be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Jose Buendia Balderas, Alicia Aranda De Buendia, and Ana Laura Buendia Aranda enter the United States before the filing deadline specified in subsection (c), Jose Buendia

Balderas, Alicia Aranda De Buendia, and Ana Laura Buendia Aranda shall be considered to have entered and remained lawfully and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa or permanent residence to Jose Buendia Balderas, Alicia Aranda De Buendia, and Ana Laura Buendia Aranda, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Jose Buendia Balderas, Alicia Aranda De Buendia, and Ana Laura Buendia Aranda under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Jose Buendia Balderas, Alicia Aranda De Buendia, and Ana Laura Buendia Aranda under section 202(e) of such Act.

By Mr. KENNEDY (for himself, Mr. SMITH, Mr. ROCKEFELLER, Ms. SNOWE, Mr. MENENDEZ, and Mr. KERRY):

S. 2049. A bill to prohibit the implementation of policies to prohibit States from providing quality health coverage to children in need under the State Children's Health Insurance Program (SCHIP); to the Committee on Finance.

Mr. KENNEDY. Mr. President, when we passed the Children's Health Insurance Program a decade ago, we made a promise to working families to do more to help them obtain decent health insurance for their children. Today, we are keeping that promise. The Senate has passed a bipartisan CHIP reauthorization to strengthen the program, bring health care to at least four million more children, and strengthen the outreach and funding for the program.

CHIP has been a great success for children who obtain its coverage. Over the last decade, the percentage of uninsured children has dropped from 22 percent in 1997 to 13 percent today. And that's in spite of the fact that more and more parents have been losing insurance coverage through their jobs, because employers decide to reduce it or drop it entirely. But 9 million children in the United States still lack health insurance because they are not aware of their eligibility for coverage, or because eligibility is too restrictive. The CHIP reauthorization bill will make a real difference in closing this unacceptable gap so that no parents are faced with the decision of whether they can afford to take their sick child to a doctor.

The Bush administration, however, is bent on blocking this progress. The Center for Medicare and Medicaid Services has issued a new guidance that will make it virtually impossible for States to expand coverage to children in with household incomes above 250 percent of the Federal poverty level. The guidance will be especially disruptive and unfair to CHIP coverage in 18 states, including Massachusetts, which now allows for children in families with income levels over 250 percent of poverty.

No State should be forced to cut health insurance coverage for children. Once again, the Administration has shown itself to be out of touch and out of step with the priorities of working Americans. The Administration's action denies the promise of good health care to countless children in communities across America.

That is why today, along with Senators SMITH, ROCKEFELLER and SNOWE, I am introducing legislation to nullify the new rule from the Centers for Medicare and Medicaid Services and allow each State to cover children at the income level that is most appropriate for their State. Simply, children in all States should be able to obtain the quality health care they need in order to grow and thrive. The administration should be ashamed of its cruel attempt to revoke this needed coverage, and Congress should not allow the new rule to stand.

Mr. SMITH. Mr. President, I rise today to introduce a bill, The Better Health for America's Children Act,'' with my esteemed colleague Senator EDWARD KENNEDY that will serve to block implementation of the Centers for Medicare and Medicaid Services, CMS, guidance issued on August 17, 2007, which negatively impacts the State Children's Health Insurance Program, SCHIP. I also am pleased to be joined by fellow Finance Committee members Senator ROCKEFELLER and Senator SNOWE as we introduce this important bill.

If allowed to go forward, this new policy will have a devastating impact on our Nation's children's access to affordable health care coverage. The guidance, as set out in the August 17 letter to State Health Officials, sets unrealistic standards that will serve only to prevent States from covering children with incomes above 250 percent of the Federal poverty level, FPL, under SCHIP. While the agency has stated that it simply is trying to preserve coverage for low-income children, this policy will impede a State's ability to expand health insurance to children whose family income is above $42,925 for a family of three. With health care costs increasingly being priced out of working families' reach, this income limit is unrealistic. In July 2007, the U.S. Senate recognized this when it passed a bipartisan bill that would allow States to cover children with family incomes up to 300 percent FPL under SCHIP.

As the recently released census data shows, the number of uninsured children grew to 9 million in 2006. The administration should be working with the U.S. Senate to reauthorize SCHIP and deliver to States the tools they need to enroll the 6 million children who are eligible for SCHIP but not enrolled. It shouldn't be wasting resources on putting up roadblocks intended to prevent coverage.

I hope that the Senate can work together to advance this bipartisan proposal to ensure that the SCHIP program remains strong and low-income children have access the health care.

By Mr. BROWN:

S. 2050. A bill to amend title II of the Social Security Act to eliminate the five-month waiting period in the disability insurance program, and for other purposes; to the Committee on Finance.

Mr. BROWN. Mr. President, today I am introducing the Social Security Act Improvements for the Terminally Ill Act. This is a critical and long overdue piece of legislation and I urge my colleagues to give it due consideration and, ultimately, support.

In the Senate, we are accustomed to making tough decisions on pressing issues that have a direct impact on the lives of Americans. But few issues are both as urgent and as uncomplicated as the one now present to the Chamber.

This bill would waive the 5-month waiting period in the Social Security disability program for terminally ill patients—thus allowing those with just months to live to receive the Federal benefits they deserve. None of our fellow citizens should have to spend their last days haggling with the Federal Government for benefits that can help ease the financial burden associated with palliative care, death, and burial. Specifically, this bill would authorize disability benefits for any eligible individual whose disability is expected to or does result in the patient's death before the end of the current 5-month waiting period.

This commonsense reform would grant justice to those, like Ohioan Mr. Arthur Woolweaver, Jr., who are being effectively ''waited out'' by the Government. Even though Mr. Woolweaver had worked and contributed to Social Security all his life and even though his disability due to cancer was easily verified by the Social Security Administration, he was still forced to wait . . . and wait . . . and wait. Unfortunately, it is now too late for Mr. Woolweaver, who passed away on June 12 of this year. Ultimately, Mr. Woolweaver was still waiting for his benefits, which would have totaled $1,800 per month, when he died this summer. This money could have helped Mr. Woolweaver's wife keep their house in Cuyahoga Falls, OH.

Like it or not, the Federal Government is often viewed as a faceless and heartless bureaucracy. This bill offers a chance to take a small step to change that image and restore faith in the system. I think I speak for most Americans when I say that I want my Government to be responsive, logical, and

compassionate. This bill seeks to achieve that ideal.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 318—SUPPORTING THE WE DON'T SERVE TEENS CAMPAIGN

Mr. LOTT (for himself and Mr. PRYOR) submitted the following resolution; which was considered and agreed to:

S. RES. 318

Whereas the 2005 National Survey on Drug Use and Health estimates there are 11,000,000 underage alcoholic beverage drinkers in the United States;

Whereas research shows that young people who start drinking alcoholic beverages before the age of 15 are 4 times more likely to develop an alcohol-related disorder later in life;

Whereas surveys show that 17 percent of 8th graders, 33 percent of high school sophomores, and 47 percent of high school seniors report recent drinking;

Whereas, in a 2003 survey of drinkers ages 10 to 18, 65 percent said they got the alcohol from family members or friends—some took alcohol from their own home or a friend's home without permission, and in other cases adults, siblings, or friends provided the alcohol;

Whereas the Surgeon General issued a national Call to Action against underage drinking in March 2007, asking Americans to do more to stop current underage drinkers from using alcohol and to keep other young people from starting;

Whereas the Leadership to Keep Children Alcohol Free initiative is a coalition of Governors' spouses, Federal agencies, and public and private organizations which specifically targets prevention of drinking in the 9- to 15-year-old age group;

Whereas the National Alliance to Prevent Underage Drinking is a coalition of public health, law enforcement, religious, treatment and prevention, and other organizations with the goal of supporting and promoting implementation of a comprehensive strategy to reduce underage drinking;

Whereas the best protections against underage drinking are comprehensive prevention and enforcement strategies that include educating parents and members of the community;

Whereas beverage alcohol is a unique product and is regulated in such a way as to encourage social responsibility;

Whereas parents should be encouraged to talk to their children about the dangers of underage drinking;

Whereas the goal of the We Don't Serve Teens campaign is to educate parents and community leaders about effective ways of reducing underage drinking;

Whereas the We Don't Serve Teens campaign seeks to unite State officials, business leaders, parents, and community leaders in fighting underage drinking;

Whereas the Federal Trade Commission has partnered with other Government entities, members of the beverage alcohol industry, and members of the advocacy community to educate the public on the dangers of underage drinking;

Whereas the Federal Trade Commission has created an Internet website, www.dontserveteens.gov, as a resource for parents, educators, and community leaders concerned with underage drinking;

Whereas Congress has demonstrated its commitment to the prevention of underage drinking by enacting the Sober Truth on Preventing Underage Drinking Act (STOP), which recognizes that the 3-tier system of manufacturer, wholesaler, and retailer and continued State regulation of the sale and distribution of alcohol are critical to preventing access to alcohol by persons under 21 years of age; and

Whereas the We Don't Serve Teens campaign recognizes that all 3 tiers of the beverage alcohol industry play a key role in the prevention of underage drinking, and unites all of those participants in a concerted effort to protect America's youth: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of campaigns working to prevent underage drinking, including the We Don't Serve Teens campaign;

(2) recognizes September 10-15, 2007, as ''National We Don't Serve Teens Week'';

(3) encourages people across the Nation to take advantage of the wealth of information that can be used to combat underage drinking; and

(4) commends the leadership and continuing efforts of all groups working to reduce underage drinking, including State and local officials, the Federal Trade Commission, community groups, public health organizations, law enforcement, and the beverage alcohol industry.

SENATE CONCURRENT RESOLUTION 44—EXPRESSING THE SENSE OF CONGRESS THAT A COMMEMORATIVE POSTAGE STAMP SHOULD BE ISSUED HONORING ROSA LOUISE MCCAULEY PARKS

Mr. OBAMA (for himself, Mr. DURBIN, Mr. KERRY, Mrs. CLINTON, Mr. ALEXANDER, Mr. CARDIN, Mr. LUGAR, Mr. LEVIN, Mr. HARKIN, Mr. LIEBERMAN, Mr. REID, Mr. KENNEDY, Mr. BINGAMAN, Mrs. BOXER, Mr. DODD, Ms. LANDRIEU, Mr. SCHUMER, Ms. STABENOW, Mr. BROWN, Mr. VOINOVICH, Ms. MIKULSKI, and Mr. WYDEN) submitted the following concurrent resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. CON. RES. 44

Whereas Rosa Parks was born Rosa Louise McCauley in Tuskegee, Alabama, on February 4, 1913, and died on October 25, 2005;

Whereas Rosa Parks was an African American civil rights activist and seamstress whom Congress dubbed the ''Mother of the Modern-Day Civil Rights Movement'';

Whereas Rosa Parks refused on December 1, 1955, to obey bus driver James Blake's demand that she relinquish her seat to a white man and her subsequent arrest and trial for this act of civil disobedience triggered the Montgomery Bus Boycott, one of the largest and most successful mass movements against racial segregation in history, and launched Martin Luther King, Jr., one of the organizers of the boycott, to the forefront of the civil rights movement;

Whereas Rosa Parks's role in American history earned her an iconic status in American culture, and her actions have left an enduring legacy for civil rights movements around the world;

Whereas through her role in sparking the boycott, Rosa Parks played an important part in internationalizing the awareness of the plight of African Americans and the civil rights struggle; and

Whereas Rosa Parks epitomized the struggle of everyday people trying to make a difference, as she took a stand against injustice and inequality: Now, therefore, be it

Resolved, That it is the sense of Congress that—

(1) a commemorative postage stamp should be issued by the United States Postal Service honoring Rosa Louise McCauley Parks;

(2) the provision requiring that an honoree must have died at least 5 years before this honor can be bestowed upon them, excepting Presidents of the United States, should be waived; and

(3) the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2862. Mr. MCCONNELL (for himself, Mr. SALAZAR, Mr. ALLARD, and Mr. BUNNING) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2863. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2862. Mr. MCCONNELL (for himself, Mr. SALAZAR, Mr. ALLARD, and Mr. BUNNING) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 470, after the table following line 22, add the following:

SEC. 2406. MUNITIONS DEMILITARIZATION FACILITIES, BLUE GRASS ARMY DEPOT, KENTUCKY, AND PUEBLO CHEMICAL ACTIVITY, COLORADO.

(a) AUTHORITY TO INCREASE AMOUNT FOR CONSTRUCTION OF MUNITIONS DEMILITARIZATION FACILITY, BLUE GRASS ARMY DEPOT, KENTUCKY.—Pursuant to the authority granted for this project by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 836), as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1298) and section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), the amount authorized to be appropriated by section 2403(14) of this Act for the construction of increment 8 of a munitions demilitarization facility at Blue Grass Army Depot, Kentucky, may, subject to the approval of the Secretary of Defense, be increased by up to $17,300,000 using funds from the amounts authorized to be appropriated by section 2403(1) of this Act.

(b) AUTHORITY TO INCREASE AMOUNT FOR CONSTRUCTION OF MUNITIONS DEMILITARIZATION FACILITY, PUEBLO CHEMICAL ACTIVITY,

COLORADO.—Pursuant to the authority granted for this project by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 839) and section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), the amount authorized to be appropriated by section 2403(14) of this Act for the construction of increment 9 of a munitions demilitarization facility at Pueblo Chemical Activity, Colorado may, subject to the approval of the Secretary of Defense, be increased by up to $32,000,000 using funds from the amounts authorized to be appropriated by section 2403(1) of this Act.

(c) CERTIFICATION REQUIREMENT.—Prior to exercising the authority provided in subsection (a) or (b), the Secretary of Defense shall provide to the congressional defense committees the following:

(1) Certification that the increase in the amount authorized to be appropriated—

(A) is in the best interest of national security; and

(B) will facilitate compliance with the deadline set forth in subsection (d)(1).

(2) A statement that the increased amount authorized to be appropriated will be used to carry out authorized military construction activities.

(3) A notification of the action in accordance with section 2811.

(d) DEADLINE FOR DESTRUCTION OF CHEMICAL AGENTS AND MUNITIONS STOCKPILE.—

(1) DEADLINE.—Notwithstanding any other provision of law, the Department of Defense shall complete work on the destruction of the entire United States stockpile of lethal chemical agents and munitions, including those stored at Blue Grass Army Depot, Kentucky, and Pueblo Chemical Depot, Colorado, by the deadline established by the Chemical Weapons Convention, and in no circumstances later than December 31, 2017.

(2) REPORT.—

(A) IN GENERAL.—Not later than December 31, 2007, and every 180 days thereafter, the Secretary of Defense shall submit to the parties described in paragraph (2) a report on the progress of the Department of Defense toward compliance with this subsection.

(B) PARTIES RECEIVING REPORT.—The parties referred to in paragraph (1) are the Speaker of the House of the Representatives, the Majority and Minority Leaders of the House of Representatives, the Majority and Minority Leaders of the Senate, and the congressional defense committees.

(C) CONTENT.—Each report submitted under subparagraph (A) shall include the updated and projected annual funding levels necessary to achieve full compliance with this subsection. The projected funding levels for each report shall include a detailed accounting of the complete life-cycle costs for each of the chemical disposal projects.

(3) CHEMICAL WEAPONS CONVENTION DEFINED.—In this subsection, the term ''Chemical Weapons Convention'' means the Convention on the Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, with annexes, done at Paris, January 13, 1993, and entered into force April 29, 1997 (T. Doc. 103-21).

(4) APPLICABILITY; RULE OF CONSTRUCTION.—This subsection shall apply to fiscal year 2008 and each fiscal year thereafter, and shall not be modified or repealed by implication.

SA 2863. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 703. SENSE OF SENATE ON COLLABORATIONS BETWEEN THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF VETERANS AFFAIRS ON HEALTH CARE FOR WOUNDED WARRIORS.

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

(1) There have been recent collaborations between the Department of Defense, the Department of Veterans Affairs, and the civilian medical community for purposes of providing high quality medical care to America's wounded warriors. One such collaboration is occurring in Augusta, Georgia, between the Dwight D. Eisenhower Army Medical Center at Fort Gordon, the Augusta Department of Veterans Affairs Medical Center, the Medical College of Georgia, and local health care providers under the TRICARE program.

(2) Medical staff from the Dwight D. Eisenhower Army Medical Center and the Augusta Department of Veterans Affairs Medical Center have been meeting weekly to discuss future patient cases for the Active Duty Rehabilitation Unit (ADRU) within the Uptown Department of Veterans Affairs facility. The Active Duty Rehabilitation Unit, along with the Polytrauma Centers of the Department of Veterans Affairs, provide rehabilitation for members of the Armed Forces on active duty.

(3) Since 2004, 1,037 soldiers, sailors, airmen, and marines have received rehabilitation services at the Active Duty Rehabilitation Unit, 32 percent of whom served in Operation Iraqi Freedom or Operation Enduring Freedom.

(4) The Dwight D. Eisenhower Army Medical Center and the Augusta Department of Veterans Affairs Medical Center have combined their neurosurgery programs and have coordinated on critical brain injury and psychiatric care.

(5) The Department of Defense, the Army, and the Army Medical Command have recognized the need for expanded behavioral health care services for members of the Armed Forces returning from Operation Iraqi Freedom and Operation Enduring Freedom. These services are currently being provided by the Dwight D. Eisenhower Army Medical Center.

(b) SENSE OF SENATE.—It is the sense of the Senate that the Department of Defense should encourage continuing collaboration between the Army and the Department of Veterans Affairs in treating America's wounded warriors and, when appropriate and available, provide additional support and resources for the development of such collaborations, including the current collaboration between the Active Duty Rehabilitation Unit at the Augusta Department of Veterans Affairs Medical Center, Georgia, and the behavioral health care services program at the Dwight D. Eisenhower Army Medical Center, Fort Gordon, Georgia.

NOTICE OF HEARING

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. FEINSTEIN. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, September 19, 2007, at 9:30 a.m. in order to conduct a hearing on S. 1905, the Regional Presidential Primary and Caucus Act of 2007, to provide for a rotating schedule for regional selection of delegates to a national nominating convention, and for other purposes.

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 COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Wednesday, September 12, 2007, at 9:30 a.m., in room 253 of the Russell Senate Office Building.

The hearing will focus on the reauthorization of the Federal Trade Commission.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Wednesday, September 12, 2007, at 10 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the status of energy efficient lighting technologies and on S. 2017, the Energy Efficient Lighting for a Brighter Tomorrow Act.

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

COMMITTEE ON FINANCE

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, September 12, 2007, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to consider an original bill entitled, ''The Medicare, Medicaid and SCHIP Indian Health Care Improvement Act of 2007''; H.J. Res 43, ''Increasing the Statutory Limit on the Public Debt''; and revising subcommittee assignments for the 110th Congress.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Wednesday, September 12, 2007, at 10 a.m. to consider the nomination of the Honorable Julie L. Myers to be Assistant Secretary, U.S. Department of Homeland Security.

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

COMMITTEE ON THE JUDICIARY

Mr. SANDERS. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing entitled ''Regulatory Preemption: Are Federal Agencies Usurping Congressional and State Authority?'' On Wednesday, September 12, 2007, at 11 a.m. in room 226 of the Dirksen Senate Office Building.

Witness list:

The Honorable Donna Stone, Delaware General Assembly [R–32], President, National Conference of State Legislatures, Dover, DE; Alan Untereiner, Attorney, Robbins, Russell, Englert, Orseck & Untereiner LLP, Washington, DC; Collyn Peddie, Attorney, Williams Kherkher, Houston, TX; Viet Dinh, Professor of Law, Georgetown University Law School, Washington, DC; David Vladeck, Professor of Law, Georgetown University Law Center, Washington, DC.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, September 12, 2007, at 9:30 a.m., in order to conduct a hearing to receive testimony on the Nomination of Robert C. Tapella of Virginia, to be Public Printer, Government Printing Office.

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

DISTRICT OF COLUMBIA HOUSE VOTING RIGHTS ACT OF 2007—MOTION TO PROCEED

Mr. REID. Mr. President, I ask unanimous consent that Tuesday, September 18, at a time to be determined by the majority leader, following consultation with the Republican leader, the Senate proceed to consideration of Calendar No. 257, S. 1257, a bill to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

The PRESIDING OFFICER (Mr. SANDERS). Is there objection?

Mr. MCCONNELL. Mr. President, there is an objection on this side of the aisle.

The PRESIDING OFFICER. Objection is heard.

CLOTURE MOTION

Mr. REID. Mr. President, I now move to proceed to Calendar No. 257, S. 1257, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 257, S. 1257, a bill to provide the District of Columbia a voting seat, and for other purposes.

Harry Reid, Joe Lieberman, Patrick Leahy, Russell D. Feingold, Benjamin L. Cardin, Robert P. Casey, Jr., Bernard Sanders, Barbara A. Mikulski, Byron L. Dorgan, Patty Murray, Dianne Feinstein, Mary Landrieu, Kent Conrad, Robert Menendez, Mark Pryor, Ken Salazar, Jim Webb.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum be waived.

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

Mr. REID. I now withdraw the motion.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. REID. Mr. President, I ask unanimous consent that the cloture vote on this motion to proceed occur at 2:30 p.m., Tuesday, September 18, and that the 15 minutes immediately prior to that be for debate with respect to the motion, with the time equally divided and controlled between the two leaders or their designees.

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

Mr. REID. Mr. President, I ask unanimous consent that if cloture is invoked on the motion to proceed, the motion be agreed to, the bill be returned to the calendar, and the Senate resume consideration of H.R. 1585, the Defense authorization bill; provided further that if cloture is invoked and the bill is returned to the calendar, then the majority leader, after consultation with the Republican leader, may turn to the consideration of S. 1257 at a later time.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Mr. President, once again, on this side of the aisle there is an objection.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS-CONSENT AGREEMENT—H.R. 1124

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, September 18, following morning business, the Senate proceed to the consideration of H.R. 1124, under the following limitations; that the only amendments in order be the following; a Coburn amendment, at the desk, on the topic of scholarships; that it be considered and agreed to; another Coburn amendment on the subject of public colleges, which is also at the desk; that there be a total of 65 minutes for debate with respect to the bill and amendments, with Senator COBURN controlling 30 minutes, Senator VOINOVICH controlling 20 minutes, and Senator AKAKA controlling 15 minutes; that upon the use or yielding back of time, the Senate proceed to vote in relation to the Coburn amendment; that upon disposition of the Coburn amendment, the bill, as amended, be read a third time, and the Senate vote on passage of the bill; that no points of order be considered, and if there are any, they be waived by virtue of this agreement.

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

TO DESIGNATE A PORTION OF INTERSTATE ROUTE 395 LOCATED IN BALTIMORE, MARYLAND, AS ''CAL RIPKEN WAY''

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 3218.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3218) to designate a portion of Interstate Route 395 located in Baltimore, Maryland, as ''Cal Ripken Way.''

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I just note in passing, the Orioles could use Cal Ripken today.

I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The bill (H.R. 3218) was ordered to a third reading, was read the third time, and passed.

Mr. REID. In fact, even though he has been retired a number of years, I think he could still fit into that team as well.

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

FEDERAL CHARTER TO KOREAN WAR VETERANS ASSOCIATION, INCORPORATED

Mr. REID. I ask unanimous consent the Senate proceed to the consideration of Calendar No. 347, S. 1692.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1692) to grant a Federal charter to Korean War Veterans Association, Incorporated.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent the bill be read three times, passed, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

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

The bill (S. 1692) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1692

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

SECTION 1. GRANT OF FEDERAL CHARTER TO KOREAN WAR VETERANS ASSOCIATION, INCORPORATED.

(a) GRANT OF CHARTER.—Part B of subtitle II of title 36, United States Code, is amended—

(1) by striking the following:

"CHAPTER 1201—[RESERVED]";

and

(2) by inserting after chapter 1103 the following new chapter:

"CHAPTER 1201—KOREAN WAR VETERANS ASSOCIATION, INCORPORATED

''Sec.
''120101. Organization.
''120102. Purposes.
''120103. Membership.
''120104. Governing body.
''120105. Powers.
''120106. Restrictions.
''120107. Tax-exempt status required as condition of charter.
''120108. Records and inspection.
''120109. Service of process.
''120110. Liability for acts of officers and agents.
''120111. Annual report.
''120112. Definition.

"§ 120101. Organization

''(a) FEDERAL CHARTER.—Korean War Veterans Association, Incorporated (in this chapter, the 'corporation'), a nonprofit organization that meets the requirements for a veterans service organization under section 501(c)(19) of the Internal Revenue Code of 1986 and that is organized under the laws of the State of New York, is a federally chartered corporation.

''(b) EXPIRATION OF CHARTER.—If the corporation does not comply with the provisions of this chapter, the charter granted by subsection (a) shall expire.

"§ 120102. Purposes

''The purposes of the corporation are those provided in the articles of incorporation of the corporation and shall include the following:

''(1) To organize as a veterans service organization in order to maintain a continuing interest in the welfare of veterans of the Korean War, and rehabilitation of the disabled veterans of the Korean War to include all that served during active hostilities and subsequently in defense of the Republic of Korea, and their families.

''(2) To establish facilities for the assistance of all veterans and to represent them in their claims before the Department of Veterans Affairs and other organizations without charge.

''(3) To perpetuate and preserve the comradeship and friendships born on the field of battle and nurtured by the common experience of service to the United States during the time of war and peace.

''(4) To honor the memory of the men and women who gave their lives so that the United States and the world might be free and live by the creation of living memorial, monuments, and other forms of additional educational, cultural, and recreational facilities.

''(5) To preserve for the people of the United States and posterity of such people the great and basic truths and enduring principles upon which the United States was founded.

"§ 120103. Membership

''Eligibility for membership in the corporation, and the rights and privileges of members of the corporation, are as provided in the bylaws of the corporation.

"§ 120104. Governing body

''(a) BOARD OF DIRECTORS.—The composition of the board of directors of the corporation, and the responsibilities of the board, are as provided in the articles of incorporation of the corporation.

''(b) OFFICERS.—The positions of officers of the corporation, and the election of the officers, are as provided in the articles of incorporation.

"§ 120105. Powers

''The corporation has only those powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

"§ 120106. Restrictions

''(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

''(b) POLITICAL ACTIVITIES.—The corporation, or a director or officer of the corporation as such, may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

''(c) LOAN.—The corporation may not make a loan to a director, officer, or employee of the corporation.

''(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval, or the authority of the United States, for any activity of the corporation.

''(e) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of the State of New York.

"§ 120107. Tax-exempt status required as condition of charter

''If the corporation fails to maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986, the charter granted under this chapter shall terminate.

"§ 120108. Records and inspection

''(a) RECORDS.—The corporation shall keep—

''(1) correct and complete records of account;

''(2) minutes of the proceedings of the members, board of directors, and committees of the corporation having any of the authority of the board of directors of the corporation; and

''(3) at the principal office of the corporation, a record of the names and addresses of the members of the corporation entitled to vote on matters relating to the corporation.

''(b) INSPECTION.—A member entitled to vote on any matter relating to the corporation, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

"§ 120109. Service of process

''The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent is notice to or service on the corporation.

"§ 120110. Liability for acts of officers and agents

''The corporation is liable for any act of any officer or agent of the corporation acting within the scope of the authority of the corporation.

"§ 120111. Annual report

''The corporation shall submit to Congress an annual report on the activities of the corporation during the preceding fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101(b) of this title. The report may not be printed as a public document.

"§ 120112. Definition

''For purposes of this chapter, the term 'State' includes the District of Columbia and the territories and possessions of the United States.''.

(b) CLERICAL AMENDMENT.—The item relating to chapter 1201 in the table of chapters at the beginning of subtitle II of title 36, United States Code, is amended to read as follows:

''1201. Korean War Veterans Association, Incorporated ..... 120101''.

SUPPORTING THE WE DON'T SERVE TEENS CAMPAIGN

Mr. REID. Mr. President, I ask unanimous consent we now proceed to S. Res. 318, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 318) supporting the We Don't Serve Teens campaign.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid on the table.

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

The resolution (S. Res. 318) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 318

Whereas the 2005 National Survey on Drug Use and Health estimates there are 11,000,000 underage alcoholic beverage drinkers in the United States;

Whereas research shows that young people who start drinking alcoholic beverages before the age of 15 are 4 times more likely to develop an alcohol-related disorder later in life;

Whereas surveys show that 17 percent of 8th graders, 33 percent of high school sophomores, and 47 percent of high school seniors report recent drinking;

Whereas, in a 2003 survey of drinkers ages 10 to 18, 65 percent said they got the alcohol from family members or friends—some took alcohol from their own home or a friend's home without permission, and in other cases adults, siblings, or friends provided the alcohol;

Whereas the Surgeon General issued a national Call to Action against underage drinking in March 2007, asking Americans to do more to stop current underage drinkers from using alcohol and to keep other young people from starting;

Whereas the Leadership to Keep Children Alcohol Free initiative is a coalition of Governors' spouses, Federal agencies, and public and private organizations which specifically targets prevention of drinking in the 9- to 15-year-old age group;

Whereas the National Alliance to Prevent Underage Drinking is a coalition of public health, law enforcement, religious, treatment and prevention, and other organizations with the goal of supporting and promoting implementation of a comprehensive strategy to reduce underage drinking;

Whereas the best protections against underage drinking are comprehensive prevention and enforcement strategies that include educating parents and members of the community;

Whereas beverage alcohol is a unique product and is regulated in such a way as to encourage social responsibility;

Whereas parents should be encouraged to talk to their children about the dangers of underage drinking;

Whereas the goal of the We Don't Serve Teens campaign is to educate parents and community leaders about effective ways of reducing underage drinking;

Whereas the We Don't Serve Teens campaign seeks to unite State officials, business leaders, parents, and community leaders in fighting underage drinking;

Whereas the Federal Trade Commission has partnered with other Government entities, members of the beverage alcohol industry, and members of the advocacy community to educate the public on the dangers of underage drinking;

Whereas the Federal Trade Commission has created an Internet website, www.dontserveteens.gov, as a resource for parents, educators, and community leaders concerned with underage drinking;

Whereas Congress has demonstrated its commitment to the prevention of underage drinking by enacting the Sober Truth on Preventing Underage Drinking Act (STOP), which recognizes that the 3-tier system of manufacturer, wholesaler, and retailer and continued State regulation of the sale and distribution of alcohol are critical to preventing access to alcohol by persons under 21 years of age; and

Whereas the We Don't Serve Teens campaign recognizes that all 3 tiers of the beverage alcohol industry play a key role in the prevention of underage drinking, and unites all of those participants in a concerted effort to protect America's youth: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of campaigns working to prevent underage drinking, including the We Don't Serve Teens campaign;

(2) recognizes September 10–15, 2007, as ''National We Don't Serve Teens Week'';

(3) encourages people across the Nation to take advantage of the wealth of information that can be used to combat underage drinking; and

(4) commends the leadership and continuing efforts of all groups working to reduce underage drinking, including State and local officials, the Federal Trade Commission, community groups, public health organizations, law enforcement, and the beverage alcohol industry.

ORDERS FOR FRIDAY, SEPTEMBER 14 AND MONDAY, SEPTEMBER 17, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:45 a.m. Friday, September 14; that on Friday, the Senate conduct a pro forma session only with no business conducted; that at the close of the pro forma session, the Senate stand adjourned until 2 p.m., Monday, September 17; that on Monday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired and the time for the two leaders reserved for their use later in the day; that there then be a period of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees; that at 3 p.m., the Senate resume consideration of H.R. 1585, the Department of Defense authorization bill.

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

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar Nos. 297 through 301; that the nominations be confirmed and the motions to reconsider be laid on the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed are as follows:

DEPARTMENT OF STATE

Margaret Spellings, of Texas, to be designated a Representative of the United States of America to the Thirty-fourth Session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization.

Nancy Goodman Brinker, of Florida, to be Chief of Protocol, and to have the rank of Ambassador during her tenure of service.

Harry K. Thomas, Jr., of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Director General of the Foreign Service.

Paula J. Dobriansky, of Virginia, for the rank of Ambassador during her tenure of service as Special Envoy for Northern Ireland.

Ned L. Siegel, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Commonwealth of The Bahamas.

LEGISLATIVE SESSION

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

RECESS UNTIL FRIDAY, SEPTEMBER 14, 2007, AT 9:45 A.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 3:20 p.m., recessed until Friday, September 14, 2007, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

THOMAS F. STEPHENSON, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PORTUGUESE REPUBLIC.

DANIEL V. SPECKHARD, OF WISCONSIN, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO GREECE.

TED POE, OF TEXAS, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SECOND SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

GEORGE E. PATAKI, OF NEW YORK, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SECOND SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

WILLIAM DELAHUNT, OF MASSACHUSETTS, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SECOND SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

KELLY G. KNIGHT, OF KENTUCKY, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SECOND SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

RODGER D. YOUNG, OF MICHIGAN, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SECOND SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

MILLENNIUM CHALLENGE CORPORATION

WILLIAM H. FRIST, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF THREE YEARS, VICE CHRISTINE TODD WHITMAN, RESIGNED.

KENNETH FRANCIS HACKETT, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF TWO YEARS. (REAPPOINTMENT)

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. STEVEN E. DAY, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral (lower half)

CAPT. KEVIN S. COOK, 0000
CAPT. DANIEL A. NEPTUN, 0000
CAPT. THOMAS P. OSTEBO, 0000
CAPT. STEVEN H. RATTI, 0000
CAPT. KEITH A. TAYLOR, 0000
CAPT. JAMES A. WATSON, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. JAMES N. MATTIS, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

JOHN M. ALDEN, JR.,

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

DAVID M. RUFFIN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

TODD A. WICHMAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DONALD S. ABBOTTMCCUNE, 0000
LARRY O. ABRAHAM, 0000
BARCLAY R. ADAMS, 0000
CLARK C. ADAMS II, 0000
LEONARDO ADAMS, 0000
RUSSELL J. ADAMS, 0000
MICHAEL J. ADAMSKI, 0000
MARCUS D. ALLEN, 0000
MICHAEL P. ANDERSON, 0000
WILLIAM C. ARNETT, 0000
KRISTIN M. ARNEY, 0000
DAVID L. AUDO, 0000
PERCY L. AVERETTE, JR., 0000
MICHAEL A. AVILA, 0000
DUSTIN J. BAADTE, 0000
CHRISTOPHER H. BACHMANN, 0000
ANTHONY K. BAKER, 0000
GREGORY W. BAKER, 0000
MICHAEL A. BALL, 0000
STEPHEN J. BANKS, 0000
THEODORE A. BANNER, 0000
JACQUELYN M. BARCOMB, 0000
LEE A. BARNARD, 0000
JOHN M. BASS, 0000
TIA L. BENNING, 0000

JAMES J. BERNI, 0000
THOMAS E. BESSLER, 0000
DEREK S. BICKLER, 0000
JOSEPH C. BILBO, 0000
WADE C. BIRDWELL, 0000
DONALD E. BISHOP, 0000
TIMOTHY P. BLANCH, 0000
ERIC A. BLOMSTEDT, 0000
KATIE J. BLUE, 0000
PHILIP J. BONNEY, 0000
KENNETH N. BOOK, 0000
ERIK L. BOOKER, 0000
CHRISTOPHER R. BORIS, 0000
GEORGE D. BRATCHER, 0000
EDWIN T. BRINKLEY III, 0000
CHRISTOPHER J. BRITT, 0000
LOUIVE B. BROGAN, 0000
STEVEN T. BROTHERS, 0000
ANDRE M. BROWN, 0000
JEANETTE P. BROWN, 0000
MATTHEW P. BROWN, 0000
ROBERT K. BRUCE, 0000
CHRISTOPHER C. BUCKLEY, 0000
KEVIN P. BUETTNER, 0000
MICHAEL L. BURGOYNE, 0000
BOBBY R. BURRUS, 0000
CHRISTOPHER M. BUTLER, 0000
MATTHEW D. BUTT, 0000
ANDREW D. BYRD, 0000
NATHANEAL R. BYRNES, 0000
JAVIER C. CACERES, 0000
KATHLEEN S. CAGE, 0000
DAMON L. CAIN, 0000
SILAS J. CALHOUN, 0000
ERICA L. CAMERON, 0000
JASON L. CAMPBELL, 0000
RANDALL T. CAMPBELL, 0000
YVETTE L. CAMPBELL, 0000
TRAVIS W. CANNON, 0000
BRENT C. CARROLL, 0000
CLAUDIA CASTILLO, 0000
STUART B. CATE, 0000
PETER H. CHAPMAN, 0000
JAMES M. CHASTAIN, 0000
JUSTIN L. CHEATHEAM, 0000
DAVID A. CHEEK, 0000
JAMES C. CHENEY, 0000
ANDREW L. CHENOWETH, 0000
ANDREW P. CLARK, 0000
TERRY C. CLYBURN, 0000
DUDLEY J. COBB, 0000
JUSTIN K. COLBERT, 0000
MATTHEW A. COLLINS, 0000
ROBERT L. COLLINS III, 0000
JOSHUA B. COMSTOCK, 0000
FORREST V. COOK, 0000
CLAUDINE A. COTTLEDGE, 0000
LASHAWNA L. COVEY, 0000
MELLYORA K. CRAWFORD, 0000
TIMOTHY T. CROSS, 0000
MICHAEL CROUSE, 0000
TIMOTHY S. CROWE, 0000
ANDRE M. CUNNINGHAM, 0000
STEVEN B. CUNNINGHAM, 0000
STUART D. CURTIS, 0000
WYATT E. CUTLER, 0000
STEPHEN M. DAIL, 0000
ILYA DASHEVSKY, 0000
IAN A. DAUNHEIMER, 0000
ERIC R. DAVIS, 0000
JEFFREY A. DAYTON, 0000
CHRISTOPHER T. DEALE, 0000
VICTOR M. DEEKENS, 0000
ROBERT A. DEES, 0000
CHRISTOPHER S. DENHAM, 0000
MARK A. DENTON, 0000
DANIELLE M. DIBACCO, 0000
MICHAEL A. DICK, 0000
TRAVIS J. DOLAN, 0000
KEVIN J. DONLEY, 0000
PAUL K. DONNELL, 0000
BRIAN C. DONNELLY, 0000
JOHN C. DRAKE, 0000
TIMOTHY E. DUGGAN, 0000
CHRISTOPHER J. DUNCAN, 0000
PATRICK D. DUNCAN, 0000
JOHNATHAN K. EASLER, 0000
MICHAEL G. EDWARDS, 0000
ERIC N. EICK, 0000
ADAM W. ENNIS, 0000
BERNARD F. EVANS, 0000
JOSEPH H. EVANS, JR., 0000
PAUL J. EWALD, 0000
ADAM L. EXNICIOS, 0000
BRETT T. FEHRENBACHER, 0000
JEREMY J. FINN, 0000
BRIAN P. FLEMING, 0000
BRENT D. FOGLEMAN, 0000
LAWRENCE M. FORSYTH, 0000
SHANNON L. FORTNER, 0000
JEREMY R. FOWLER, 0000
KYLE I. FOX, 0000
BRYCE E. FREDERICKSON, 0000
AARON L. FREEMAN, 0000
BRYON G. GALBRAITH, 0000
SEAN J. GALLAGHER, 0000
SHANE W. GARRISON, 0000
JIMMY T. GAW, 0000
BRIAN M. GELLMAN, 0000
ROBERT T. GERALD, 0000
NADINE C. GERBER, 0000
LYNDA J. GERHART, 0000
JEFFREY T. GIBBONS, 0000
JOSHUA A. GILLEN, 0000
MICHAEL A. GLOTFELTY, 0000
GARY J. GOLUBSKI, 0000
TIMOTHY A. GORMAN, 0000
MICHAEL D. GOSSETT, 0000
AARON M. GOULD, 0000
BRADFORD M. GRANE, 0000
BENNETT GREEN, 0000
ERIC B. GREEN, 0000
WILLIAM B. GREEN, 0000
THOMAS D. GREENE, 0000
BRYAN N. GROVES, 0000
JIMMIE P. GUFFEY, 0000
JERRY J. HALL, 0000
STEPHEN M. HALL, 0000
BRIAN K. HAMILTON, 0000
JOSHUA J. HAMILTON, 0000
ROBERT J. HANNAH, 0000
KRISJON A. HANSON, 0000
DAVID C. HARMANTAS, 0000
MATTHEW D. HASTING, 0000
TODD C. HATHAWAY, 0000
MATTHEW A. HECKER, 0000
SCOTT B. HEDBERG, 0000
GLEN R. HEES, 0000
MATTHEW W. HEIM, 0000
SHANNON E. HELBERG, 0000
WILLIAM D. HEMPHILL, 0000
JAMES R. HENRY, 0000
MARK E. HENRY, 0000
ANDREW J. HIERSTETTER, 0000
KIMBERLY D. HILAND, 0000
JIMMY W. HILL, 0000
CHARLES M. HITCHCOCK, 0000
BRENDAN R. HOBBS, 0000
KEITH D. HOCKMAN, 0000
BRYAN E. HOOPER, 0000
JOHN J. HOSEY, JR., 0000
JAMES HOWIE IV, 0000
SAMUEL H. HUDDLESTON, 0000
JOEL W. HUELSMANN, 0000
MIKEL E. HUGO, 0000
JOHN C. HUNZIKER, 0000
NATHAN C. HURT, 0000
CARL N. HYDE, 0000
ANTHONY J. IANOZI, 0000
JOHN M. IVES, 0000
CUTIE J. JACKSON, 0000
JEFFREY S. JACKSON, 0000
BRIAN P. JACOBSON, 0000
DON J. JAMOLES, 0000
ROBERT J. JOHANEK, 0000
BYRON G. JOHNSON, 0000
JAMES R. JOHNSON, 0000
JAY R. JOHNSON, 0000
JERAMIE D. JOHNSON, 0000
RICHARD A. JOHNSON, 0000
ROBERT R. JOHNSTON II, 0000
DAMIAN M. JONES, 0000
LEONARD E. JONES, 0000
MICHAEL R. JONES, 0000
PAUL A. JONES II, 0000
BRIAN M. JORGENSON, 0000
JEFFREY C. KACALA, 0000
BRIAN M. KADET, 0000
GALEN R. KANE, 0000
ERIC G. KARIS, 0000
SCOTT T. KASTELIC, 0000
GREGORY P. KEENEY, 0000
EDWARD W. KENDALL, 0000
KAREN L. KETTER, 0000
JASON S. KINKAID, 0000
RICHARD A. KIPHUTH, 0000
JOEL P. KLEEHAMMER, 0000
DIANE E. KLEIN, 0000
DAVID C. KLINE, 0000
MATTHEW D. KOEHLER, 0000
ERIK E. KOENIG, 0000
MICHAEL T. KOSUDA, 0000
SUZI H. KOZUKI, 0000
ERIK D. KRAGER, 0000
KANAME K. KUNIYUKI II, 0000
YUKIO A. KUNIYUKI III, 0000
SHAWN W. KYLE, 0000
BRYAN D. LAKE, 0000
CARL J. LAMONICA, JR., 0000
MICHAEL A. LANDIN, 0000
NATHAN H. LEDBETTER, 0000
JULIA M. LEE, 0000
CHRISTOPHER M. LEUNG, 0000
CHRISTIAN T. LEWIS, 0000
THEODORE T. LIEBREICH, 0000
BRETT D. LINDBERG, 0000
KELLEY D. LITZNER, 0000
MONTRESE R. LOVE, 0000
SEAN D. LOVETT, 0000
ADAM L. LOWMASTER, 0000
MICHAEL B. LOWSEN, 0000
LUKE D. LUDOVICO, 0000
JOSE A. LUGOPEREZ, 0000
PHILLIP L. LUST, 0000
DAVID C. LYNN, 0000
NEILL A. MACLEOD III, 0000
RICHARD MAPLES, 0000
CHRISTOPHER D. MARCHETTI, 0000
CHRISTOPHER E. MARKS, 0000
CHRISTOPHER M. MARTINEZ, 0000
RODNEY M. MASON, 0000
JAMES R. MATHESON, 0000
DANIEL I. MATTEI, 0000
LATASHA M. MATTHEWS, 0000
ROBERT L. MAY, 0000
ANDREW D. MCCABE, 0000
HENRY W. MCCAMEY, 0000
MICHAEL E. MCCARTHY, 0000
DAVIS K. MCELWAIN, 0000
JOSHUA D. MCGARY, 0000
KECIA L. MCGRIFF, 0000
THURMAN C. MCKENZIE, 0000
DOUGLAS J. MCNAIR, 0000
JIMMY L. MCNAIR, 0000
ROBERT A. MCVEY, JR., 0000
PAUL C. MEAUX, 0000
ANDREW J. MEETZE, 0000
MICHAEL G. MESKUNAS, 0000
JOHN J. MEYERS, 0000
STEPHEN J. MIKO, 0000
ZACHARY F. MILLER, 0000
BRYAN W. MILLS, 0000
STEVEN G. MISKINIS, JR., 0000
GREGORY R. MITCHELL, 0000
ROBERT G. MITCHELL, 0000
BASEL M. MIXON IV, 0000
MATTHEW J. MOAKLER, 0000
NICHOLAS MONTALTO III, 0000
GEORGE L. MOORE, 0000
WILLIAM C. MOORE II, 0000
JEFFREY M. MUNN, 0000
BRIAN M. MURNOCK, 0000
NATHAN G. MURPHY, 0000
IAN H. MURRAY, 0000
PHILIP J. NAZZARO, 0000
ALAN L. NEWTON, 0000
GEORGE W. NORTHINGTON, 0000
RICHARD J. NOWINSKI, 0000
MICHAEL P. OCONNOR, 0000
TERRENCE J. OCONNOR, 0000
JULIA Y. OH, 0000
JOSEPH E. OHANLON III, 0000
MARTIN H. OKADA, 0000
ROGER B. ORDONEZ, 0000
MATTHEW E. ORRIS, 0000
CHRISTOPHER J. ORTIONA, 0000
CASSANDRA M. OWENS, 0000
DAVID E. OWENS, 0000
WILLIAM T. OWNBY, 0000
JACKIE L. PARKER, 0000
BYRON C. PATERAS, 0000
SAMUEL C. PATTON, 0000
JOSEPH E. PELTIER IV, 0000
CLAUDIA P. PENAGUZMAN, 0000
CLARENCE R. PENNY, 0000
GLEN D. PENROD, 0000
JOHN H. PETERS, 0000
JONATHAN T. PETTY, 0000
KRISTINA M. PHILLIPS, 0000
GREGORY D. PIPES, 0000
ANTHONY F. PISANO, 0000
RODERICK B. PITTMAN, 0000
ERIC C. POSERN, 0000
MICHAEL W. POWELL, 0000
SEANANDRE W. POWELL, 0000
BRANDON A. PRESSLEY, 0000
JAMES H. PRICE III, 0000
WAYNE E. PRINCE, 0000
NICHOLAS E. PRISCO, 0000
SHANNON M. PROKASY, 0000
ROMEO QUREISHI, 0000
JOSE A. RAMIREZ, 0000
MANUEL F. RAMIREZ, 0000
KRISTI J. RAMSEY, 0000
DONALD R. RENKEN, 0000
CLARK W. RICE, 0000
KLAUDIUS K. ROBINSON, 0000
ALFREDO RODRIGUEZ III, 0000
JOSE R. RODRIGUEZ, JR., 0000
RUBEN E. RODRIGUEZFIGUEROA, 0000
MELBERT V. ROLDAN, 0000
MELISSA K. ROONEY, 0000
JAMES M. ROSS, 0000
MARVIN L. ROSS, 0000
KELLIE S. ROURKE, 0000
JOHN A. RUCKAUF, 0000
TONI K. SABO, 0000
CADE M. SAIE, 0000
JOHN H. SANDLER, 0000
FRANKLIN B. SCHERRA, JR., 0000
MATTHEW J. SCHREIBER, 0000
GERHARD M. SCHULZ, 0000
LYNN R. SHARPE, 0000
JAMES A. SHAW, 0000
TYLER M. SHELBERT, 0000
RYAN C. SHIPLEY, 0000
BRYAN P. SHRANK, 0000
ALEXANDER J. SHROM, 0000
CHRISTOPHER M. SIEGRIST, 0000
CHRISTOPHER M. SIMCOE, 0000
KENNETH P. SIVERSON, JR., 0000
JACOB P. SKUGRUD, 0000
CHARLES M. SMITH, 0000
DAVID W. SMITH, 0000
DONALD E. SMITH II, 0000
NATHAN A. SMITH, 0000
ROBERT J. SMITH, 0000
BERNARD L. SNOW, 0000
SANG M. SOK, 0000
SON U. SONG, 0000
ISAAC M. SOUTH, 0000
DAVID K. SOUTHERLAND, 0000
GENE R. SOUZA, 0000
THOMAS S. SOWERS II, 0000
PETER C. SPURR, 0000
MICHAEL P. STACHOUR, 0000
RYAN P. STAMATIS, 0000
WILLIAM J. STARR, JR., 0000
THOMAS L. STJOHN, JR., 0000
JASON P. SUBER, 0000
WAYNE S. SUCHARSKI, 0000
JANG H. SUH, 0000
CASSANDRA J. SUMMERS, 0000
AARON C. SWAIN, 0000
WILLIAM E. SYMOLON, 0000
CHRISTOPHER S. SYNOWIEZ, 0000
ROBERT W. TAYLOR, 0000
MARK A. TERRELL, 0000
DENNIS W. TERRY, 0000
KRIST G. THODOROPOULOS, 0000
CHRISTOPHER M. THOMAS, 0000

JASON A. THOMAS, 0000
DARIN A. TIBBETTS, 0000
JAMES D. TOLBERT, 0000
JOSHUA P. TRIMBLE, 0000
CHRISTOPHER G. TURNER, 0000
JAMES O. TURNER, JR., 0000
CHARMAINE R. VALMONTE, 0000
VIRGINIA J. VENTURI, 0000
NICOLE E. VINSON, 0000
DAVID E. VIOLAND, 0000
CHRISTOPHER C. VOGEL, 0000
VICTOR A. VOGEL III, 0000
ROBERT T. VOLK, 0000
JASON D. VULCAN, 0000
STEVEN B. WALDROP, 0000
MELLISSA A. WALKER, 0000
JASON M. WARD, 0000
LATISHA M. WAYNE, 0000
GEORGE M. WEILHAMER, 0000
CHRISTOPHER A. WELCH, 0000
MICHELLE D. WERNER, 0000
JASON R. WHIPPLE, 0000
CRAIG A. WHITE, 0000
KIMBERLY N. WHITE, 0000
LAJOHNNE A. WHITE, 0000
MARK R. WHITEMAN, 0000
JOHN F. WHITFIELD, JR., 0000
GEORGE B. WHITTENBURG, 0000
THOMAS M. WIKTOREK, JR., 0000
LUCAS A. WILDER, 0000
CHIKE T. WILLIAMS, 0000
DERRICK B. WILLIAMS, 0000
JOHN A. WILLIAMS, 0000
SHARMETRESE WILLIAMS, 0000
DOUGLAS M. WILLS, 0000
CHARLES L. WILSON, 0000
CARL J. WINOWIECKI II, 0000
CARL J. WOJTASZEK, 0000
TIMOTHY E. WOLFE, 0000
DANIEL C. WOOD II, 0000
JUN Y. YI, 0000
BRUNO A. ZITTO, 0000
BRENDA D. ZOLLINGER, 0000
EARL A. ZORTMAN, 0000
X0000
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THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MALIK A. ABDULSHAKOOR, 0000
SCOTT A. ABRAM, 0000
DAVID A. ACOSTA, 0000
BRIAN S. ADAMS, 0000
CHRISTOPHER T. ADAMS, 0000
JOHN A. ADAMS, 0000
STEPHAN E. ADAMS, 0000
MICHAEL H. ADORJAN, 0000
FREDERICK L. AHERN, 0000
MICHAEL P. ALLARD, 0000
EDWARD M. ALLEN III, 0000
JAMIE D. ALLEN, 0000
VINCENT A. AMERENA, 0000
RUSSELL J. AMES, 0000
KENNETH J. ANDERLE, 0000
BENJAMIN L. ANDERSON, 0000
JASON G. ANDERSON, 0000
LEIGHTON W. ANGLIN, 0000
RONALD E. ANZALONE, 0000
RYAN T. ARMSTRONG, 0000
THOMAS J. ARRIAGA, 0000
KINDRA F. ARTHUR, 0000
MICHAEL S. AVEY, 0000
MICHELLE M. AVOLIO, 0000
MARK A. AYSON, 0000
BRETT A. BAIR, 0000
MICHAEL D. BAJEMA, 0000
MICHAEL B. BAKA, 0000
MICHELLE L. BALDANZA, 0000
CHARLES L. BALDWIN, 0000
DARREN R. BALDWIN, 0000
DAVID A. BARBER, 0000
JAMES A. BARBER, 0000
ANTHONY P. BARBINA, 0000
BENJAMIN R. BARLOW, JR., 0000
JAMES R. BARROWS, 0000
MARK A. BARTON, 0000
ZACHARY F. BASFORD, 0000
STEPHEN L. BATTLE, 0000
SHAWN M. BAULT, 0000
KEVIN W. BAYLESS, 0000
ANDREW BEAL, 0000
DAVID T. BEARD, 0000
BENNY R. BEASLEY, 0000
KEVEN P. BEATTIE, 0000
THOMAS A. BECKSTRAND, 0000
JOANKELIA A. BELFON, 0000
LAWRENCE W. BENGAL, 0000
MATTHEW C. BENIGNI, 0000
HENRY M. BENNETT, JR., 0000
HOLLI A. BENNETT, 0000
MARK E. BENNETT, JR., 0000
SAMUEL L. BENSON, 0000
ERIK W. BENTON, 0000
PHILLIP A. BERGERON, 0000
JOHN M. BERGMAN, 0000
DENISE M. BERRY, 0000
JOSEPH M. BERTHELOTTE, 0000
ROBERT P. BEUERLEIN, 0000
ANDREW M. BEYER, 0000
MARK A. BIRD, 0000
JOSEPH W. BISHOP, 0000
BRANDON A. BISSELL, 0000
RICHARD A. BLACKBURN, JR., 0000
MARA L. BOGGS, 0000
AARON D. BOHRER, 0000
MANDI L. BOHRER, 0000
JENNIFER L. BOMARK, 0000
GARY S. BONHAM, 0000
JOSHUA R. BOOKOUT, 0000
JAMES L. BOOTH, 0000
JARED D. BORDWELL, 0000
DANIEL A. BOSTICK, 0000
WALTER S. BOTWINSKI, 0000
RYAN P. BOYLE, 0000
JOSHUA J. BRADLEY, 0000
KEVIN D. BRADLEY, 0000
DAVID A. BRAGG, 0000
KELBY V. BRAKE, 0000
JOSEPH S. BRANNON, 0000
MATTHEW E. BRAY, 0000
MATTHEW A. BREITBACH, 0000
BARRY C. BRINKER, 0000
KIRK E. BRINKER, 0000
THOMAS J. BROCK, JR., 0000
CHRISTOPHER P. BROOKE, 0000
JAY W. BROOKE, 0000
SCOTT T. BROOME, 0000
ANDREW P. BROSNAN, 0000
CHRISTOPHER D. BROUGH, 0000
ANDREW R. BROWN, 0000
JASON S. BROWN, 0000
LOYD W. BROWN, 0000
PHILLIP B. BROWN, JR., 0000
SEAN M. BROWN, 0000
ROBERT E. BROWNSWORD III, 0000
JOSHUA W. BRYAN, 0000
DANFORD W. BRYANT II, 0000
KEITH D. BRYANT, 0000
ROBERT K. BRYANT, 0000
JOSEPH P. BUCCINO, 0000
TODD A. BUCHHEIM, 0000
DAVID R. BUNKER, 0000
CEDRIC L. BURDEN, 0000
JAMES C. BURGESS, 0000
MICHAEL J. BURNS, 0000
JOHN E. BUSA, 0000
MICHAEL A. BUSBY, 0000
CARYN M. BUTLER, 0000
SHAWN D. BUTLER, 0000
CHRISTOPHER S. BYE, 0000
WILLIAM F. BYRD IV, 0000
DARIO P. CALABRESE, 0000
THOMAS A. CALDWELL, 0000
AMMON S. CAMPBELL, 0000
STUART A. CAMPBELL, 0000
GREGORY V. CAMPION, 0000
SCOTT C. CAPEHART, 0000
STEPHEN E. CAPEHART, 0000
KEVIN A. CAPOZZOLI, 0000
EDWARD S. CARDEN, 0000
PAUL S. CARLOCK, 0000
DARRELL W. CARR, 0000
PAUL D. CARRON, 0000
JOHN P. CARSON IV, 0000
MICHAEL B. CARSON, 0000
TANEHA N. CARTER, 0000
STEPHEN V. CARUSO, 0000
JOHN W. CASARES, 0000
CAMERON C. CASHMAN, 0000
JOHN M. CASIANO, 0000
LOU M. CASTILLO, 0000
CHARLES B. CAUDILL, 0000
EDGAR CAVAZOS, 0000
JON C. CECALUPO, 0000
BRYAN K. CECRLE, 0000
MICHAEL J. CHAGARIS, 0000
JEREMY J. CHAPMAN, 0000
PETER C. CHARBONNEAU, 0000
SCOTT B. CHENEY, 0000
JUSTIN M. CHEZEM, 0000
VARMAN S. CHHOEUNG, 0000
CURRAN D. CHIDESTER, 0000
KWOK F. CHIU, 0000
JOHN J. CICCARELLO, 0000
JOSEPH R. CLABURN, 0000
THOMAS C. CLAIR, 0000
JASON A. CLARKE, 0000
KAREN L. CLARKE, 0000
KEITH D. CLIPP, 0000
DAVID S. CLUKEY, 0000
JAMES T. COBB II, 0000
EARL K. COCHRAN, 0000
MICHAEL F. COERPER, 0000
SCOTT A. COFFEY, 0000
CHARLES J. COGGER, 0000
BRYAN K. COHOON, 0000
ROBERT J. COKER, 0000
KATE M. CONKEY, 0000
LUCAS R. CONNOLLY, 0000
JASON T. COOK, 0000
LARRY C. COPPINS, 0000
JONATHAN D. CORNETT, 0000
ANTHONY L. COSTELLO, 0000
JON J. COUNTESS, 0000
GEORGE W. COWLES III, 0000
EDWARD L. COX, 0000
TIFFANIE S. COX, 0000
ROBERT R. CRAIG, 0000
DONALD E. CRAWFORD II, 0000
ROBERT G. CRAWFORD III, 0000
KEVIN G. CROOKS, 0000
RICHARD L. CROSBY, 0000
JOHN C. CROTZER, 0000
RODNEY J. CRUCE, 0000
RAMON J. CRUZSANCHEZ, 0000
ADAM T. CUBBAGE, 0000
JUAN R. CUELLAR, 0000
PAUL B. CULBERSON, 0000
JESSE T. CURRY, 0000
JOHN K. CURRY, 0000
JAMES R. CUTCHIN, 0000
MATTHEW P. CUVIELLO, 0000
ADAM J. CZEKANSKI, 0000
DARLENE D. DALTON, 0000
MARC T. DALZIEL, 0000
HERBERT A. DANIELS, JR., 0000
MERRILL C. DARAG, 0000
KEVIN P. DAVENPORT, 0000
NELSON J. DAVID, 0000
ALI D. DAVIS, 0000
EDMOND B. DAVIS, 0000
MICHAEL R. DAVIS, 0000
RICHARD J. DAVIS, 0000
WILLIAM L. DAVIS, 0000
WILLIAM R. DAVIS, JR., 0000
JAMES C. DAYHOFF, 0000
WILLIAM F. DEAKYNE, 0000
PAUL M. DECECCHIS, 0000
DAVID F. DEE, 0000
DAMON A. DELAROSA, 0000
PATRICIO A. DELAROSA, 0000
SHEVIN O. DENMARK, 0000
MATTHEW B. DENNIS, 0000
STEPHEN S. DENOMS, 0000
DAVID S. DIAZ, 0000
CARL D. DICK, 0000
DAVID DICKAMORE, 0000
JEREMY J. DIGIOIA, 0000
RAYMOND E. DILLMAN III, 0000
MARC J. DISTEFANO, 0000
RICHARD M. DIXON, JR., 0000
BYRON A. DOBSON, 0000
DOUGLAS D. DODD, 0000
DARREN S. DOHERTY, 0000
KENNETH H. DOJAQUEZ, 0000
DWIGHT D. DOMENGEAUX, JR., 0000
ARAM M. DONIGIAN, 0000
JOHN C. DONLIN, 0000
SEAN P. DONNELLY, 0000
BRYAN T. DONOHUE, 0000
TERRI L. DORN, 0000
WILLIAM J. DOUGHERTY, 0000
ROBERT F. DOUGLAS, 0000
STEPHEN E. DOUGLAS, 0000
JAMES W. DOWNING, 0000
SCOTT L. DOWNING, 0000
EARL DOYLE, 0000
TIMOTHY H. DRAVES, 0000
BRIAN M. DUCOTE, 0000
MIRIAM D. DUFER, 0000
ANDREW A. DUGGER, 0000
ANDREW R. DUPREY, 0000
JONATHAN A. EASLEY, 0000
PAUL B. EBERHARDT, 0000
MATTHEW D. EBERHART, 0000
WILLIAM T. ECKLES, 0000
DENNIS D. EDLER II, 0000
JOSEPH G. EDWARDS, 0000
JAMES M. EGAN, 0000
RYAN J. ELLIS, 0000
BARRETT M. EMENHEISER, 0000
SCOTT J. EMMEL, 0000
WILLIAM C. ENGER, 0000
DONALD G. ERICKSON, 0000
ERIC K. ERICKSON, 0000
JOEY L. ERRINGTON, 0000
JOHNNY A. EVANS, JR., 0000
CHRISTOPHER L. FAIRLEY, 0000
MATTHEW S. FARMER, 0000
ALAN E. FAYE, 0000
TIMOTHY J. FERBER, 0000
JEFFREY L. FERGUSON, 0000
JOHN M. FERNAS, 0000
DANIEL FERRIS, 0000
EUGENE J. FERRIS, 0000
BRIAN J. FICKEL, 0000
RAYMOND J. FIELDS, 0000
SHANE F. FINN, 0000
JOSEPH E. FITTS, 0000
MICHAEL T. FITZPATRICK, 0000
BRIAN E. FLORES, 0000
JEREMIAH J. FLOYD, 0000
JASON A. FOERTER, 0000
SHEFFIELD F. FORD III, 0000
JANUS T. FRALEY, 0000
DAVID C. FREEMAN, 0000
RECELLA S. FROBE, 0000
CHAD A. FROEHLICH, 0000
CHRISTOPHER FUHRIMAN, 0000
JAMES G. FUSSELL III, 0000
KIM L. GAGE, 0000
JOHN B. GAGLIARDO, 0000
MARC P. GAGUZIS, 0000
ANTERRIO C. GAINWELL, 0000
WOODROW W. GAMMEL III, 0000
JUSTIN N. GARCIA, 0000
RANDY J. GARCIA, 0000
JON R. GARDNER, 0000
MARK A. GARDNER, 0000
MATTHEW B. GARNER, 0000
BRADFORD I. GARRISON, 0000
RUBEN GARZA, 0000
DANIEL A. GATES, 0000
DARIN L. GAUB, 0000
JOSEPH R. GEARY, 0000
JOHN J. GEIS III, 0000
JASON T. GENTILE, 0000
CRAIG A. GEORGE, 0000
BRIAN J. GERBER, 0000

WADE A. GERMANN, 0000
JOHN E. GIANELLONI, 0000
DANIEL C. GIBSON, 0000
NATHAN D. GINOS, 0000
TIMOTHY L. GITTINS, 0000
JOSEPH W. GIUSTI, 0000
COREY A. GIVENS, 0000
JASON L. GLEMSER, 0000
ALLEN R. GNASSI, 0000
PHILIP W. GODDARD III, 0000
MICHAEL T. GOLDEN, 0000
MICHAEL GOMEZ, 0000
PATSKY O. GOMEZ, 0000
MATTHEW J. GOMLAK, 0000
RAIMUNDO GONZALEZDUENAS, 0000
MATTHEW F. GOODING, 0000
EVAN H. GOTKIN, 0000
TIMOTHY D. GRABER, 0000
DAVID J. GRAHAM, 0000
JAMES M. GRANDY, 0000
DAVID C. GRAY, 0000
SCOTT W. GRECO, 0000
ERIC E. GREEK, 0000
ROBERT G. GREEN, 0000
ANGELA M. GREENEWALD, 0000
WILLIAM M. GRIESHABER, 0000
MITCHELL D. GRONEWOLD, 0000
TIMON D. GROVES, 0000
STEVEN E. GVENTER, 0000
JEREMY T. GWINN, 0000
MICHAEL J. HAHN, 0000
RAYMOND L. HAKEY, JR., 0000
JEFFERY W. HALL, 0000
JEFFREY D. HALL, 0000
MICHAEL J. HALL, 0000
BRIAN P. HALLBERG, 0000
TODD J. HAMEL, 0000
SALLY C. HANNAN, 0000
BRIAN M. HANSEN, 0000
LEONARD R. HARPER, 0000
ERIC W. HARRELSON, 0000
SCOTT M. HARRINGTON, 0000
BRYAN M. HARRIS, 0000
CHRISTOPHER L. HARRIS, 0000
WILLIAM A. HARRIS, 0000
ERIC HARTUNIAN, 0000
JONATHAN L. HARVEY, 0000
JOSEF S. HATCH, 0000
PETER N. HATHAWAY, 0000
BENJAMIN C. HAUSER, 0000
JOHN J. HAWBAKER, 0000
MARCUS C. HAY, 0000
DAVID P. HAYHURST, JR., 0000
MARK HAYRY, 0000
ANTHONY W. HEARN, 0000
RALPH D. HEATON, 0000
JOSHUA R. HEGAR, 0000
SEAN C. HEIDGERKEN, 0000
STEPHEN A. HEINZ, 0000
JOEL C. HEINZEROTH, 0000
GLEN T. HELBERG, 0000
MICHAEL D. HELTON, 0000
JASON A. HENDERSON, 0000
BEAU A. HENDRICKS, 0000
TIMOTHY C. HERD, 0000
STEPHEN F. HERINGER, 0000
WADE D. HERMAN, 0000
JANET L. HERRICK, 0000
LEVECIA D. HERSEY, 0000
BRIAN D. HEVERLY, 0000
MICHAEL J. HICKMAN, 0000
TONYA M. HIGHTOWER, 0000
JAMES D. HILL II, 0000
STEPHEN D. HILL, 0000
JOHN P. HILTZ, 0000
KHANG N. HO, 0000
GEORGE A. HODGES, 0000
BRIAN T. HOFFMAN, 0000
KYLE M. HOGAN, 0000
ZACHARY B. HOHN, 0000
ROBERT J. HOLCOMBE, 0000
JAMES W. HOLDER, JR., 0000
DEXTER A. HOLLEY, 0000
EDWARD L. HOLLIS, 0000
TODD W. HOOK, 0000
THOMAS R. HOPKINS, 0000
KEVIN D. HORNBUCKLE, 0000
BERNARD HOUSE, 0000
MATTHEW S. HOWARD, 0000
ROBERT C. HOWARD, 0000
STEVEN D. HOWARD, 0000
JUSTIN R. HOWE, 0000
SCOTT L. HOWELL, 0000
SCOTT P. HUBBARD, 0000
RONALD J. HUGHES, 0000
MARVA L. HUMPHREY, 0000
MICHAEL R. HUNT, 0000
ROBERT D. HURD, 0000
DAVID E. HUTCHINSON, 0000
RICHARD C. HYDE, 0000
RICHARD J. IKENA, JR., 0000
ROBERT E. IRBY, 0000
LUIS E. IRIZARRYRIVERA, 0000
D B. IVESTER, 0000
JEFFREY E. IVEY, 0000
MARK IVEZAJ, 0000
CHRISTOPHER J. IWAN, 0000
SEDRICK L. JACKSON, 0000
TRAVIS A. JACOBS, 0000
JASON R. JAJACK, 0000
JEREMY W. JAMES, 0000
RANDY P. JAMES, JR., 0000
JAMES A. JANDA, 0000
ANDREW JASSO, 0000
ANTONIO D. JASSO, 0000
CRAIG S. JAYSON, 0000
FRANK E. JEFFERSON, JR., 0000
COLBY C. JENKINS, 0000
NICHOLAS C. JENKINS, 0000
JEFFERY K. JENSEN, 0000
JUSTIN C. JOCUNS, 0000
MATTHEW N. JOHNSEN, 0000
BJORN D. JOHNSON, 0000
DONALD R. JOHNSON, 0000
JESSICA A. JOHNSON, 0000
RAYMOND E. JOHNSON, JR., 0000
RODNEY D. JOHNSON, 0000
STEPHEN B. JOHNSON, 0000
TRACY D. JOHNSON, 0000
JASON A. JOHNSTON, 0000
HARRY H. JONES IV, 0000
KEITH M. JONES, 0000
ANDREW Q. JORDAN, 0000
CHRISTOPHER E. JUDGE, 0000
ANDREW G. JUGAN, 0000
BRIAN T. KAISER, 0000
CHANG S. KANG, 0000
MARK A. KAPERAK, 0000
STEPHEN M. KAPLACHINSKI, 0000
CHRISTOPHER G. KASKER, 0000
NICHOLAUS KASZCZUK, 0000
EDWARD W. KEEL, 0000
BLAKE W. KEIL, 0000
DEREK R. KELLER, 0000
JAMES C. KELLER, 0000
ZACHARY D. KERNS, 0000
RYAN D. KEYS, 0000
JAMES A. KIEVIT, 0000
ROSS A. KILBURN, 0000
JOSEPH KIM, 0000
NGAN M. KIM, 0000
ROBERT C. KIMMEL, 0000
LIAM J. KINGDON, 0000
PHILLIP J. KINIERY III, 0000
CHRISTOPHER J. KIRK, 0000
ROBERT G. KLARENBACH, 0000
DAMON M. KNARR, 0000
BENJAMIN W. KNIPSCHER, 0000
JEFFREY R. KNUDSON, 0000
JONATHAN R. KOVACH, 0000
KURT L. KRAUSS, 0000
MARC A. KRAUSS, 0000
PAUL R. KREINHEDER, 0000
ERIC J. KUNAK, 0000
STEVEN J. KURCZAK, 0000
THOMAS A. KURTZ, 0000
SCOTT A. KUTSCHER, 0000
CHRISTOPHER T. KUZIO, 0000
ADAM J. LACKEY, 0000
JASON A. LACROIX, 0000
JASON J. LAGEMAN, 0000
PHILLIP H. LAMB, 0000
CHRISTOPHER S. LANE, 0000
LESHAWN M. LANGFORD, 0000
THOMAS M. LANGSTON, 0000
ERIK M. LARA, 0000
MARK J. LAVIN II, 0000
THOMAS E. LAYBOURN, 0000
THOMAS E. LAYTON, 0000
VIET Q. LE, 0000
EDDY J. LEE, 0000
ERIC W. LEHMANN, 0000
RYAN M. LEIGH, 0000
BILLY L. LEJEUNE, 0000
MATTHEW J. LENNOX, 0000
JEFFREY J. LESPERANCE, 0000
RYAN P. LEVESQUE, 0000
ADAM J. LEWIS, 0000
HEATH M. LEWIS, 0000
JASON T. LEWIS, 0000
TRACEY E. LEWIS, 0000
CHRISTOPHER O. LIEB, 0000
BRENT W. LINDEMAN, 0000
MICHAEL A. LIPSNER, 0000
STEFAN J. LOCKTON, 0000
CENETHEA R. LOFBOM, 0000
BRIAN T. LONGWELL, 0000
JOHN F. LORY, 0000
WILLIAM LOUIE, 0000
MATTHEW F. LOUVET, 0000
ALEXANDER C. LOVASZ, 0000
DAVID V. LOZANO, 0000
WAYNE R. LUDWIG, 0000
KENDRICK L. LUSK, 0000
BRIAN P. LUTI, 0000
ANDREW J. LYMAN, 0000
EDWARD J. LYNCH, 0000
GARY J. LYSAGHT, 0000
TRENT J. LYTHGOE, 0000
JASON S. MACKENZIE, 0000
THOMAS N. MACMILLIN, 0000
SEAN T. MACRAE, 0000
TIMOTHY M. MAHONEY, 0000
JOHN A. MAILMAN, JR., 0000
MICHAEL J. MANNION, 0000
LAFRAN MARKS, 0000
PETER J. MARQUES, 0000
CHRISTOPHER M. MARQUEZ, 0000
AARON M. MARTIN, 0000
CHRISTIAN R. MARTIN, 0000
DAVID C. MARTIN, 0000
ELIZABETH A. MARTIN, 0000
JAMES S. MARTIN, 0000
TYRONE W. MARTIN, 0000
ALEX T. MARTINEZ, 0000
TIMOTHY S. MARZANO, 0000
ALICIA M. MASSON, 0000
JARRET D. MATHEWS, 0000
EDWIN D. MATTHAIDESS III, 0000
ROBERT W. MATTHEWS, 0000
RAYMOND M. MATTOX, 0000
JAMES D. MAXWELL, 0000
SHANNON D. MCATEER, 0000
MICHAEL F. MCBRIDE, 0000
SEAN M. MCBRIDE, 0000
JEREMY S. MCCALLISTER, 0000
MICHAEL R. MCCARSON, 0000
BRIAN E. MCCARTHY, 0000
PATRICK M. MCCARTHY, 0000
TARA L. MCCARTY, 0000
GINAMARIE W. MCCLOSKEY, 0000
SEAN M. MCCLURE, 0000
TRAVIS E. MCCRACKINE, 0000
TIMOTHY B. MCCULLOH, 0000
MICHAEL P. MCCUSKER, 0000
CHRISTOPHER C. MCGARRY, 0000
SEAN P. MCGEE, 0000
WILLIAM P. MCGLOTHLIN, 0000
KASI E. MCGRAW, 0000
TIM M. MCGREW, 0000
MATTHEW J. MCGUIRE, 0000
ROBERT E. MCGUIRE, 0000
TRAVIS L. MCINTOSH, 0000
SEAN P. MCKENNA, 0000
KRISTIAN MCKENNEY, 0000
GEOFFREY M. MCKENZIE, 0000
SCOTT W. MCLELLAN, 0000
WILLIAM C. MCLIN, 0000
KALI A. MCMURRAY, 0000
STEVEN R. MEEK, 0000
JUAN R. MEJIA, 0000
JON W. MEREDITH, 0000
MATTHEW A. MERTZ, 0000
MARCUS W. MESSERSCHMITT, 0000
KEYES M. METCALF, 0000
CARY J. METZ, 0000
BENJAMIN D. METZLER, 0000
DANIEL J. MEYERS, 0000
RYAN M. MIEDEMA, 0000
EDWARD D. MILLER, 0000
JACOB W. MILLER, 0000
SCOTT D. MILLER, 0000
TIMOTHY M. MILLER, 0000
EDWARD E. MILLS, 0000
RICKY W. MILLS, JR., 0000
DUSTIN R. MITCHELL, 0000
JAMES M. MITCHELL, 0000
LUCIUS MITCHELL, JR., 0000
THOMAS E. MITCHELL, 0000
SOOK Y. MIZELL, 0000
PATRICK C. MOFFETT, 0000
CHANDA I. MOFU, 0000
JOHN J. MONTGOMERY, 0000
PETER J. MOON, 0000
ERIC J. MOORE, 0000
RYAN I. MOORE, 0000
RODNEY J. MORGAN, 0000
JASON C. MORITZ, 0000
CHRISTOPHER S. MORRIS, 0000
DANIEL R. MORRIS, 0000
ERIC M. MORRIS, 0000
ANDREW A. MORRISON, 0000
CINDY D. MORTON, 0000
BRIAN T. MOSLEY, 0000
MICHAEL G. MOUROUZIS, 0000
CARLOS E. MOYA, 0000
KEVIN J. MOYER, 0000
SCOTT N. MUDGE, 0000
MICHAEL F. MULHERIN, 0000
KEVIN M. MULLEN, 0000
JAMES E. MULLIN III, 0000
JOSEPH D. MULLINS, 0000
THOMAS D. MURPHY, JR., 0000
DANIEL MURRAY, 0000
MATTHEW W. NAHAS, 0000
TRAVIS C. NAUMAN, 0000
BRIAN J. NEWILL, 0000
BAOHUAN P. NGUYEN, 0000
PATRIC A. NICHOLS, 0000
ROY C. NICKERSON, 0000
JASON M. NIERMAN, 0000
JOSHUA P. NOLAN, 0000
DAVID A. NORRIS, 0000
THERESE L. OBIDINSKI, 0000
JOHN H. OBRIEN IV, 0000
LANCE A. OBRYAN, 0000
SEAN M. OCONNELL, 0000
KEVIN M. OCONNOR, 0000
MARTIN L. ODONNELL, 0000
CHRISTOPHER W. OGWIN, 0000
MARTIN OJEDA, JR., 0000
WILLIAM J. OLIPHANT, 0000
DAVID R. OLSEN, 0000
FREDERICK H. ORNDORFF, 0000
EMANUEL L. ORTIZCRUZ, 0000
GREGORY P. OSBORN, 0000
MARK A. PACZYNSKI, 0000
DANIEL W. PADGETT, 0000
DAVID J. PAINTER, 0000
JEFFREY S. PALAZZINI, 0000
STEVEN J. PALCZEWSKI, 0000
JAMES T. PALMER, 0000
BRETT R. PANTER, 0000
WAYNE D. PARE, 0000
DAVID H. PARK, 0000
RANDOLPH J. PARK, 0000
FREDRICK B. PARKER, 0000
JEFFREY L. PARKER, 0000
JOSHUA G. PARRISH, 0000
TROY S. PARRISH, 0000
MICHAEL S. PARSONS, 0000
DAVID J. PASQUALE, 0000
FREDERICK PASQUALE, JR., 0000
SHAWN M. PATRICK, 0000
MARC E. PELINI, 0000
JASON E. PELLETIER, 0000
DOUGLAS J. PELUSO, 0000
SCOTT A. PENCE, 0000
JUAN PEREZ, JR., 0000
DEMETRIUS R. PERRY, 0000
MICHAEL C. PERRY, 0000

VICTORIA L. PETERS, 0000
ROBERT W. PHILLIPS, 0000
STEPHEN C. PHILLIPS, 0000
JUSTIN D. PIERSON, 0000
MATTHEW W. PIKE, 0000
ESTHER S. PINCHASIN, 0000
CHRISTINA A. POLOSKY, 0000
DAVID M. POLSTON, 0000
CLIFFORD A. POTTER, JR., 0000
GREGORY J. POVENSKI, 0000
JOEL C. PRATHER, 0000
CHARLES R. PREBLE, 0000
BRYAN C. PRICE, 0000
WILLIAM C. PRUETT, 0000
JUSTIN B. PUTNAM, 0000
SCOTT M. PYRCHALLA, 0000
RICHARD L. QUIRE, 0000
LANDON M. RABY, 0000
KAREN F. RADKA, 0000
FREDERICK D. RAMIREZ, 0000
GABRIEL J. RAMIREZ, 0000
CARLOS A. RAMOS, 0000
CHAD M. RAMSKUGLER, 0000
JONATHAN R. RASTALL, 0000
MATTHEW C. RAWLINS, 0000
DANIEL P. RAYCA, 0000
JERRY B. REDFIELD, 0000
ERIC S. REED, 0000
OTIS E. REGISTER III, 0000
STEPHEN A. RESCH, 0000
ALEJANDRO RESTREPO, 0000
NATHAN P. RETTIG, 0000
JENNIFER A. REYNOLDS, 0000
WENDELL G. RICHARDS, JR., 0000
JOHN B. RICHEY, 0000
HEIDI A. RIDENHOUR, 0000
ANDREW R. RIES, 0000
JOHN J. RIPA, 0000
CHAD F. RISING, 0000
ALEXIS RIVERAESPADA, 0000
ENEIDA RIVERAROSADO, 0000
MADELINE RIVERORODRIGUEZ, 0000
DARREN R. ROBERTS, 0000
DANIEL H. ROBINSON, 0000
KERRY O. ROBINSON, 0000
SHAWNETTE M. ROCHELLE, 0000
PATRICK M. RODDY, JR., 0000
WILLIAM T. RODEBAUGH III, 0000
ALFONSO G. RODRIGUEZ, 0000
BRIAN C. ROEDER, 0000
CRAIG B. ROHRBOUGH, 0000
JAMES M. ROHRER, 0000
JOSE E. ROSARIOMENENDEZ, 0000
SAMUEL ROSARIOVALENTIN, 0000
MARK E. ROSENBERG, 0000
ROBERT J. ROSS, 0000
JASON K. ROUNDY, 0000
MATTHEW L. ROWLAND, 0000
SHAWN W. RUMMEL, 0000
KEVIN L. RUNKLE, 0000
STEPHAN J. RUPPELLEE, 0000
MICHAEL L. RUSH, 0000
PAUL J. RUSSELL, 0000
ANDREW L. RYAN, 0000
ETIENNE R. SABATE, 0000
STEVEN A. SABO, 0000
MELAN P. SALAS, 0000
STEVEN H. SAMS, 0000
EDWARD K. SAMUELIAN, JR., 0000
CARLO J. SANCHEZ, 0000
ROSA C. SANCHEZCAIN, 0000
JOHN W. SANDOR, 0000
MARC D. SANTOS, 0000
LAWRENCE J. SARTORI, 0000
ERIC M. SAULSBURY, 0000
TIMOTHY M. SAWYER, 0000
THOMAS M. SCANZILLO, 0000
MOSES I. SCHEINFELD, 0000
DEREK I. SCHMECK, 0000
MICHAEL E. SCHMIDT, 0000
PATRISHA L. SCHNEIDER, 0000
BRIAN P. SCHOELLHORN, 0000
MICHAEL D. SCHOENFELDT, 0000
CORY E. SCHOWENGERDT, 0000
GREGORY M. SCHREIN, 0000
DUSTIN J. SCHROCK, 0000
GERALD P. SCHUCK, 0000
DARIN S. SCHWARTZ, 0000
RICHARD L. SCOTT, 0000
WALKER W. SCOTT III, 0000
HAGAN C. SCOTTEN, 0000
JEFFREY A. SEARL, 0000
EDWARD A. SEDLOCK, JR., 0000
JUAN C. SEGURA, 0000
UKIAH C. SENTI, 0000
JONATHAN K. SHAFFNER, 0000
KEVIN R. SHARP, 0000
LAWRENCE W. SHARP, 0000
EMMETT SHEAD, JR., 0000
JUSTIN R. SHELL, 0000
JAMES E. SHERIDAN, 0000
MICHAEL J. SHOUSE, 0000
JASON C. SHROPSHIRE, 0000
KEVIN W. SIEBOLD, 0000
BENJAMIN R. SIMMS, 0000
MATTHEW C. SIMONS, 0000
MICHAEL A. SINES, 0000
KURT N. SISK, 0000
CHARLES E. SLAGLE III, 0000
JAMES J. SMITH, 0000
KENRIC M. SMITH, 0000
MATTHEW E. SNELL, 0000
TIMOTHY T. SNIDER, 0000
DAVID J. SNODDERLY, 0000
REYNALDO F. SOLIZ, JR., 0000
MORGAN G. SOUTHERN, 0000
SEAN A. SPENCE, 0000
DAVID K. SPENCER, 0000
ADRIAN T. SPEVAK, 0000
MICHAEL J. SPINELLO, 0000
NATHAN R. SPRINGER, 0000
SCOTT R. SPURRIER, 0000
JENNIFER K. STAHL, 0000
ERIC W. STAINBROOK, 0000
CHRISTOPHER D. STANGLE, 0000
EDSEL L. STANLEY, 0000
SHAWN G. STANLEY, 0000
JENNIFER STEELE, 0000
JOHN E. STEEN II, 0000
CHARLES H. STEWARD, JR., 0000
JOHNNY K. STEWART, 0000
MICHAEL P. STEWART, 0000
GEORGE M. STINCHCOMB, 0000
BRIAN S. STOFFLE, 0000
ANTHONY J. STOKELY, 0000
TED L. STOKES, JR., 0000
MARK T. STONE, 0000
MICHAEL A. STONE, 0000
JOHN H. STONEBURG IV, 0000
MARK L. STONEMAN, 0000
DEREK P. STORY, 0000
JONATHAN S. STOVER, 0000
RHONDA M. STPETERS, 0000
GREGORY M. STROUD, 0000
MICHAEL C. STULL, 0000
MICHAEL M. STUMP, 0000
MICHAEL STURDIVANT, 0000
DENNIS P. SUGRUE, 0000
JOEY J. SULLINGER, 0000
STEPHEN D. SUMNER, 0000
NATHAN S. SURREY, 0000
JARED J. SUTTON, 0000
MATTHEW A. SUTTON, 0000
DANIEL L. SWANSON, 0000
KENNETH E. SWIFT, 0000
JOSEPH L. SWINDLE, 0000
KELVIN P. SWINT, 0000
ANDRE M. TAKACS, 0000
MICHAEL M. TALBOT, 0000
WILLIAM P. TALLON, 0000
ANTHONY E. TANGEMAN, 0000
DARRIN K. TANGEMAN, 0000
DIOGO P. TAVARES, 0000
STEPHEN C. TAYLOR, 0000
WILLIAM J. TAYLOR, 0000
TROY J. TERREBONNE, 0000
ASHLEY F. THAMES, 0000
BENJAMIN J. THIREY, 0000
JERRY J. THOMAS, 0000
RUSSELL P. THOMAS, JR., 0000
MICHAEL A. THOMASSON, 0000
CHRISTIAN A. THOMPSON, 0000
SONNY A. THOMPSON, JR., 0000
MICHAEL D. THOMSON, 0000
BEAU W. TIBBITTS, 0000
JOHN E. TIEDEMAN, 0000
TERRY R. TILLIS, 0000
GREGORY S. TILY, 0000
JASON M. TODD, 0000
NIKKI M. TOMLIN, 0000
JOSHUA J. TOOKE, 0000
BRENDAN P. TOOLAN, 0000
PAUL J. TOOLAN, 0000
SIDNEY J. TOPF, 0000
MICHELE C. TORNE, 0000
IAN J. TOWNSEND, 0000
JASON C. TOWNSEND, 0000
CLINT E. TRACY, 0000
DAVID W. TRIBBY, 0000
MICHAEL H. TROXELL, 0000
MATTHEW P. TUCKER, 0000
RICHARD P. TUCKER, 0000
JAMES E. TULLY, 0000
RICHARD A. TURK, 0000
GREGORY E. TURNER, 0000
JEREMY R. TURNER, 0000
AUGUSTUS O. TUTU, JR., 0000
WILLIAM E. TYNDALL, 0000
SHAWN M. UMBRELL, 0000
DAVID C. UNDERWOOD, JR., 0000
NATHAN F. UNDERWOOD, 0000
SCOTT P. VANCE, 0000
BILLY J. VANCUREN, 0000
JAMES M. VANG, 0000
PATTIE M. VEDDER, 0000
NEFTALI VELEZ, 0000
LOUIS VENEZIANO, 0000
ERIC P. VETRO, 0000
WILLIAM D. VICKERY, 0000
JOSEPH S. VILES, 0000
ANDREW K. VISSER, 0000
PAUL C. VOELKE, 0000
TYSON T. VOELKEL, 0000
DARYL S. VONHAGEL, 0000
WILLIAM D. WADE, 0000
JASON E. WAGGONER, 0000
JAMES M. WALLACK, 0000
DAVID M. WARD, 0000
STANLEY D. WARD, 0000
RALPH L. WARE, 0000
MATTHEW D. WASHBURN, 0000
STEVEN B. WASILAUSKY, 0000
DARRELL J. WATKINS, 0000
KARIN L. WATSON, 0000
RUFUS D. WATSON, 0000
TROY D. WAYMAN, 0000
MARK C. WEAVER, 0000
THAD D. WEIST, 0000
MARCUS S. WELCH, 0000
GAVIN L. WELLS, 0000
TODD A. WELSH, 0000
JASON L. WEST, 0000
ERIC A. WESTPHAL, 0000
JAMES O. WHEATON, 0000
SETH A. WHEELER, 0000
ANDREW D. WHISKEYMAN, 0000
SCOTT C. WHITE, 0000
BRADLEY A. WHITEMAN, 0000
MICHAEL T. WHITNEY, 0000
JASON M. WHITTEN, 0000
KIRK J. WHITTENBERGER, 0000
BENJAMIN R. WILKINS, 0000
BART D. WILKISON, 0000
RICHARD T. WILLBANKS, 0000
EDWARD O. WILLIAMS, 0000
EVERETT C. WILLIAMS, 0000
LINDSAY L. WILLIAMS, 0000
JOHN C. WILSON, 0000
TIMIKA M. WILSON, 0000
DANIEL O. WILT, JR., 0000
TRACY L. WING, 0000
CHRISTOPHER W. WINGATE, 0000
ROBERT J. WISHAM, 0000
JOHN P. WISHART, 0000
STEPHEN M. WISNIEW, 0000
KARL M. WOJTKUN, 0000
JOHN S. WOO, 0000
BRYAN L. WOODCOCK, 0000
DALE B. WOODHOUSE, 0000
TIMOTHY L. WOODRUFF, 0000
EDWARD H. WORTHINGTON III, 0000
PRINCETON D. WRIGHT, 0000
STEPHEN P. WUENSCHE, 0000
RYAN E. YEDLINSKY, 0000
JAYSEN A. YOCHIM, 0000
ANDREW P. YODER, 0000
KENNETH R. YORK, 0000
DANIEL R. YOUNG, 0000
JUDD KELLY YOUNG, 0000
PATRICK R. YOUNG, 0000
WILLIAM M. YUND, 0000
TROY E. ZEIDMAN, 0000
WILLIAM J. ZIELINSKI, 0000
MATTHEW T. ZIGLAR, 0000
JOHN J. ZOLLINGER, 0000
BEN E. ZWEIBELSON, 0000
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D0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JESSE ABREU, 0000
GERARD M. ACOSTA, 0000
TOD A. ADDISON, 0000
TRAVIS D. ADKINS, 0000
KEVIN W. AGNESS, 0000
ANTHONY N. ALICEA, 0000
RICKY L. ALLBRITTON, 0000
TODD J. ALLISON, 0000
STEPHEN R. ALLYN, 0000
PATRICK B. ALMOND, 0000
WILLETTE L. ALSTON, 0000
CHRISTOPHER W. ANDERSON, 0000
KEVIN W. ANDERSON, 0000
EDGAR APOLONIO, 0000
PATRICK R. ARENDS, 0000
JUAN P. ARZULAMBERT, 0000
BRITANIA K. ASHLEY, 0000
DAPHNE H. AUSTIN, 0000
TOBY A. AUSTIN, 0000
JOHN M. BALBUENA, 0000
PAUL R. BAMONTE, 0000
STEFAN R. BANDAS, JR., 0000
DACHELLE D. BANKS, 0000
DAVID C. BARKSDALE, 0000
SCOTT C. BARLOW, 0000
RALPH R. BARNES, 0000
ROB W. BARNHILL, 0000
STEVEN P. BARR, 0000
AARON T. BARTH, 0000
LOUIS M. BAUER, 0000
MARY M. BAYER, 0000
KARL J. BEIER, 0000
YOLANDA N. BELL, 0000
ROBERT C. BENDER, JR., 0000
DONALD B. BENTLEY, 0000
SCOTT M. BISHOP, 0000
CLINTEN L. BOHANNAN, 0000
ERIC L. BOOKER, 0000
ERIC L. BOWEN, 0000
CHRISTOPHER G. BRADLEY, 0000
LUCAS J. BRAXTON, 0000
JOSEPH J. BROCHT, 0000
JASON T. BROWER, 0000
CARLA A. BROWN, 0000
CHRISTOPHER M. BROWN, 0000
ERIC D. BROWN, 0000
JACOB M. BROWN, 0000
JEFFREY G. BROWN, 0000
MARVIN J. BROWN, JR., 0000
FAILELEI L. BRUNO, 0000
TAVI N. BRUNSON, 0000
NATHANAEL D. BRYANT, 0000
MICHAEL H. BUCK, 0000
JULIE L. BURMEISTER, 0000
DENNIS D. CALLOWAY, 0000
ARNOLD R. CAMACHO, 0000
CAROLYN J. CARDEN, 0000
JOSHUA A. CARLISLE, 0000
TIFFANY T. CARR, 0000
MELISSA A. CARTER, 0000
BEIRE D. CASTRO, 0000
JASON M. CAVNESS, 0000
DAVID A. CENTENO, JR., 0000
EDGAR A. CERDA, 0000
FAITH M. CHAMBERLAIN, 0000
MARIA CHAMORRO, 0000
KWOK H. CHAN, 0000

DAVID C. CHANDLER, JR., 0000
CHARLES J. CHAPMAN, 0000
JAMES H. CHAPMAN III, 0000
MARK A. CHEATHAM, 0000
GIVONNA CHEEKS, 0000
JILL N. CHENEY, 0000
VALENTINE M. CHRISTIAN, 0000
NANCY D. CHURCH, 0000
ROBERT E. CICCOLELLA, 0000
MICHAEL C. CIMATO, 0000
BONNIE B. CLEMENTE, 0000
BYRON T. COLEMAN, 0000
MELISSA R. COLEMAN, 0000
MANUEL COLON, 0000
CHRISTOPHER F. CONLEY, 0000
CHRISTOPHER M. CONN, 0000
ASHANTAS K. CORNELIUS, 0000
PHILIP C. COSTLEY, 0000
BRIAN T. COURTER, 0000
CHRISTOPHER COURTLAND, 0000
JULIE A. CRAIG, 0000
RODNEY O. CRENSHAW, 0000
GEORGE S. CROCKATT, 0000
ANTHONY R. CROMARTIE, 0000
JEFFREY J. CROSSON, 0000
PHILEMON M. CURRIN, SR., 0000
PAUL J. CURRY, 0000
AARON E. CURTIS, 0000
JOHN R. CUVA, 0000
STEVEN A. CZAP, 0000
KANDACE M. DAFFIN, 0000
WILLIAM R. DAILEY III, 0000
JOHN Q. DANG, 0000
ALESHA L. DANIELSSMITH, 0000
MICHAEL A. DAVENPORT, 0000
SCOTT E. DAVIDSON, 0000
MELVIN T. DAVIS III, 0000
LAURA C. DECLOUETSMITH, 0000
ROBERT E. DEGRAFFENREID, 0000
ERIC B. DENNIS, 0000
LESLIE A. DESANDER, 0000
MARK T. DESANDER, 0000
MATTHEW P. DIEHL, 0000
KHANH T. DIEP, 0000
KELLY L. DOBERT, 0000
BRIAN T. DOERR, 0000
JORGE A. DOLMO, 0000
RICHARD T. DOWNS, 0000
ANDREW J. DUUS, 0000
ERIK J. DYE, 0000
BRIAN R. EASLEY, 0000
BOYCE L. EDWARDS, JR., 0000
HOLLY R. ELDER, 0000
BRIAN ELLIOTT, 0000
BRIAN L. ELLIS, 0000
WESLEY B. ERVING, 0000
ANGEL R. ESTRADA, 0000
JOSEPH EVANS, 0000
NICOLE E. FISCHER, 0000
ANTOINETTE D. FLETCHER, 0000
MICHAEL S. FLETCHER, 0000
KEITH D. FREEMAN, 0000
KELLY L. FRENCH, 0000
MICHAEL R. GAINES, 0000
JOHN R. GAIVIN, 0000
GERALD M. GALAN, 0000
JAMES M. GALLAGHER, 0000
TIMOTHY M. GALLAGHER, 0000
TAMMY L. GALLOWAY, 0000
BRUCE P. GANNAWAY, 0000
ANNA M. GARCIA, 0000
STEPHANIE K. GARVIN, 0000
CEDRIC D. GASKIN, JR., 0000
JAMES C. GEORGE, 0000
KENNETH A. GETTINGER, 0000
VICTOR J. GIANFALA IV, 0000
MATTHEW A. GIERTZ, 0000
PETER L. GILBERT, 0000
WILLIAM R. GILBERT, 0000
SCOTT R. GILL, 0000
JACQUELINE M. GLAZE, 0000
JESUS R. GONZALEZ, 0000
NEAL H. GOUCK, 0000
KELVIN L. GRAVES, 0000
SETH C. GRAVES, 0000
VICIE R. GRAVES, 0000
LACHER M. GREEN, 0000
HENRY S. GROULX, 0000
BRENT A. GROVE, 0000
PATRICA A. GUTIERREZ, 0000
MAGDALENO M. GUZMAN, 0000
SANTIAGO M. GUZMAN, 0000
ANH H. HA, 0000
JERMAINE A. HAILEY, 0000
GRISELDA M. HALL, 0000
JONATHAN A. HALL, 0000
MICHAEL F. HAMMOND, 0000
SHERRIE L. HANCOCK, 0000
BRETT I. HANSON, 0000
DIANA B. HARE, 0000
CHRISTOPHER J. HARRISON, 0000
JAMES B. HARTMAN, 0000
CHRISTOPHER HARVEY, SR., 0000
CHAD B. HAYES, 0000
MALCOLM G. HAYNES, 0000
MIKE O. HEARN, 0000
KEVIN G. HEINONEN, 0000
RICHARD D. HELLING, 0000
HAROLD P. HENDERSON, JR., 0000
MEKELLE L. HENDERSON, 0000
MICHAEL J. HENSON, 0000
CONNIE V. HERBIN III, 0000
JOSEPH M. HERMAN, 0000
MARIA A. HERNANDEZ, 0000
RUSS A. HERNANDEZ, 0000
ROBERT M. HICKS, 0000
SEAN O. HIGGINS, 0000
DARIUS M. HIGHSMITH, 0000
CHRISTOPHER P. HILL, 0000
CRYSTAL M. HILLS, 0000
ROBERT D. HILTON, JR., 0000
CHRISTOPHER L. HIMES, 0000
DONOVAN D. HINE, 0000
LETICIA M. HINES, 0000
SOSA M. HIRALDO, 0000
JOSHUA D. HIRSCH, 0000
RICHARD W. HOBACK IV, 0000
ROBERT T. HOFFMAN, 0000
STEVEN W. HOLDEN, 0000
NED C. HOLT, 0000
DANIEL L. HORN, 0000
ANDREW T. HOTALING, 0000
YU K. HU, 0000
ROBERT T. HUBBLE, 0000
EDWARD L. HUDDLESTON, 0000
GEORGE K. HUGHES, 0000
ANTHONY E. HUGHLEY, 0000
SONG V. HUYNH, 0000
JAMEY L. HYLAND, 0000
MELISSA M. HYNES, 0000
DAVID P. IHRKE, 0000
ADRAIN C. JACKSON, 0000
ZULEIKA A. JACKSONJONES, 0000
JEFFREY D. JAMES, 0000
TRAVIS J. JAMES, 0000
BRIAN L. JETER, 0000
ROBERT E. JETER, 0000
JEYANTHAN JEYASINGAM, 0000
DAVID A. JIMENEZ, 0000
BENJAMIN G. JOHNSON, 0000
BILLY D. JOHNSON, 0000
ERIK C. JOHNSON, 0000
ROBIN A. JOHNSON, 0000
WADE JOHNSON, 0000
ANTHONY P. JONES, 0000
DALE A. JONES, 0000
NATASHA S. JONES, 0000
PATRICK S. JONES, 0000
RHONDA E. JONES, 0000
HAYDEN L. JOSEPH, 0000
JEFFERY W. JURAND, 0000
SHAWN L. KADLEC, 0000
JASON M. KAHNE, 0000
INEZ M. KARAKUS, 0000
KELVIN F. KEARLEY, 0000
JOSHUA M. KEENA, 0000
ROBERT L. KELLAM, 0000
ROLAND A. KELLER, JR., 0000
CHRISTOPHER J. KELLY, 0000
HOWELL M. KELLY, 0000
BRIAN J. KETZ, 0000
DAVID P. KEY, 0000
DAVID C. KIMZEY, 0000
JONATHAN P. KOERNIG, 0000
ROBERT D. KOTEK, 0000
JEFFREY M. KUTTER, 0000
MICHAEL F. LABRECQUE, 0000
JOSHUA J. LAMOTTE, 0000
JARROD M. LAMPIER, 0000
MICHAEL A. LAPORTE, 0000
ANDREW D. LEE, 0000
JIM A. LEE, 0000
GREGORY W. LEIPHART, 0000
EDWARD LEWIS, 0000
PETER LIN, 0000
MICHAEL L. LINDLEY, 0000
MARVIN R. LINSON, 0000
RAYMOND M. LONGABAUGH, 0000
PHILLIP R. LOPEZ, 0000
DAVID W. LOWE, 0000
JENNIFER M. LUCERO, 0000
MICHAEL E. LUDWICK, 0000
ANDREW S. LUNOFF, 0000
JODY M. LUPO, 0000
ROBERT S. LYNCH, 0000
SHARI R. MABINE, 0000
ANDREW P. MACK, 0000
DARCY S. MANION, 0000
OSCAR R. MARIONAACOSTA, 0000
READ S. MARSH, 0000
CARL E. MASON, 0000
HUASCAR R. MATIASVASQUEZ, 0000
RICHARD J. MATSON, 0000
BYRON C. MATTHEWS, 0000
TIMOTHY E. MATTHEWS, 0000
JETHREN M. MATTUS, 0000
CHRISTOPHER L. MAY, 0000
RAMIRO MAYA, JR., 0000
JULIET L. MAYORAS, 0000
TAI J. MCBURNEY, 0000
ALEXIS T. MCCLAIN, 0000
KENNETH S. MCCRORY, 0000
PAUL V. MCCULLOUGH III, 0000
ARVIE E. MCDANIEL, 0000
THOMAS G. MCFALL, 0000
MARK T. MCGOVERN, 0000
CRAIG M. MCILWAIN, 0000
JAMES W. MCKENNA, 0000
MATTHEW K. MCKINNEY, 0000
STEPHEN J. MCLAIN III, 0000
KEITH D. MCMANUS, 0000
WALTER G. MCMANUS, 0000
MIGUEL A. MEDINASANCHEZ, 0000
ALEX S. MEEKS, 0000
STEVEN P. MEREDITH, 0000
WENDY A. MERZ, 0000
PETER E. MICHAEL, 0000
ERIN C. MILLER, 0000
JONATHAN P. MILLER, 0000
CHARLES D. MILLINER, 0000
ETHAN J. MILLS, 0000
PAUL B. MINER III, 0000
SANDRA D. MINGWILKS, 0000
MATTII S. MINOR, 0000
JOE N. MITCHELL, JR., 0000
CHRISTOPHER J. MOBERG, 0000
DAMIKO K. MOORE, 0000
ESTER M. MORALESFACDOL, 0000
MARK S. MORGAN, 0000
JASON A. MORNEAULT, 0000
STEVEN W. MORRIS, 0000
PATRICK B. MUZZY, 0000
JOHN D. MYHRE, 0000
DEREK S. NEAL, 0000
BRIAN S. NEILL, 0000
ROBERT S. NEVINS, 0000
RICHARD S. NEWELL, 0000
JENNIFER L. NEWSOME, 0000
JARED P. NOVAK, 0000
ROBERT L. OBER, 0000
DANIEL J. OCTAVIANO, 0000
ANTHONY OLIVERAS, 0000
MICHAEL C. OLSON, 0000
TRACEY J. OLSON, 0000
EMMITT K. OSBORNE II, 0000
JAMES T. OUTLAND, 0000
MARK D. OWENS, 0000
TASLEEN A. PANTON, 0000
CHRISTOPHER L. PAONE, 0000
AARON A. PARKER, 0000
BRAD A. PASHO, 0000
JONATHAN M. PATRICK, 0000
BOBBY L. PATTERSON, JR., 0000
KARRIE M. PATTERSON, 0000
JENNIFER L. PAULIK, 0000
BRIDGETTE L. PAYTON, 0000
ANDREW L. PEARCE, 0000
JOHNNY A. PEREZ, 0000
TODD D. PERODEAU, 0000
PETER M. PERZEL, 0000
JAMES P. PETE, 0000
ROBERT L. PETROSKY, JR., 0000
JAMIE M. PHELPS, 0000
DENNISE M. PIZARRO, 0000
REBECCA E. PIZZULO, 0000
GEORGE M. PLANSKY, 0000
KEVIN M. POLOSKY, 0000
MARK A. PONTIF, 0000
DOUGLAS C. POPE, 0000
ANTHONY L. POSEY, 0000
MICHAEL D. POTTRATZ, 0000
TODD M. POWERS, 0000
JEFFREY M. PRAY, 0000
ROTUNDA K. PREVO, 0000
KATHRYN I. PROSE, 0000
LISA M. PRUITT, 0000
GERARDO L. PULIDO, 0000
STEVE L. RAGEL, 0000
PABLO A. RAGGIO, 0000
ROLAND E. RAMIREZ, 0000
EFRAIN RAMOS, 0000
ROBERT RANDALL, 0000
JOE A. RATLIFF, 0000
HARVEY R. RAVENHORST, 0000
MANUEL S. RAZO, 0000
JAMES W. READ, 0000
TONY E. REED, 0000
ROSALYN K. REESE, 0000
JONATHAN D. REEVES, 0000
DANNY N. REICHARD, 0000
MATTHEW J. REITER, 0000
WILLIAM A. RENERODRIGUEZ, 0000
BENJAMIN B. REX, 0000
PERCY W. RHONE, JR., 0000
MICHAEL A. RICCIARDI, 0000
EDDIE L. RICHARDSON, 0000
DOUGLAS C. RICHTER, 0000
TONI M. RIEKE, 0000
RAMIT RING, 0000
MARK D. RIPLEY, 0000
ROBERT G. RIVERS, 0000
ERIC C. ROBINSON, 0000
SHAWN M. ROSH, 0000
LARRY S. ROSS, 0000
SHAWN C. ROSS, 0000
RAUL A. ROVIRA, 0000
DANIEL A. ROWELL, 0000
DAVID J. RUDOMETKIN, 0000
JOSEPH J. RUSH, JR., 0000
RIZALDO D. SALVADOR, 0000
GUILLERMO J. SANTIAGOSOSA, 0000
JOHN D. SAPP, JR., 0000
PATRICK W. SCANLAN, JR., 0000
JAMES H. SCARBRO, JR., 0000
PATRICK L. SCHACHLE, 0000
JUSTIN C. SCHAEFFER, 0000
ADAM P. SCHERER, 0000
JOHN L. SCHIMMING, 0000
STEPHAN A. SCHOENBORN, 0000
RICHARD A. SCHONAUER, 0000
MICHAEL G. SCHOONOVER, 0000
JAY S. SCHRODER, 0000
MAYANN T. SCOTT, 0000
TONYA L. SEBOLD, 0000
ROD W. SECOR, 0000
MARK D. SHEETS, 0000
LILIBETH A. SHEPPARD, 0000
ANTHONY R. SHERRILL, 0000
JAMES F. SHINN, 0000
SHANE D. SIMS, 0000
EDWARD L. SLEEPER, 0000
SHAWANTA D. SMART, 0000
DOUGLAS S. SMITH, 0000
RODNEY C. SMITH, 0000
RYAN D. SMITH, 0000
SEAN D. SMITH, 0000
TAURUS D. SMITH, 0000
CHRISTIAN SOLINSKY, 0000
KENNETH E. SOSA, 0000
MICHAEL S. SPAHR, 0000
BRIAN M. SPURLOCK, 0000

MELISSA A. SQUIZZERO, 0000
MATTHEW A. STANLEY, 0000
MICHAEL D. STEALEY, 0000
GEORGE J. STEFFENS, 0000
DORTINA P. STEPHENS, 0000
TERENCE T. STEPHENS, 0000
SCOTT H. STEPHENSON, 0000
JAMES D. STEVEN, 0000
MARIA A. STEWART, 0000
JEREMY L. STLAURENT, 0000
ROBERT E. STOREY, 0000
SONJA Y. STRIBLING, 0000
MICHAEL C. SUAREZ, 0000
TIMOTHY SUGARS, 0000
PETER V. SULKOWSKI, 0000
JOHN E. SULLIVAN, 0000
ERIK A. SUMMERS, 0000
BRETT C. SWANKE, 0000
JAMES E. SWEENEY, JR., 0000
STEVEN J. SZILVASSY, 0000
JENNY K. TAM, 0000
JASON F. TATE, 0000
BRENT H. TAWNEY, 0000
ANTHONY M. TAYLOR, 0000
JOHNNY TAYLOR II, 0000
MICHAEL D. TETER, 0000
KERMIT E. THOMAS, JR., 0000
PEDRO TIRADOCACERES, 0000
STEPHANIE L. TISDALE, 0000
STACY M. TOMIC, 0000
EZELL TORNES, JR., 0000
ANGELA L. TRACY, 0000
TRAVIS D. TRAINER, 0000
TRACY A. TRUDELL, 0000
ELSA TUCKER, 0000
RODNEY A. TURNER, 0000
GEORGE A. TYPHAIR, 0000
LOUIS J. UTTON, 0000
ROCKY R. VAIRA, 0000
DAVID E. VANDEVANDER, 0000
SANDRA G. VASQUEZ, 0000
SANTEE B. VASQUEZ, 0000
CHAD E. VAUGHN, 0000
DENISE VAZQUEZ, 0000
CHRISTOPHER K. VENTERS, 0000
RENNARD L. VILLARREAL, 0000
ANTHONY VITELLO, 0000
WALLY VIVESOCASIO, 0000
ANTHONY K. WAGNER, 0000
JEFFREY E. WAGSTAFF, 0000
CHRISTOPHER J. WALKER, 0000
FRANCES K. WALKER, 0000
MARIO A. WASHINGTON, 0000
CHRISTINE J. WATKINS, 0000
DAVID M. WEESE, 0000
GAIL L. WEGE, 0000
ELL WHITE II, 0000
PAUL M. WHITE, 0000
GINGER L. WHITEHEAD, 0000
SHANNON J. WHITEMAN, 0000
TREVOR D. WIECK, 0000
BRYAN J. WILEY, 0000
IRMA M. WILKIE, 0000
ALTON R. WILLIAMS, JR., 0000
MICHAEL J. WILLIAMS, 0000
MICHELLE M. WILLIAMS, 0000
CHRISTOPHER T. WILSON, 0000
JULIA A. WILSON, 0000
RICHARDO D. WILSON, 0000
ROBERT B. WILSON, 0000
SHEILA R. WILSON, 0000
ALLAN D. WISE, JR., 0000
ROBERT J. WOLFE, 0000
DAVID W. WOODS, 0000
DONALD B. WOODWORTH, 0000
DAVID J. YOUNG, 0000
JOLENE M. YOUNG, 0000
JOSEPH W. YOUNG, 0000
JAMES J. ZACCHINO, JR., 0000
RYAN B. ZACHRY, 0000
KENNETH T. ZAPANTA, 0000
IVAN A. ZASIMCZUK, 0000
JUSTIN M. ZIMMER, 0000
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D0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

HECTOR J. ACOSTAROBLES, 0000
SEAN F. AHRENS, 0000
JULIO G. ARANA, 0000
JOHN T. AUFFERT, 0000
MARK J. BACON, 0000
CLAUDE W. BAILEY III, 0000
GEORGE D. BAILEY, JR., 0000
JAMES A. BAMBURG, 0000
BRIAN W. BASSETT, 0000
JAMES R. BECKER, 0000
THOMAS P. BELKOFER, 0000
DAVID T. BELL, SR., 0000
PHILLIP D. BENEFIELD, JR., 0000
MICHAEL J. BENJAMIN, 0000
MARK S. BENNETT, 0000
VANESSA N. BENSON, 0000
ANTHONY R. BERRY, 0000
TODD S. BERTULIS, 0000
CHRISTOPHER J. BEVERIDGE, 0000
KEVIN BOBBITT, 0000
MORRIS L. BODRICK, 0000
EDWARD A. BOEGLE, 0000
SHAWN M. BOLAND, 0000
WAYNE J. BONDY, JR., 0000
HENRY T. BOOKER, 0000
JOHNNY R. BORDEN, 0000
RAFEAL D. BOYD, 0000
DAVID P. BRISTOL, 0000
PAUL J. BRISTOL, 0000
JOHN M. BROOMHEAD, 0000
RONALD D. BROWN, JR., 0000
LELAND A. BROWNING, JR., 0000
PATRICK T. BUDJENSKA, 0000
LESLIE F. CABALLERO, 0000
LAWRENCE N. CANNON, 0000
JESS H. CAPEL, 0000
JONATHAN G. CASH, 0000
ALLEN T. CASSELL, 0000
ERIC R. CATHCART, 0000
BRETT A. CHALLENGER, 0000
RILEY J. CHERAMIE, JR., 0000
HOWARD L. CLARK III, 0000
JAMES L. CLARK, 0000
JOSEPH P. CLARK, 0000
RICHARD R. CLIFTON, JR., 0000
ARTHUR B. CLOMERA, 0000
ALTON B. CLOWERS, JR., 0000
HOWARD COE, 0000
JEFFREY L. COLEMAN, 0000
JOHN S. CONLEY, 0000
RODNEY CONNOR, 0000
JASON E. CONRAD, 0000
FRANZ J. CONWAY, 0000
COREY S. COOK, 0000
KEITH A. COOK, 0000
MICHAEL A. CORTEZ, JR., 0000
COURTNEY P. COTE, 0000
BRIAN E. COUGHLIN, 0000
JEFFREY L. CROCKETT, 0000
ROBERT S. CROUCH, 0000
JAMES CROWLEY, 0000
ROBERT W. CUMMINS, JR., 0000
PATRICK K. CURRAN, 0000
SEAN B. CUSKER, 0000
JOSEPH G. DALESSIO, 0000
HENRY L. DAVENPORT, 0000
TONY O. DAVILA, 0000
HUBERT D. DAVIS, 0000
MICHAEL N. DAVIS, 0000
ROBERT J. DAVIS, JR., 0000
SCOTT W. DEBORD, 0000
RANDALL S. DELONG, 0000
GEOFFREY C. DETINGO, 0000
MICHAEL J. DEVINE III, 0000
MICHAEL J. DOVE, 0000
LARRY W. DOWNER, 0000
WILLIAM C. DOWNER, 0000
THOMAS A. DRAKEFORD, 0000
TODD M. DUDINSKY, 0000
LAYTON G. DUNBAR, JR., 0000
ROBERT C. DURBIN, 0000
ROBERT A. DUTCHIE, 0000
KENNETH M. EARLS, 0000
CLAYTON W. EDENS, 0000
ROYCE A. EDINGTON, 0000
CHONTA R. EDWARDS, 0000
JOHN K. EDWARDS, 0000
KAY L. EMERSON, 0000
BRIAN S. ENGLAND, 0000
EDWARD L. ENGLISH, 0000
IVAN D. EVANS, 0000
LILLARD D. EVANS, 0000
DONALD M. FARNSWORTH, 0000
JAMES M. FARRELL, 0000
CARY V. FERGUSON, 0000
JAY M. FERREIRA, 0000
ELIZABETH M. FETHERSTON, 0000
PAUL R. FISCUS, 0000
JEFFREY G. FISHACK, 0000
RHONDA L. FISHER, 0000
MARK A. FITCH, 0000
KAREN G. FLEMING, 0000
LISHA T. FLORENCE, 0000
JOSEPH M. FLOWERS, 0000
KRISTIN A. FRAZER, 0000
JAMES W. FRAZIER, 0000
DARWIN A. FRETT, 0000
THOMAS M. FUGATE, 0000
SHANE N. FULLMER, 0000
ROLAND M. GADDY, JR., 0000
JOSEPH E. GADEA, 0000
WILLIAM S. GALBRAITH, 0000
VINCENT F. GALLMAN, 0000
WALTER R. GANDY, 0000
JOE D. GANN, 0000
JAY P. GAUTREAUX, 0000
MICHAEL GEEZA, 0000
ANGELA G. GILLIAM, 0000
GARY E. GILLON, JR., 0000
THOMAS B. GLOOR, 0000
TERESHA R. GOOLSBY, 0000
KATHERINE J. GRAEF, 0000
DANIEL S. GRAVES, 0000
LANCE B. GREEN, 0000
WILLIE B. GREENE, 0000
CHRISTOPHER P. GRELL, 0000
ELIZABETH R. GRIFFIN, 0000
JOHN H. GRIMES, 0000
BRANDON L. GRUBBS, 0000
ROBERT GRUNDY, 0000
ROSA GUVERCIN, 0000
PATRICK A. GUZMAN, 0000
WILLIAM E. HAAS, 0000
CHRISTINE A. HACKETT, 0000
GIFFORD C. HADDOCK, 0000
LAMAR W. HALL, 0000
RICHARD M. HALL, 0000
SCOTT A. HAMANN, 0000
MICHAELE M. HAMMEL, 0000
RODNEY L. HAMPTON, 0000
FRANCES A. HARDISON, 0000
MICHAEL W. HARRIS, 0000
MONTYE R. HARRIS, 0000
DOUGLAS M. HARRISON, 0000
ALVA E. HART, 0000
CHRISTOPHER S. HART, 0000
JAMES K. HAYNES, 0000
JON K. HAYS, 0000
ROBERT W. HEARON, 0000
ANDREA J. HEATER, 0000
ALBERT J. HEDEEN, 0000
ROBERT A. HELMS, 0000
DONALD G. HERKO, 0000
ABEL HERNANDEZNIEVES, 0000
CARL G. HERRMANN, 0000
SEAN M. HERRON, 0000
TOMMIE HEWITT, JR., 0000
JOHN J. HICKEY III, 0000
MICHAEL J. HIGGINBOTHAM, 0000
WILLIAM B. HIGHT, 0000
NORMAN A. HILTON, 0000
ROY G. HOFFMAN, 0000
ANGELIA K. HOLBROOK, 0000
JANET R. HOLLIDAY, 0000
MICHELLE E. HOLLIDAY, 0000
SHAWN L. HOLLINGSWORTH, 0000
ANGELA M. HOLMES, 0000
RODNEY H. HONEYCUTT, 0000
ROBERT S. HOOKNESS, JR., 0000
STEVEN G. HOPPER, 0000
DAVID J. HOSNA, 0000
DOROTHY E. HUBER, 0000
REED E. HUDGINS, 0000
FREDERICK J. HUGHES IV, 0000
HARRY H. HUNGERFORD III, 0000
NATHAN B. HUNSINGER, JR., 0000
PHILIP D. HUNT, 0000
DARRYL B. HURST, 0000
KEITH E. IGYARTO, 0000
DEMETRIUS L. JACKSON, 0000
SHARON B. JACOBS, 0000
GREGORY JAMES, 0000
KENNETH T. JAMES, 0000
JAMES JENNINGS, 0000
MARVIN R. JENNINGS, 0000
JEFFREY H. JOHNSON, 0000
MARIO A. JOHNSON, 0000
VINCENT F. JOHNSTON, 0000
THOMAS E. JONES, 0000
SUZANNE C. KARABINUS, 0000
AURA M. KEE, 0000
SANTIPONG M. KELLER, 0000
KENNETH C. KELLEY, 0000
THOMAS C. KELLEY III, 0000
WILLIAM S. KELLEY, 0000
ALAN G. KELLOGG, 0000
JAMES R. KENNEDY, 0000
STUART A. KIDDER, 0000
BRADLEY J. KILLEN, 0000
PETER J. KIM, 0000
YU S. KIM, 0000
CRAIG M. KING, 0000
GREGORY J. KNOWLES, 0000
ANDREW J. KOUNAS, 0000
KARL S. KRAUSE, 0000
DOUGLAS N. KRAWCZAK, 0000
DAVID R. KREUN, 0000
JASON I. KUROIWA, 0000
DAVID R. LACASSE, 0000
PATRICK A. LAMB, 0000
CEDRIC D. LEE, 0000
GWENDOLYN M. LEE, 0000
JONG H. LEE, 0000
BRIAN D. LEJEUNE, 0000
JONATHAN P. LIBA, 0000
LEE G. LIENEMANN, 0000
MERRITT LINCOLN, 0000
VINCENT R. LINDENMEYER, 0000
HAROLD W. LOPEZ, 0000
JAMES R. LORENZ, 0000
CHRISTOPHER J. LOVE, 0000
TIMOTHY D. LUEDECKING, 0000
CHRISTOPHER S. LUEKENGA, 0000
CHRISTOPHER F. LYNCH, 0000
PATRICK G. MAGRAS, 0000
ROY C. MANAUIS, 0000
GRETCHEN MANUS, 0000
CHARLES S. MARBAS, 0000
MARY L. MARTIN, 0000
MIGUEL A. MARTINEZ, 0000
GEORGE N. MATTHEWS, 0000
QUINT L. MATTHEWS, 0000
CHARLES H. MAY, 0000
SCOTT L. MCANALLEN, 0000
WILLIAM H. MCCAULEY, 0000
RITA C. MCCLELLAN, 0000
COLLEEN S. MCCLOSKEY, 0000
EVA T. MCELROY, 0000
KEITH Q. MCGUIRE, 0000
VANCE L. MCLEOD, SR., 0000
GLENN MCNORIAL, 0000
DEAN A. MEINERT, 0000
MATT G. MELVIN, 0000
ANDREW T. MERGENS, 0000
TIMOTHY S. MERRIOTT, 0000
KEVIN K. MESSER, 0000
CASSANDRA E. MILLER, 0000
MARK A. MILLER, 0000
MICHAEL W. MILNER, 0000
BRADFORD A. MINNERS, 0000
VONNETTE T. MONTEITH, 0000
ANTHONY M. MORANO, 0000
MATTHEW R. MORRIS, 0000
KATHALEEN D. MOSES, 0000
MATTHEW G. MUNSTER, 0000
MICHAEL R. MURRAH, 0000
JEFFREY S. MURRAY, 0000
JOSEPH A. MYRDA, JR., 0000

VICTOR M. NAKANO, 0000
KEVIN M. NASH, 0000
DAVID NGUYEN, 0000
JAMES M. NIXON, 0000
SHELA S. NORWOOD, 0000
TRAVIS A. NOWAK, 0000
JOHN O. NUGENT, 0000
ANDREW D. ODERKIRK, 0000
BRIAN P. ONEIL, 0000
JOHN B. ONEILL, 0000
KENT A. PALMER, 0000
SABRINA PARKERCOOPER, 0000
MICHAEL A. PARODI, 0000
TAMATHA A. PATTERSON, 0000
KENTON L. PEMBER, 0000
WILLIAM E. PEOPLES, 0000
RUSSELL B. PERKINS, 0000
SHARLENE J. PERRY, 0000
EDWARD P. PFEFFER, 0000
SHAWN A. PHELPS, 0000
JAMES R. PHILLIPS III, 0000
MICHAEL E. PHILLIPS, 0000
ERIC A. PIATT, 0000
RICHARD M. PIERCE, 0000
DOUGLAS P. PIETROWSKI, 0000
LEON G. PLUMMER, 0000
SUSAN D. POOLER, 0000
STEVEN V. PRAY, 0000
DAVID J. PRESTON, 0000
MICHELE M. PRIHODA, 0000
RONALD R. RAGIN, 0000
JENNIFER A. REINKOBER, 0000
SCOTT A. REW, 0000
JAMES A. RIDDICK, 0000
ROBERT R. RIGSBY, 0000
DWIGHT E. ROBINSON, 0000
KURT W. ROBINSON, 0000
MONICA Y. ROBINSON, 0000
BRYAN S. ROBISON, 0000
LEONARD E. RODGERS, 0000
JAMES B. RODNEY III, 0000
MICHAEL L. RODRIGUEZ, 0000
MELINDA S. ROMERO, 0000
CATHERINE A. RUSNAK, 0000
WILLIAM M. RUSSELL, 0000
BRUCE A. RYBA, 0000
JOHN L. SALOMONE, JR., 0000
MARION A. SALTERS, 0000
TERRANCE J. SANDERS, 0000
MICHELLE A. SANNER, 0000
GONZALEZ R. SANTIAGO, 0000
JAMES W. SCHIRMER, 0000
STEVEN G. SCHLIESMAN, 0000
TIMOTHY M. SHEETZ, 0000
BENNY L. SHEPARD, 0000
THOMAS F. SHORE, 0000
CRAIG A. SIMONSGAARD, 0000
JEFFREY S. SIMPSON, 0000
PAYTON L. SIMS, 0000
DERRICK J. SINGLETON, 0000
JAMES M. SKRABACZ, 0000
ROLAND D. SLATER, 0000
STANLEY J. SLIWINSKI, JR., 0000
CHRISTOPHER P. SLYMAN, 0000
SARAH M. SMALL, 0000
JAMES E. SMALLIDGE, JR., 0000
DOUGLAS E. SMALLS, 0000
ERIC S. SMITH, 0000
KEITH A. SMITH, 0000
SAMUEL D. SMITH, 0000
SYDNEY A. SMITH, 0000
WILLIE D. SMITH, 0000
BRADFORD L. SNOWDEN, 0000
JEFFREY D. SNYDER, 0000
WILLIE A. SPANN, 0000
JAMES D. SPEEGLE, 0000
THOMAS M. SPENARD, 0000
BENNY L. STARKS, JR., 0000
BRYAN J. STEPHENS, 0000
STEWART L. STEPHENSON, JR., 0000
MAURICE H. STEWART, 0000
SUR E. STEWART, 0000
GARRICK K. STRONG, 0000
MATTHEW C. SULT, 0000
JANICE L. SYPOLT, 0000
MICHAEL A. TAYMAN, 0000
VANEADA S. TERRELL, 0000
ROSALYN THOMPSONBLACKWELL, 0000
MARVIN M. THORNTON, JR., 0000
OTHA E. THORNTON, JR., 0000
STACY S. TOWNSEND, 0000
CAROL M. TSCHIDA, 0000
SCOTT K. TUFTS, 0000
BRETT M. TURNER, 0000
JOHN S. TURNER, JR., 0000
SCOTT A. TYLER, 0000
JACK L. USREY, 0000
DOUGLAS M. VALLEJO, 0000
REID E. VANDERSCHAAF, 0000
MORRIS S. VANDERSLICE, 0000
STEVEN G. VANRIPER, 0000
KEVIN A. VANYO, 0000
ANTHONY J. VEVASIS, 0000
ROBERT M. VILLALOBOS, 0000
MARK A. VINEY, 0000
KENNETH D. WALKER, 0000
STEVEN T. WALL, 0000
WILLIAM B. WALLER, JR., 0000
ERIC C. WARNER, 0000
CECILE M. WARREN, 0000
BERNARD WARRINGTON, JR., 0000
JOHN M. WEAVER, 0000
MARTIN J. WEBER, 0000
COLIN A. WEEKS, 0000
CHARLESTER C. WHITE, 0000
TIMOTHY P. WHITE, 0000
ERIC L. WHITEHURST, 0000
STEVEN C. WIEGERS, 0000
JAMAL E. WIGGLESWORTH, 0000
AUDIE M. WILKINS, 0000
ANDREA R. WILLIAMS, 0000
HOPE F. WILLIAMS, 0000
KEVIN D. WILLIAMS, 0000
JOHN K. WILLIAMSON III, 0000
WILLIAM W. WILLIS III, 0000
GORDON R. WINES, 0000
ANTHONY M. WIZNER, 0000
GARY WRIGHT, 0000
JOHN A. WRIGHT, 0000
MICHAEL T. WRIGHT, 0000
KIM D. ZIMMERMAN, 0000
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THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ALBERT J. ABBADESSA, 0000
GLEN T. ADAMS, 0000
JAMES H. ADAMS, 0000
MARTIN F. ADAMS, 0000
JOSE L. AGUILAR, 0000
BLACE C. ALBERT, 0000
PAULA S. ALBERTO, 0000
CHRISTOPHER E. ALBUS, 0000
STEVEN E. ALEXANDER, 0000
GREGORY D. ALLEN, 0000
GREGORY K. ANDERSON, 0000
CORNELL E. ANDERTON, 0000
DAVID R. APPLEGATE, 0000
NICHOLAS D. ARATA, 0000
JENNIFER J. ASH, 0000
JOHN F. ATKINS, 0000
HAROLD D. BAKER, 0000
SHANE A. BAKER, 0000
THOMAS E. BAKER, 0000
MICHAEL A. BALL, 0000
ROBERT D. BALL, 0000
MARTIN J. BARR, 0000
CHRISTOPHER J. BARRON, 0000
DANIEL J. BARZYK, 0000
CHADWICK T. BAULD, 0000
CHRISTOPHER G. BECK, 0000
PAUL E. BEGALKA, 0000
PERRY P. BEISSEL, 0000
MICHAEL B. BELLENOIT, 0000
PETER N. BENCHOFF, 0000
MATTHEW L. BENDELE, 0000
ROBERT J. BENNETT, 0000
ROLAND F. BENNETT, 0000
KENDALL A. BERGMANN, 0000
CRAIG BERRYMAN, 0000
WILLIAM E. BESETH, 0000
JOHN A. BETTASSO, 0000
KEVIN A. BIGELMAN, 0000
DAVID D. BINGHAM, 0000
ERIC C. BLOOM, 0000
JAMETTE A. BLUE, 0000
JOHN M. BODOR, JR., 0000
RONALD L. BOLTON, JR., 0000
TY D. BONNER, 0000
GERALD A. BOSTON, 0000
FREDERICK K. BOWER, JR., 0000
CHARLES R. BOWERY, JR., 0000
MARK R. BRADY, 0000
JOSEPH T. BREASSEALE, 0000
PATRICK L. BREMSER, 0000
FRANK W. BREWSTER II, 0000
NOELLE J. BRIAND, 0000
ROBERT W. BRINSON, JR., 0000
DETRICK L. BRISCOE, 0000
DOUGLAS L. BROCKHARD, JR., 0000
AARON T. BROWN, 0000
DONALD M. BROWN, 0000
ERIK M. BROWN, 0000
TIMOTHY D. BROWN, 0000
TODD E. BRUCKER, 0000
WILLIAM J. BRYANT, 0000
JOHN G. BUCK, 0000
TON H. BUI, 0000
GREGORY A. BURBELO, 0000
MICHAEL F. BURNS III, 0000
FRED J. BURPO, 0000
DEAN E. BUSHNELL, 0000
SAMUEL A. BUTZBACH, 0000
CHRISTIAN S. BUZATU, 0000
EDWARD K. CAGLE, 0000
ROBERT A. CAIN, 0000
GARY D. CALESE, 0000
PETER CAMPBELL, 0000
RONALD L. CAMPBELL, 0000
CHRISTOPHER J. CARDONI, 0000
TIMOTHY A. CARNS, 0000
ERIC B. CARPENTER, 0000
MICHAEL H. CARR, 0000
WILLIAM J. CARTY, 0000
RICHARD D. CASPER, JR., 0000
OWEN B. CASTLEMAIN, 0000
NELSON E. CHANG, 0000
MICHAEL A. CHARLEBOIS, 0000
JEFFERY CHEEKS, 0000
ILLYA A. CHISOLM, 0000
MARVIN CHISOLM, 0000
DAVID A. CHRISTENSEN, 0000
KEVIN F. CIOCCA, 0000
THOMAS W. CIPOLLA, 0000
CHRISTOPHER R. CLARK, 0000
DANIEL L. CLARK, 0000
MICHAEL J. CLARKE, 0000
RALPH L. CLAYTON III, 0000
RICHARD E. CLEVELAND, 0000
FREDERICK E. CLIFFORD, 0000
DAVID B. CLORE, 0000
MARK R. COFFIN, 0000
MARK A. COLBROOK, 0000
JAMES V. COLE, 0000
MORALES R. COLLAZO, 0000
DANIEL E. COLLING, 0000
RICHARD M. COLLINS, 0000
DAVID A. CONVERSE, 0000
ALAYNE P. CONWAY, 0000
JOHN R. COOK, 0000
THOMAS M. COOKE, 0000
DAVID A. COOLEY, JR., 0000
PATRICK M. COOLEY, 0000
JEFFREY S. COPELAND, 0000
CLARENCE COUNTS, JR., 0000
JOSEPH L. COX, 0000
KELLY A. CRIGGER, 0000
JON R. CRIST, 0000
JOSEPH F. CROCITTO, 0000
THOMAS A. CROWSON, 0000
RONALD T. CUFFEE, SR., 0000
GERY B. CUMMINGS, 0000
ROBERT J. CUNNIFF, 0000
JOSEPH S. CURTIS, 0000
CONOR T. CUSICK, 0000
JOHN M. CYRULIK, 0000
DAVID L. DANIEL, 0000
THEODORE W. DASSO, 0000
JAMES A. DAVEL, 0000
ORESTEES T. DAVENPORT, 0000
DOUGLAS J. DAVIDS, 0000
GREGORY B. DAVIDSON, 0000
ROBERT A. DAVIDSON, 0000
BRIAN J. DAVIS, 0000
JAMES E. DAVIS, 0000
JOHNNY K. DAVIS, 0000
TONY B. DAVIS, 0000
EFRAIN DELACRUZ, 0000
JOHN P. DELANEY, 0000
JEFFREY P. DENNIS, 0000
THOMAS A. DENZLER, 0000
DAVID J. DETZ, 0000
JOHN P. DIGIAMBATTISTA, 0000
JERRY D. DILWORTH, 0000
CHRISTOPHER M. DONESKI, 0000
KELLY P. DONNA, 0000
ROY F. DOUGLAS, 0000
LEWIS N. DOYLE, 0000
CHRISTOPHER T. DREW, 0000
CARLOS A. DUKES, 0000
JOSEPH M. DUNCAN, 0000
KEITH A. DUNKLE, 0000
JOHN G. DUPEIRE, 0000
KEITH A. DUPONT, 0000
CHARLES T. DURAY, 0000
BRIAN L. DUTTON, 0000
ROBERT S. EARL, 0000
RONNY E. ECHELBERGER, 0000
CURTIS B. EDSON, 0000
MATTHEW L. EICHBURG, 0000
ERIC E. ENDRIES, 0000
CHRISTOPHER H. ENGEN, 0000
BRENT B. EPPERSON, 0000
JEFFREY K. ERRON, 0000
JOHN F. ESPOSITO, 0000
ROBERT C. EVANS, 0000
FREDERICK J. FAIR, 0000
MARTIN L. FAIR, JR., 0000
JERRY L. FARNSWORTH II, 0000
MICHAEL P. FARRELL, 0000
CEDRICK A. FARRIOR, 0000
WILLIAM W. FERGUSON, 0000
ROBERT M. FINNEGAN, 0000
EDWIN J. FISKE, JR., 0000
MICHAEL F. FITZGERALD, 0000
DAVID G. FIVECOAT, 0000
KEM R. FLEMING, 0000
LEE A. FLEMMING, JR., 0000
EDWIN A. FLICK, 0000
DAVID S. FLYNN, 0000
KEITH J. FORSYTH, 0000
CHRISTOPHER J. FOX, 0000
MITCHELL D. FRANKS, 0000
JEFFREY W. FRENCH, 0000
SONYA K. FRIDAY, 0000
ANNA R. FRIEDERICHMAGGARD, 0000
DIANA L. FRITZ, 0000
RICHARD A. FROMM II, 0000
ROBERT L. FRUEHWALD, 0000
ALEXANDER P. FULLERTON, 0000
DOUGLAS O. GALEAI, 0000
AUGUSTINE GALLOWAY, 0000
SIMON C. GARDNER, 0000
MATTHEW L. GARNER, 0000
JAMES E. GAYLORD, JR., 0000
SCOTT R. GERBER, 0000
DARREN S. GERBLICK, 0000
CRISTINE L. GIBNEY, 0000
ERIK O. GILBERT, 0000
CHRISTOPHER J. GILMORE, 0000
LARISSA A. GINTY, 0000
RUSSELL D. GOEMAERE, 0000
RICHARD H. GORDON, 0000
JEFFREY C. GORRES, 0000
GREGORY M. GOTH, 0000
JAMES A. GOTTSCHLING, JR., 0000
KENNETH M. GOVENETTIO, 0000
STEPHEN J. GRABSKI, 0000
JOHN E. GRADY, 0000
JONATHAN K. GRAFF, JR., 0000
KEITH A. GRAMIG, 0000

BENJAMIN M. GREINER, 0000
PAUL D. GRONBECK, 0000
DAVID M. GUARRIELLO, 0000
GAVIN M. GUIDRY, 0000
ROSENDO T. GUIEB, 0000
BRETT J. GULLETT, 0000
CRAIG S. GUTH, 0000
MATTHEW S. HACKATHORN, 0000
JOHN W. HAEFNER, 0000
JOHN C. HALE, 0000
JAMES E. HALL, 0000
TIMOTHY J. HALL, 0000
SCOTT W. HALSTEAD, 0000
SCOTT J. HALVERSON, 0000
BRIAN J. HAMMER, 0000
TONY J. HAMMES, 0000
RODERICK J. HAMMOND, 0000
BRIAN D. HANKINSON, 0000
THOMAS E. HANSON, 0000
DAVID W. HARDY, 0000
ROBERT M. HARDY III, 0000
NEIL HARPER, 0000
JAMES H. HARRELL II, 0000
DAVID M. HART, 0000
JOSEPH A. HARVEY, 0000
BRIAN K. HATHAWAY, 0000
MICHAEL K. HATMAKER, 0000
JOSEPH J. HAUER, 0000
THOMAS E. HAUERWAS, 0000
ANTHONY J. HEALEY, 0000
ERIC A. HEALEY, 0000
ROGER P. HEDGEPETH, 0000
MICHAEL B. HEDGES, 0000
SHEILA A. HEGWOOD, 0000
PAUL D. HEINLEIN, 0000
JEFFREY A. HELMS, 0000
LEWIS E. HENRY II, 0000
JOHN C. HERMELING, 0000
SALOME HERRERA, JR., 0000
BENJAMIN I. HIGGINBOTHAM, 0000
WILLIAM K. HIGHBERGER, 0000
JOHN M. HINCK, 0000
KELLY E. HINES, 0000
KENNETH T. HOBBS, 0000
DANIEL C. HODNE, 0000
BRYAN J. HOFF, 0000
THOMAS R. HOFFMAN, 0000
ERNEST P. HOLLAND, 0000
JOSEPH C. HOLLAND, 0000
TIMOTHY W. HOLMAN, 0000
STANLEY D. HOLT, 0000
DAVID B. HOPKINS, 0000
WOODARD B. HOPKINS, 0000
MICHAEL P. HOSIE, 0000
MICHAEL T. HOUSER, 0000
STEVEN M. HOWELL, 0000
JERRY D. HUBBARD, 0000
TIMOTHY D. HUENING, 0000
WILLIAM S. HUSING, 0000
ROBERT F. HYNES, 0000
RODERICK M. HYNES, 0000
HEYWARD R. INABINETT, 0000
JAMES P. ISENHOWER III, 0000
KELLY W. IVANOFF, 0000
BRENDA A. JACINTO, 0000
RONALD L. JACKSON, 0000
KEVIN L. JACOBI, 0000
JAMES JANUSZKA, 0000
SCOTT C. JANZEN, 0000
ROBERT F. JEAN, 0000
ISAAC O. JOHNSON, 0000
STEVEN R. JOHNSON, 0000
WILLIAM B. JOHNSON, 0000
WILLIAM D. JOHNSON, 0000
BROCK D. JONES, 0000
JASON E. JONES, 0000
MONROE C. JONES, 0000
NATHAN C. JOSEPH, 0000
ANTHONY G. JUDGE, 0000
MICHAEL A. JUNOT, 0000
JAMES W. KAINE, 0000
JAMES G. KANICKI, 0000
CLINT E. KARAMATH, 0000
VASILI N. KARATZAS, 0000
ANDREW J. KAUFMANN, 0000
KIRK E. KEEPERS, 0000
MATTHEW V. KELLER, 0000
DANIEL F. KELLEY, JR., 0000
ANDREW J. KELLY, 0000
ROBERT G. KEY, JR., 0000
ROBERT M. KIRILA, 0000
HOWARD C. KIRK IV, 0000
JASON A. KIRK, 0000
JAY F. KLAUS, 0000
KENNETH J. KLIETHERMES, 0000
JOHN D. KLINE, 0000
DAVID L. KNELLINGER, JR., 0000
LUKE A. KNITTIG, 0000
SCOTT A. KOBIDA, 0000
ROBERT G. KOEHLER, 0000
LANCE W. KOHLER, 0000
DAVID F. KOONCE III, 0000
ROBERT J. KRONING, 0000
KEITH A. KRUEGER, 0000
CHARLES D. KRUMWIEDE, 0000
DEAN W. KUCERA, 0000
LAUREN KULINSKI, 0000
JOHN T. KUNDEL, 0000
WILLIAM R. KUNDINGER, 0000
JOHN E. LABADINI, 0000
MICHAEL J. LAMBERT, 0000
KEVIN P. LANDERS, 0000
ANDREW L. LARK, 0000
CHRISTOPHER E. LAYTON, 0000
DAVID S. LEE, 0000
STEPHEN E. LEFEBVRE, 0000
THOMAS G. LEITCH, 0000
RODGER S. LEMONS, 0000
STEPHEN C. LEMONS, 0000
PATRICK N. LESLIE, 0000
CASEY J. LESSARD, 0000
TIMOTHY S. LETHERS, 0000
STEVEN J. LETZRING, 0000
MARK S. LEVINE, 0000
RUSSELL S. LEWIS, 0000
VERNON F. LIGHTNER, 0000
VICTOR C. LINDENMEYER, 0000
DAVID R. LINDSEY, JR., 0000
MICHAEL C. LINDSEY, 0000
MICHAEL E. LISOWSKI, 0000
FREDERICK W. LITTLE, 0000
RICHARD J. LITTLE, 0000
RAYMOND J. LITZINGER, 0000
DAVID H. LOCH, 0000
THOMAS P. LOMBARDO, 0000
JEFFREY W. LONG, 0000
JAMES J. LOONEY, 0000
MICHAEL J. LOOS, 0000
RONALD G. LUKOW, 0000
STEPHEN J. LUTSKY, 0000
DAVID M. LYNCH, 0000
JAMES W. MACGREGOR, 0000
ROBERT K. MAGEE, 0000
PHILIP L. MAHLA, 0000
JAN C. MALAIKAL, 0000
DAVID S. MANN, 0000
JONATHAN M. MAPLEYBRITTLE, 0000
KEITH A. MARKHAM, 0000
KYLE J. MARSH, 0000
DARRELL W. MARTIN, 0000
MICHAEL L. MARTIN, 0000
THOMAS C. MARTIN, 0000
DAVID P. MATARAZZO, 0000
ALBERT MATEGRANO III, 0000
JOSEPH C. MATTHEW, 0000
NICK S. MAULDIN, 0000
PHILIP L. MAYBERRY, 0000
ROBERT J. MCARDLE, 0000
MICHAEL C. MCCURRY II, 0000
MAURICE L. MCDOUGALD, 0000
ERIC A. MCELDOWNEY, 0000
ERIC M. MCFADDEN, 0000
JAMES M. MCGOVERN, 0000
DENNIS J. MCKERNAN, 0000
THOMAS M. MCKINLEY, 0000
RICHARD A. MCLAUGHLIN, 0000
TODD G. MCLEAN, 0000
ANISSA M. MCNEILLROBERTS, 0000
DAVID N. MCNUTT, 0000
DEWAYNE MCOSKER, JR., 0000
ROBERT F. MCTAGUE III, 0000
ROBERT C. MCWILLIAMS IV, 0000
SERAFIN C. MENO, JR., 0000
AARON W. METZ, 0000
JOHN V. MEYER III, 0000
ROSS H. MEYER, 0000
PATRICK R. MICHAELIS, 0000
JOHN P. MICHNA, 0000
DANIEL J. MIDDLETON, 0000
MICHEAL A. MIGLIARA, 0000
ANDREW J. MILLER, 0000
CHARLES R. MILLER, JR., 0000
CHRISTOPHER W. MILLER, 0000
DUANE R. MILLER, 0000
JEREMY B. MILLER, 0000
JOEL W. MILLER, 0000
CHARLES D. MILLS, 0000
KENNETH J. MINTZ, 0000
ANTHONY P. MITCHELL, 0000
CHARLES S. MITCHELL, 0000
GREGORY R. MOGAVERO, 0000
ROBERT J. MOLINARI, 0000
MICHAEL K. MONROE, 0000
PATRICK S. MORGAN, 0000
HARRIS L. MORRIS, 0000
PATRICK W. MORRISON, 0000
DAVID M. MOUNT, 0000
JOHN C. MOYSE, JR., 0000
NICHOLAS A. MULLEN, 0000
JEFFREY B. MULLINS, 0000
ANTONIO V. MUNERA, 0000
THOMAS E. MUNSEY, 0000
CARLOS T. MUNSON, 0000
LARRY G. MURRAY, JR., 0000
JAMES J. MYRICK, 0000
JAMES H. NANCE III, 0000
JOSE C. NAPUTI, 0000
JON M. NARIMATSU, 0000
RICHARD R. NAVARRO, JR., 0000
JEFFREY R. NELDEN, 0000
TROY L. NELLANS, 0000
ERICA C. NELSON, 0000
JOHN S. NELSON, 0000
ROSS C. NGUYEN, 0000
GLENN T. NICHOLS, 0000
PAUL E. NICHOLS, 0000
T B. NINNESS, 0000
TIMOTHY G. NIX, 0000
QUINCY E. NORMAN, 0000
DAVID A. NORTHRIDGE, 0000
WILLIAM T. NUCKOLS, JR., 0000
GLENN M. NUNEZ, JR., 0000
JOHN W. NUTT, 0000
BRYAN W. OBARR, 0000
RONALD E. OBRYANT, JR., 0000
DAVID S. OESCHGER, 0000
DANIEL E. OGRADY, 0000
MICHAEL P. OLIVER, 0000
RICHARD D. ORMAN, 0000
MORGAN D. OROURKE, 0000
ERIK R. OVERBY, 0000
DOUGLAS G. OVERDEER, 0000
JEFFREY D. OWENS, 0000
CARL J. PACKER, 0000
DONALD C. PADGETT, 0000
JOHN M. PAGANINI, 0000
NICHOLAS W. PALARINO, 0000
RAFAEL A. PAREDES, 0000
KEVIN W. PARKER, 0000
TAMARA K. PARKER, 0000
JOHN V. PARROTT, 0000
MARTIN H. PARTRIDGE, 0000
ERIC J. PATER, 0000
STEVEN J. PATIN, 0000
DAVID H. PATTERSON, JR., 0000
RONALD D. PAYNE, 0000
GARY A. PEARSON, JR., 0000
KEITH E. PECHA, 0000
SHANA E. PECK, 0000
WILLIAM B. PENLAND, 0000
KRIS N. PERKINS, 0000
JAMES S. PERRY, 0000
MICHAEL P. PETERS, JR., 0000
JOHN M. PETRACCA, JR., 0000
ROBERT E. PETTIT III, 0000
MICHAEL J. PHILBIN, 0000
ROGER B. PHILLIPS, 0000
DONALD A. PINCUS, 0000
GEORGE A. PIVIK, 0000
JEFFREY A. POISSON, 0000
LOUIS J. POORE, 0000
LEE M. PORTERFIELD, 0000
PATRICK V. POWERS, 0000
BRYAN L. PRATT, 0000
ANDREW D. PRESTON, 0000
FREDERICK E. PRINS, 0000
ROBERT E. PROCTOR, 0000
ROBERT J. PURVIS, 0000
KAREN L. PUSCHUS, 0000
CRAIG E. QUADRATO, 0000
KEVIN J. QUARLES, 0000
JOEL R. QUINN, 0000
PATRICK D. QUINN III, 0000
BRIAN E. RAE, 0000
NATHANIEL W. RAINEY, 0000
HUMBERTO B. RAMIREZ, 0000
KENNETH J. RATASHAK, 0000
BRAD L. REED, 0000
DANIEL C. REID, 0000
RUSSELL N. REILING, JR., 0000
ANDREW T. RENDON, 0000
KENDRICK L. REVIERE, 0000
STORM E. REYNOLDS, 0000
IAN C. RICE, 0000
THOMAS S. RICKARD, 0000
CHRISTOPHER N. RIGA, 0000
SANTOMERO V. RILEY, 0000
REYNALDO D. RINEN, 0000
ARTHUR B. ROBERTSON, 0000
CARTER L. ROGERS, 0000
MICHAEL L. ROGNEY, 0000
MICHAEL J. ROSAMOND, 0000
LEONARD ROSANOFF, 0000
AARON J. ROTH, 0000
RICHARD R. ROULEAU, 0000
THOMAS G. ROWELL, JR., 0000
MICHAEL D. RUNEY, 0000
JOSEPH A. RYAN, 0000
MATTHEW R. SAMPSON, 0000
JOSH C. SAULS, 0000
ANDREW D. SCHELL, 0000
MARK E. SCHMITT, 0000
DONALD P. SCHURR, 0000
LEONARD B. SCOTT IV, 0000
CHARLES M. SEIFERT, 0000
JEFFREY S. SETTLE, 0000
JOHN D. SHANK, 0000
BRUCE T. SHATTUCK, 0000
ERIC B. SHAW, 0000
KEITH B. SHAW, 0000
THOMAS J. SHEEHAN, 0000
JERRY P. SHEPPARD, 0000
JEFFREY M. SHOEMAKER, 0000
ALAN B. SHOREY, 0000
HUGH D. SHOULTS, 0000
JASON K. SHRADER, 0000
THOMAS E. SHRADER, 0000
SCOTT E. SILL, 0000
MICHAEL J. SIMMERING, 0000
DAVID G. SINK, 0000
JOHN T. SIVILS, 0000
CHAD D. SKAGGS, 0000
JASON L. SMALLFIELD, 0000
DALE R. SMITH, 0000
DWAYNE R. SMITH, 0000
JAMES J. SMITH, 0000
JOHN L. SMITH, 0000
KRISTIAN E. SMITH, 0000
SCOTT A. SMITH, 0000
MICHAEL D. SNYDER, 0000
FRANK K. SOBCHAK, 0000
FRANCIS A. SOCHA, 0000
THEODORE W. SOLONAR, 0000
JOHN C. SOUPENE, 0000
EVERETT S. SPAIN, 0000
COREY M. SPENCER, 0000
RICHARD W. SPIEGEL, 0000
JOHN C. STAHL, 0000
JOHN R. STARK, 0000
TROY D. STEBBINS, 0000
JEFFREY A. STEEL, 0000
ERIC W. STETSON, 0000
MICHAEL A. STEVENS, 0000
ALBERT P. STEWART II, 0000
JEFF R. STEWART, 0000
ADRIAN C. STOCKER, 0000
CHRISTOPHER STONE, 0000
ALAN C. STREETER, 0000
TED R. STUART, 0000
MICHAEL P. SULLIVAN, 0000
BRIAN P. SWEENEY, 0000

THOMAS F. TALLEY, 0000
DARREN M. TATE, 0000
KENNETH J. TAUKE, 0000
CHRISTOPHER P. TAYLOR, 0000
CLARK B. TAYLOR, 0000
DAVID T. TAYLOR, 0000
GRADY S. TAYLOR, 0000
WILLIAM D. TAYLOR, 0000
MATTHEW T. TEDESCO, 0000
RONALD M. TEIXEIRA, 0000
MAXWELL S. THIBODEAUX, 0000
WILLIAM L. THIGPEN, 0000
MICHAEL W. THOMAS, 0000
JEFFERY B. THOMPSON, 0000
THOMAS C. THOMPSON, 0000
HENRIK H. THOMSEN, 0000
ERIC R. TIMMERMAN, 0000
STEPHEN G. TOOHEY, 0000
THOMAS V. TRACZYK IV, 0000
NATHAN C. TRIPP, 0000
VENCENT W. TRIPP, 0000
RONALD L. TUCKER, JR., 0000
MATTHEW R. TYLER, 0000
RICHARD P. ULLIAN, 0000
ANDREW C. ULRICH, 0000
ROBERT E. UNDERWOOD, 0000
ROBERT V. URQUHART, 0000
JOE A. USREY, 0000
SHAWN M. VAIL, 0000
MICHAEL J. VANDRIEL, 0000
MATTHEW J. VANWAGENEN, 0000
DOUGLAS C. VANWEELDEN III, 0000
DAVID I. VASQUEZ, 0000
ANTONIO D. VEGA, 0000
DOUGLAS G. VINCENT, 0000
JAMES W. VIZZARD, 0000
THOMAS VONESCHENBACH, 0000
DERIK F. VONRECUM, 0000
JOEL B. VOWELL, 0000
CAREY M. WAGEN, 0000
RICHARD A. WAGEN, 0000
CRAIG S. WAGONER, 0000
TOMMIE L. WALKER, 0000
JOHN P. WANAT, 0000
HEATHER J. WARDEN, 0000
STEVEN H. WARREN, 0000
TODD R. WASMUND, 0000
CHRISTOPHER J. WATRUD, 0000
ROLF H. WATTS, 0000
JOHN A. WEAVER, 0000
RANDALL S. WEISNER, 0000
CHRISTOPHER D. WELLS, 0000
LARS A. WENDT, 0000
PAUL D. WERNER, 0000
KEVIN B. WESOLOWSKI, 0000
JAMES G. WEST, 0000
MARK R. WEST, 0000
DOUGLAS E. WHITE, 0000
GREGORY E. WHITE, 0000
JEFFREY W. WHITE, 0000
CRAIG A. WHITESIDE, 0000
DAVID W. WHITMIRE, 0000
ALAN A. WIERNICKI, 0000
SCOTT F. WILE, 0000
KENT R. WILEY, 0000
ANTWAN C. WILLIAMS, 0000
REGINALD G. WILLIAMS, 0000
SCOTT T. WILLIAMS, 0000
CHRISTOPHER R. WILLIS, 0000
DOUGLAS E. WILLIS, 0000
DANIEL B. WILSON, 0000
JOHN K. WILWERDING, 0000
MARK D. WINSTEAD, 0000
FREDERICK M. WINTRICH, 0000
ROBERT C. WITTIG, 0000
DAVID B. WOMACK, 0000
DAVID M. WOOD, 0000
DORSEY R. WOODSON, 0000
GORDON J. WORRALL, 0000
CHARLES C. WORRILL, 0000
BRIAN W. WRIGHT, 0000
JOHN D. WRIGHT, 0000
WEBSTER M. WRIGHT III, 0000
RICHARD D. WYATT, 0000
KEVIN J. YATAR, 0000
ANDREW T. YERKES, 0000
MARK Q. YOUNG, 0000
MATTHEW C. ZIMMERMAN, 0000
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THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DAVID W. ALLEY, 0000
WILLIAM G. ALMOND, JR., 0000
TERRY L. ANDERSON, 0000
JOHN D. ARMENTROUT, 0000
WILLIAM F. ARMSTRONG, 0000
ERIC A. ARRINGTON, 0000
STEPHEN A. ASHPES, 0000
PHILLIP M. BADAR, 0000
JERRY L. BAIRD, 0000
TONY M. BAKER, 0000
JAMES M. BALL, 0000
DAVID P. BARLET, 0000
PATRICK H. BARNWELL, 0000
LEON BATIE, JR., 0000
MATTHEW M. BATTISTON, 0000
DEL L. BEILSTEIN, 0000
JAMES P. BELLOTTE, 0000
GERALD P. BENARD, 0000
JOSEPH BERRY, JR., 0000
THOMAS W. BIGGERSTAFF, 0000
JOHN A. BISHOP, 0000
PATRICK S. BOLAND, 0000
JOSEPH E. BOLTON, 0000
THOMAS A. BOONE, 0000
SCOTT M. BOWMAN, 0000
MICHAEL L. BRANNEN, 0000
DONALD L. BRAY, 0000
JOHN R. BRENCE, 0000
JONALAN BRICKEY, 0000
JEROME P. BROCK, 0000
JACQUELINE D. BROWN, 0000
LAWRENCE T. BROWN, 0000
WILLIAM BRYANT, JR., 0000
TIMOTHY W. BUCHEN, 0000
EDWARD F. BUCK, JR., 0000
ERIC F. BULLER, 0000
ROBERT M. BURRELL, 0000
ROBERT E. BUZAN, JR., 0000
CHARLES B. CAMPBELL, 0000
MARY J. CAMPBELL, 0000
DYLAN M. CARLSON, 0000
BRIAN J. CARROLL, 0000
BRUCE M. CARSWELL, JR., 0000
EDWIN A. CASTRO, 0000
JASON B. CHAMNESS, 0000
MICHAEL D. CHANDLER, 0000
CHRISTIAN D. CHAPMAN, 0000
THOMAS J. CLANCY, JR., 0000
LANCE L. CLARK, 0000
PADRAIG T. CLARK, 0000
RICHARD A. CLARK, 0000
TONY COE, 0000
THOMAS F. COLLETTE, 0000
NESTOR L. COLLSSENAHA, 0000
ROBERT L. CONRAD, 0000
QUINT A. CONSANI, 0000
THOMAS W. COOK, 0000
MICHAEL R. CORPENING, 0000
SCOTT T. CRINO, 0000
MARK R. CRISMAN, 0000
DAVID T. CULKIN, 0000
ROBERT A. CULP II, 0000
JOSEPH A. DADDARIO, 0000
CHARLES P. DALY, 0000
DALE E. DAVIS, 0000
JOEL DAVIS, JR., 0000
NATHAN W. DAVIS, 0000
MICHAEL E. DAWSON, 0000
WILLIAM J. DEAGAN, 0000
GARY M. DEFORE, 0000
JOSE R. DELGADO, 0000
MARK C. DELP, 0000
ERIC M. DERYNIOSKI, 0000
MISOU T. DEWEESE, 0000
DWAYNE A. DICKENS, 0000
SCOTT A. DIGRUTTOLO, 0000
ALFRED DILEONARDO III, 0000
THOMAS E. DILLINGHAM, 0000
MATTHEW A. DIMMICK, 0000
JOHN A. DINGES, 0000
SASHA A. DOMBROVSKIS, 0000
PHILIP A. DUPONT, 0000
MICHAEL F. DUPRA, 0000
DIXON D. DYKMAN, 0000
JOHN F. DZIENNY, 0000
CHRIS ELDRIDGE, 0000
SCOTT J. ELLINGER, 0000
JOHN F. ELLIS, 0000
WILLIAM B. EMGE, 0000
JOE ERVIN, JR., 0000
ALEXANDER P. ESPINOSA, 0000
DOUGLAS M. FAHERTY, 0000
WILLIAM K. FARMER, 0000
CHRISTOPHER M. FARRELL, 0000
WILLIAM L. FEHLMAN II, 0000
ROBYN E. FERGUSON, 0000
BARBARA R. FICK, 0000
DAVID P. FILER, 0000
THOMAS L. FINCH, JR., 0000
ROBERT A. FISHER, 0000
JONATHAN M. FOX, 0000
PETER E. FRANZ, JR., 0000
JONATHAN E. FREEMAN, 0000
MICHAEL J. FRENCHICK, 0000
MICHAEL W. GANUELAS, 0000
JEFFREY V. GARDNER, 0000
MICHAEL T. GARDNER, 0000
KEITH A. GARWOLD, 0000
SCOTT C. GENSLER, 0000
PATRICK W. GINN, 0000
RUSSELL L. GODSIL, JR., 0000
STEPHEN M. GOLDMAN, 0000
KAREN S. GOLDSTON, 0000
DAVID P. GOODMAN, 0000
MARK S. GORAK, 0000
JAMES A. GORDON, 0000
KARL A. GOSSETT, 0000
SCOTT A. GRAHAM, 0000
RICHARD S. GRAMMER, 0000
JOHN E. GRANT, 0000
JANICE M. GRAVELY, 0000
HORACE P. GRAVES, JR., 0000
CHRISTOPHER W. GREEN, 0000
BENJAMIN P. GREENE, 0000
JORGE GUZMAN, 0000
ANDREW O. HALL, 0000
BRIAN S. HALLORAN, 0000
JANE M. HAMANN, 0000
BURKE R. HAMILTON, 0000
TIMOTHY E. HAMM, 0000
BERNADETTE M. HANLEY, 0000
JEFFERY A. HANNON, 0000
JORIE L. HANSON, 0000
MICHAEL J. HARDY, 0000
KENNETH W. HARRIS, 0000
LORENZO HARRIS, 0000
BARRY L. HARTLEY, 0000
HAROLD B. HAUGHTON, 0000
RUSSELL D. HAYNIE, 0000
CHARLES J. HEIMANN, 0000
KRISTINA M. HEISE, 0000
ERIC T. HEIST, 0000
ROBERT B. HEMMER, 0000
DREW A. HENRY, 0000
SAUL HERRERA, 0000
DAVID T. HICKCOX, 0000
JOSEPH L. HILFIKER, 0000
LEE A. HILGARTNER, 0000
JOHN G. HINES, JR., 0000
JOHN C. HINKEL, JR., 0000
JIMMY S. HINTON, JR., 0000
JOHN B. HOLCOMB, 0000
MICHAEL B. HOOS, 0000
DAVID J. HORAN, 0000
CARL J. HORN III, 0000
ERIC A. HUGHES, 0000
EDWARD J. HUNTER, 0000
KIRK S. HUNTER, 0000
MIKI T. HUNTINGTON, 0000
JOHN W. HYTTEN, 0000
JOSEPH G. IZAGUIRRE, 0000
JEFFREY D. JACK, 0000
MARLON C. JAMES, 0000
RYAN M. JANOVIC, 0000
THOMAS D. JARZEN, 0000
RICHARD S. JEFFRESS, 0000
KENNETH M. JENKINS, 0000
GREGORY L. JOACHIM, 0000
ANDREW T. JOHNSON, 0000
BRIAN N. JOHNSON, 0000
DANA R. JOHNSON, 0000
PAUL D. JOHNSON, 0000
WENDELL K. JOHNSON, 0000
DANIEL B. JONES, 0000
TRENA L. JONES, 0000
SCOTT M. KAIN, 0000
ADAM C. KAPOLKA, 0000
KEVIN T. KAWASAKI, 0000
PATRICK J. KEANE, 0000
PATRICK A. KELLEY, 0000
ROBERT J. KELLY, 0000
SHERMAN D. KELLY, 0000
KEVIN P. KILBURN, 0000
JENNIFER L. KIMMEY, 0000
KARL M. KLEIN, 0000
RANDALL R. KLINGAMAN, 0000
BERND G. KOEHLER, 0000
JOSEPH E. KOLLER, 0000
MARC S. KORTENRAY, 0000
THEODORE S. KUBISTA, 0000
PAUL D. KUCIK III, 0000
KARL R. KURZ, 0000
JEFFREY J. KYBURZ, 0000
GREGORY A. LAMM, 0000
BRIAN T. LAMSON, 0000
ERIC A. LAND, 0000
JAMES V. LANTZ, 0000
AARON L. LARSEN, 0000
ERIC J. LARSON, 0000
KELLY S. LAURITZEN, 0000
CHUN H. LEARN, 0000
KI T. LEE, 0000
PATRICK T. LEE, 0000
RICHARD T. LEE, 0000
LINCOLN D. LEIBNER, 0000
PAUL C. LEMKE, 0000
JOSHUA M. LENZINI, 0000
DEAN E. LEWIS, 0000
GEORGE E. LEWIS III, 0000
MARK E. LEWIS, 0000
SAMUEL J. LEX, 0000
ERIC M. LEYDE, 0000
JEFFREY A. LIBBY, 0000
BRIAN E. LINVILL, 0000
WILLIE J. LOCKE III, 0000
DARREN D. LYNN, 0000
FRANKLIN D. LYNN, JR., 0000
STEPHEN C. MA, 0000
LEO J. MAHONEY IV, 0000
RODNEY L. MALBROUGH, JR., 0000
ALFONSO MANDUJANO, JR., 0000
DANIEL C. MARTIN, 0000
JERRY L. MARTIN, 0000
LILLIAM MARTINEZ, 0000
RANDY G. MASTEN, 0000
ROBERT S. MATHERS, 0000
EDWARD P. MATTISON, 0000
JOHN E. MAYER, 0000
JAMES G. MCADEN, 0000
DENNIS C. MCCALLUM, JR., 0000
RICHARD P. MCCLINTOCK, 0000
ROGER A. MCDONALD, 0000
WILLIAM G. MCDONOUGH III, 0000
JAMES G. MCFADDEN, 0000
ROBERT W. MCGHEE, 0000
TIMOTHY P. MCKEE, 0000
MANUEL R. MELENDEZ, 0000
DAVID B. MELTON, 0000
MICHAEL G. MESTAN, 0000
EUGENE C. MEYER, JR., 0000
BILLY L. MILLER, 0000
JAMES C. MILLER, JR., 0000
ROLLIN L. MILLER, 0000
KEVIN M. MINDAK, 0000
CHRISTOPHER C. MITCHINER, 0000
IVAN MONTANEZ, 0000
JOANNE C. MOORE, 0000
ROBERT L. MOORE, 0000
TIMOTHY J. MOORE, 0000
THOMAS O. MOREL, 0000

SCOTT H. MORGAN, 0000
SEAN P. MORIARTY, 0000
CRAIG D. MORROW, 0000
PATRICK D. MORROW, 0000
ANDREW M. MORTENSEN, 0000
MATTHEW D. MORTON, 0000
MARK W. MOYER, 0000
CHRISTOPHER C. MUHR, 0000
PATRICK J. MULLIN, 0000
BRUCE A. MUMFORD, 0000
JOHN S. MURPHY III, 0000
MICHAEL P. MURPHY, 0000
JAMES M. MYERS, 0000
LEONEL NASCIMENTO, 0000
CHAUNCY C. NASH, 0000
MATTHEW J. NEWTON, 0000
EDWARD A. NICKERSON, 0000
JONNY R. NOBLE, 0000
MICHAEL E. NOWATKOWSKI, 0000
OVA OHAIR III, 0000
THOMAS J. OLIVER, 0000
MARK E. ORWAT, 0000
CHRISTOPHER K. OTOONI, 0000
SHANE P. OUSEY, 0000
ANDREW P. OVERFIELD, 0000
MICHAEL V. PALAZA, 0000
MICHAEL E. PANKO, 0000
JEFFREY E. PANNAMAN, 0000
STEVE D. PARK, 0000
CHARLES R. PARKER, 0000
MICHAEL J. PARSONS, 0000
JACQUELINE L. PATTEN, 0000
KENNETH A. PATTERSON, 0000
CHRISTOPHER A. PATTON, 0000
THOMAS E. PEDIGO, 0000
DAVID W. PENDALL, 0000
JEFFERY A. PERRY, 0000
IRVIN PETE, 0000
ROBERT M. PETERS, 0000
FADI J. PETRO, 0000
DERRYL M. POOLER, 0000
JAMES T. PORTER III, 0000
JAMES C. POWERS, JR., 0000
CHRISTOPHER B. PULTZ, 0000
DAVID M. PURSLEY, 0000
TROY A. RADER, 0000
ARMANDO J. RAMIREZ, 0000
CHRISTIAN J. RAMTHUN, 0000
MICHAEL D. RAYBURN, 0000
ROMEO RECCHIA, 0000
MARCUS A. REESE, 0000
KEVIN M. REISWITZ, 0000
DANIEL L. REYNOLDS, 0000
DAVID M. RICHEY, JR., 0000
GARY G. RIDENHOUR, 0000
PAUL RITKOUSKI, 0000
ARVESTA P. ROBERSON II, 0000
DAWN M. RODESCHIN, 0000
TRAVIS E. ROOMS, 0000
MARK E. ROSENSTEIN, 0000
RANDY S. ROSS, 0000
TRACEY D. RUESCHHOFF, 0000
RICHARD L. RUFFCORN II, 0000
BRENT D. RUHLEN, 0000
MARK C. RUSSO, 0000
JENNIFER B. SALINAS, 0000
JAMES P. SCHAPEL, 0000
MICHAEL A. SCHIESL, 0000
KERRY J. SCHINDLER, 0000
KREG E. SCHNELL, 0000
KURT A. SCHOSEK, 0000
ELIZABETH W. SCHOTT, 0000
RUSSELL J. SCHOTT, 0000
BRUCE E. SCHRINER, 0000
PAUL D. SCHUMACHER II, 0000
WILLIAM C. SCHUSTROM, 0000
ROBERT C. SEMPLE, 0000
ROBERT E. SHORT, 0000
JOHN R. SIMONTON, 0000
JAMES D. SISEMORE, 0000
CRAIG L. SMITH, 0000
FRANK H. SMITH, JR., 0000
LAWRENCE A. SMITH III, 0000
SAMMY J. SMITH, 0000
SCOTT A. SMITH, 0000
STEPHEN M. SMITH, 0000
FRANK J. SNYDER, 0000
TIMOTHY A. SOLIE, 0000
MATTHEW V. SOUSA, 0000
RICHARD P. SPAINHOUR, 0000
RODERIC SPENCER, 0000
MARK L. STEBBINS, 0000
MICHAEL P. STELZIG, 0000
ERIC W. STEWART, 0000
BRIAN J. STOKES, 0000
DEREK L. STREETER, 0000
GEORGE J. STROUMPOS, 0000
DAVID O. SUTTON, 0000
WALTER S. SUTTON, 0000
STEPHEN P. SZEWC, 0000
RODNEY Y. TAKAHASHI, 0000
PETER J. TATE, JR., 0000
JOHN C. THOMAS, 0000
ANTONIO L. THOMPSON, 0000
MICHAEL F. THOMPSON, 0000
WILLIAM R. THORNTON, 0000
CRAIG J. TIPPINS, 0000
DANIEL L. TOBIAS, 0000
THOMAS E. TOLER, 0000
VINCENT H. TORRES, 0000
JOSE O. TORRESALVARADO, 0000
JULIAN S. TRAN, 0000
GEORGE J. TRAWICK, 0000
WESLEY I. TUCKER, 0000
JASON J. TURNER, 0000
LANE M. TURNER, 0000
RICHARD D. TUTTLE, 0000
STEPHANIE J. TUTTON, 0000
MARK S. ULRICH, 0000
JAMES A. URBEC, 0000
MARTHA S. VANDRIEL, 0000
MICHAEL L. VARUOLO, 0000
STEPHANIE D. VAUGHN, 0000
GERARD A. VAVRINA, 0000
DARRYL L. VERRETT, 0000
SHELLEY L. VOLKWEIN, 0000
PATRICK L. WALDEN, 0000
RANDOLPH S. WARDLE, 0000
BILLY WATTS, JR., 0000
KENT L. WEBBER, 0000
ALICIA G. WEED, 0000
WILLIAM T. WELCH, 0000
GERALD S. WELLS, JR., 0000
HOLLY F. WEST, 0000
CHARLIE WILLIAMS, 0000
DAVID M. WILLIS, 0000
DAVID R. WILLS, 0000
DIONNE M. WILSON, 0000
JOHN F. WINTERS, 0000
PETER J. WIRTH, 0000
ANDREW P. WORTHAM, 0000
DAVID N. WRIGHT, 0000
FRANK B. WRIGHT, 0000
THOMAS M. WRIGHT, 0000
JEFFREY T. WYATT, 0000
WILLIAM M. WYATT, 0000
JAMES M. YOCUM, 0000
GAIL E. YOSHITANI, 0000
SHAW YOSHITANI, 0000
CYNTHIA M. YOST, 0000
FRANCESCA ZIEMBA, 0000
D0000
D0000
D0000
D0000
D0000
X0000
X0000
X0000
X0000
X0000
X0000

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

BRETT T. BOWLIN, 0000
SHERRY L. BRELAND, 0000
MARC S. BREWEN, 0000
JOHN E. CLADY II, 0000
AIMEE M. COOPER, 0000
CURTIS T. CREWS, 0000
TANYA CRUZ, 0000
ARTHUR L. GASTON III, 0000
STACIA J. GAWRONSKI, 0000
CHRISTOPHER J. GREER, 0000
BRIAN J. HALLIDEN, 0000
KATHLEEN A. HELMANN, 0000
JAMES R. HOFFMAN, 0000
THERON R. KORSAK, 0000
MATTHEW B. KUREK, 0000
STACIE J. LEONARD, 0000
JASON M. LEVY, 0000
MARK A. LINDSEY, 0000
KEITH B. LOFLAND, 0000
JEROD L. MARKLEY, 0000
KIMBERLEY B. MCCANN, 0000
WAYNE A. MIANI, JR., 0000
BRIAN L. MIZER, 0000
CHANDA R. MULLEN, 0000
ANDREW S. MYERS, 0000
MARK P. NEVITT, 0000
HEATHER D. PARTRIDGE, 0000
JUSTIN PILLING, 0000
STEPHEN C. REYES, 0000
ANGELA C. RONGOTES, 0000
MEGAN K. SMITH, 0000
SARAH A. STANCATI, 0000
SCOTT W. THOMAS, 0000
JEFFREY G. TRANSTROM, 0000
CLAYTON G. TRIVETT, 0000
DUSTIN E. WALLACE, 0000
WILLIAM H. WEILAND, 0000
BRIAN E. WEINTHAL, 0000
DANIEL WERNER, 0000
EDWARD K. WESTBROOK II, 0000
CHRISTOPHER M. WILLIAMS, 0000
JEANINE B. WOMBLE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

RUBEN D. ACOSTA, 0000
ERIN G. ADAMS, 0000
AFSHIN K. AFARIN, 0000
EVAN M. ALTMAN, 0000
REAGAN B. ANDERSON, 0000
KAIVON ARFAA, 0000
MICHAEL J. ARNOLD, 0000
ANGELA M. BACHMANN, 0000
DANIEL J. BACHMANN, 0000
TIMOTHY W. BARKDOLL, 0000
MATTHEW D. BARKER, 0000
PATRICK E. BAROCO, 0000
RHETT A. BARRETT, 0000
MICHAEL J. BARRY, 0000
ERIKA S. BEARDIRVINE, 0000
BRENT R. BECKER, 0000
RANDY S. BELL, 0000
RYAN A. BELL, 0000
ANTHONY W. BENDERMAN, 0000
WILLIAM E. BENNETT, 0000
CURT A. BERGSTROM, 0000
KATHRYN L. BERNDT, 0000
CHRISTOPHER S. BEWLEY, 0000
MICHAEL C. BLAKLEY, 0000
JENNIFER M. BLATTNER, 0000
CHRISTOPHER M. BLOOMER, 0000
AUDREY G. BOLANOWSKI, 0000
CATHERINE A. BORJA, 0000
BABAK BOROUJERDI, 0000
DAN C. BREECE, 0000
MARGARET A. BROCKMAN, 0000
ADAM M. BROWN, 0000
JAMES D. BRYANT, 0000
LARISSA S. BUCCOLO, 0000
MICHAEL A. BUCKLEY, 0000
CHRISTOPHER J. BURNS, 0000
JOHN C. CAPENER, 0000
JING M. CARDONA, 0000
CRAIG G. CARROLL, 0000
JONATHAN L. CHADWICK, 0000
TEMUJIN T. CHAVEZ, 0000
RICHARD C. CHILDERS, 0000
CHONG H. CHOE, 0000
JEAN CHRETIEN, 0000
MATTHEW S. CHRISTMAN, 0000
MERLENE V. CHRISTOPHER, 0000
LARA D. CHURCH, 0000
JONATHAN E. CLARKE, 0000
BRITTEN L. COLE, 0000
CHRISTOPHER T. COLLIE, 0000
JEFFREY J. COPELAND, 0000
DOUGLAS J. CRAGIN, 0000
COLIN V. CRICKARD, 0000
SAMYA V. CRUZ, 0000
JENNIFER A. CURRY, 0000
ANJA DABELIC, 0000
JASON G. DAILY, 0000
RUPA J. DAINER, 0000
MARK N. DAMIANO, 0000
AMANDA A. DEEL, 0000
ERIC C. DEUSSING, 0000
HAMMA A. DIALLO, 0000
DENIS M. DIAZ, 0000
CHADWICK J. DONALDSON, 0000
MICHAEL T. DORRITY, 0000
MATTHEW R. DOUBRAVA, 0000
GLENN A. DOWLING, 0000
JOSH L. DUCKWORTH, 0000
GINGER E. DUNNAMSMITH, 0000
JASON M. DURBIN, 0000
GAELYN E. EATONSCUDERI, 0000
KELLY O. ELMORE, 0000
LEWIS J. FERMAGLICH, 0000
GORDON L. FIFER, 0000
ROBERT N. FISH, 0000
RICK L. FISHER, 0000
JOSEPH D. FITZPATRICK, 0000
ALAN T. FLANIGAN, 0000
CARIE A. FLETCHER, 0000
JANEL F. FOSTER, 0000
DAVID B. FOX, 0000
MICHAEL R. FRASER, JR., 0000
GRACE M. FREIER, 0000
GREGORY H. FREITAG, JR., 0000
RYAN D. FRIEDER, 0000
DANIEL R. FULK, 0000
CORY P. GACONNET, 0000
SATYEN M. GADA, 0000
EDMUND A. GANAL, 0000
SAM W. GAO, 0000
PHILLIP G. GEIGER, 0000
THERESA M. GILLE, 0000
JONATHAN S. GLASS, 0000
CHRISTINA J. GONDUSKY, 0000
JOSEPH S. GONDUSKY, 0000
EDGAR A. GONZALEZ, 0000
MICHELE J. GONZALEZ, 0000
PENELOPE A. GOODE, 0000
ROBERT J. GOULD, 0000
ERIN A. GRIFFITH, 0000
HELEN S. HAGAN, 0000
JACK D. HAGAN, 0000
JEREMY B. HAMMEL, 0000
KENT S. HANDFIELD, 0000
MATTHEW E. HARRIS, 0000
JERSHONDA F. HARTSFIELD, 0000
JARED H. HEIMBIGNER, 0000
JASON L. HENRY, 0000
DAVID D. HESSERT, 0000
TARA B. HIGH, 0000
NATALIE J. HILL, 0000
JASON HILLMAN, 0000
JOHN A. HODGSON, 0000
ROY A. HOFFMAN, 0000
JOSHUA D. HOTTENSTEIN, 0000
WARREN V. HSU, 0000
WEI L. HU, 0000
KIM HUI, 0000
NICOLE D. HURST, 0000
JOHN D. HYATT, 0000
ELLIOT M. JESSIE, 0000
SONOVIA L. JOHNSON, 0000
JENNIFER JOHNSONPATEL, 0000
MICHAEL G. JOHNSTON, 0000
SARAH K. JORGENSEN, 0000
CHRIS J. KANE, 0000
JEFFREY M. KANG, 0000
MICHAEL R. KAPLAN, 0000
MICHAEL L. KENT, 0000
HYUNG W. KIM, 0000
DONALD P. KINESTON, 0000
DAVID M. KING, 0000
MICHAEL C. KING, 0000

MARTIN W. KINNISON, 0000
DAVID E. KVARNBERG, 0000
DAVID A. LALLI, 0000
JOHN T. LANDERS, 0000
KENDALL M. LANE, 0000
MATTHEW W. LAWRENCE, 0000
LU D. LE, 0000
QUANG P. LE, 0000
TOMMY D. LE, 0000
RACHEL U. LEE, 0000
ASHLEY G. LESLEY, 0000
JEFFREY L. LESTER, 0000
MARY A. LEYNES, 0000
JEFFREY D. LIGHTFOOT, 0000
NELLE A. LINZ, 0000
KIMBERLY N. LIVINGSTON, 0000
PETER N. LOMBARD, 0000
STEPHANIE A. LOWTHER, 0000
WILLIAM M. LUCAS, 0000
ROBERT J. LUEKEN, 0000
DEDRICK S. LUIKENS, 0000
KENNETH R. LUNA, 0000
MARCEL A. MACGILVRAY, 0000
VINH Q. MAI, 0000
RICHARD S. MALKOWSKI, 0000
CHRISTOPHER T. MARAZON, 0000
ROBERT J. MATYAS II, 0000
MAUREEN F. MCCLENAHAN, 0000
MICHAEL L. MCCORD, 0000
SEAN A. MCKAY, 0000
DONNA A. MCLAUGHLIN, 0000
MIKE B. MCMURTRY, 0000
CONSUELITO A. MEDRANO, 0000
ERIC J. MIANO, 0000
EUGENE A. MILDER, 0000
JEFFREY H. MILLEGAN, 0000
JESSICA M. MILLER, 0000
MARGARET M. MOORE, 0000
DANIELLE J. MOSZYK, 0000
JUSTIN R. MOY, 0000
DAVID P. MULLIN, 0000
DANIEL P. NADEAU, 0000
KELLI L. NAYAK, 0000
JAMES C. NEDEROSTEK, 0000
MATTHEW NEEDLEMAN, 0000
AMY NIEDERHAUSER, 0000
MARISELA M. NOORHASAN, 0000
CORMAC J. OCONNOR, 0000
JOSPEH A. ODANIEL, 0000
KATHLEEN M. OMARA, 0000
ERIN K. OPFER, 0000
TODD R. OTTEN, 0000
JOSEPH R. PALMA, 0000
ROWENA E. PAPSON, 0000
KAREN M. PARISIEN, 0000
STEVEN K. PARK, 0000
AUSTIN L. PARKER, 0000
BRETT J. PARTRIDGE, 0000
JOEL N. PETERSON, 0000
LISA A. PETERSON, 0000
THOMAS A. PLUIM, 0000
JOHN T. POWELL, 0000
DAVID D. S. PROUM, 0000
LEON T. QUE, JR., 0000
AMY E. RADICH, 0000
SUNEIL R. RAMCHANDANI, 0000
SHARON L. REINERTSEN, 0000
MICHAEL P. REITER, 0000
JULIO J. RENTASREYES, 0000
JEFFREY C. RICKS, 0000
PETER J. RIGA, 0000
PETER C. RIM, 0000
ANNE B. ROBERTS, 0000
BENJAMIN RODRIGUEZ, 0000
WILLIAM RODRIGUEZCARTAGENA, 0000
JENNIFER J. ROSEN, 0000
KARL A. ROSEN, 0000
NEIL N. S. SALDUA, 0000
KRISTIAN E. SANCHACK, 0000
MICHAEL G. SANTOMAURO, 0000
STEVEN P. SANTOYO, 0000
PAUL D. SARGENT, 0000
CRAIG I. SCHRANZ, 0000
RICHARD H. SCHRECKENGAUST, 0000
MARK R. SEIGH, 0000
JACOB L. SELLON, 0000
ROBERT M. SELVESTER, 0000
TARA M. SEXTON, 0000
JOHN R. SEYERLE, 0000
CHRISTOPHER M. SHALE, 0000
DAMON D. SHEARER, 0000
MATTHEW S. SHEPHERD, 0000
GARTH C. SKOROPOWSKI, 0000
WILEY J. SMITH, 0000
PETER D. SNYDER, 0000
ELIZABETH M. SOLZE, 0000
ROBERT A. STATEN, 0000
AARON D. STAVINOHA, 0000
MICHAEL B. STEELE, 0000
THEOPHIL A. STOKES, 0000
DARYL J. SULIT, 0000
MICHELE E. SULLIVAN, 0000
SETH J. SULLIVAN, 0000
CAMILLE A. TABOR, 0000
MATTHEW D. TADLOCK, 0000
ARASH TALEGHANI, 0000
ANNA L. TECHENTIN, 0000
EDEN TEMKO, 0000
MICHAEL S. TERMINI, 0000
JOSHUA G. TICE, 0000
KATHY D. TIEU, 0000
FREDERICK J. TRAYERS, 0000
MICHAEL S. TRIPP, 0000
DAVID L. TROWBRIDGE, 0000
TOMMY H. TSE, 0000
PAULETTE R. TUCCIARONE, 0000
MICHAEL A. TWYMAN, 0000
JOHN A. ULLRICH, 0000
KENNETH B. UY, 0000
BRYAN M. VANDERSCHUUR, 0000
NICOLE G. VICCARI, 0000
BINH V. VO, 0000
TARA M. WALKER, 0000
SCOTT C. WALLACE, 0000
BENJAMIN D. WALRATH, 0000
MARC R. WATKINS, 0000
REBECCA M. WEBSTER, 0000
JODY M. WEINSTEIN, 0000
DANIEL R. WEIS, 0000
DYLAN E. WESSMAN, 0000
MARGRETHE E. WESTON, 0000
DENISE A. WHITFIELD, 0000
JIBRI M. WIGGINS, 0000
DONNELLY R. WILKES, 0000
CHRISTINA M. WILLIAMS, 0000
EUGENE K. WILSON III, 0000
MICHELLE S. WONG, 0000
WILLIAM J. YAVELAK, 0000
JASON A. YODER, 0000
CHARLES F. YOUNGBLOOD, 0000
LUKE A. ZABROCKI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

PAUL H. ABBOTT, 0000
DAVID L. AGEY, 0000
JOHNNY J. ALSTON, 0000
ROBERT L. ANDERSON II, 0000
GARLAND H. ANDREWS, 0000
BRENNAN S. AUTRY, 0000
DEBRA L. BAKER, 0000
MARIA L. BAREFIELD, 0000
MICHAEL A. BARNES, 0000
KEITH M. BASS, 0000
TEPORA D. BECKMAN, 0000
ANDREW H. BERTRAND, 0000
DANIEL E. BIBLE, 0000
RANDY A. BIRT, 0000
CHRISTOPHER T. BLAIR, 0000
KELLY M. BOARDWAY, 0000
GIDGET BOWERS, 0000
DAWN M. BOWMAN, 0000
CHERYL H. BRADSHAW, 0000
WILLIE J. BROWN, 0000
THOMAS M. BUI, 0000
DAVID M. BURKE, 0000
GERALD F. BURKE, 0000
RALPH D. BYRD, 0000
JOHN H. CALLAHAN, 0000
CHRISTINA A. CARMODY, 0000
RICHARD E. CARROLL, 0000
STEVEN B. CARTER, 0000
VICTOR C. CHAVIS, 0000
BOBBY W. CHERRY, 0000
MICHAEL A. CLEVELAND, 0000
HERBERT F. COARD III, 0000
ANTOLINO J. COLON, 0000
KATHLEEN K. COOPERMAN, 0000
KAREN S. CORSON, 0000
BRYON L. CRAIG, 0000
VERONIKA DIMEO, 0000
MATTHEW C. DOAN, 0000
MARC D. DOBSON, 0000
CARL W. DOUD, 0000
FOUAD A. ELZAATARI, 0000
MICHAEL O. ENRIQUEZ, 0000
MICHAEL E. FEESER, 0000
DENISE M. FLOURNOY, 0000
CHARLES D. FOSTER, 0000
JAMES F. GARMAN, 0000
GLORIA L. GARNER, 0000
WILLIAM E. GRADY, 0000
MICHAEL J. GRANDE, 0000
MARY C. GRAVES, 0000
DARRYL E. GREEN, 0000
RONA D. GREEN, 0000
JEFFREY A. GREENE, 0000
GARY C. GROTHE, JR., 0000
ROGER W. GUNTER, 0000
JAMES R. HAGEN, 0000
LESLIE C. HAIR, 0000
HEATHER D. HELLWIG, 0000
TROY D. HENDERSON, 0000
RICHARD D. HERIDIA, 0000
NEWTON D. HIGH, 0000
MATTHEW J. HOLCOMB, 0000
RYAN J. HOLDORF, 0000
LISA M. HORNICK, 0000
WILLIAM R. HOWARD, 0000
BRIAN L. IHLENFELD, 0000
CHRISTINA M. JENKINS, 0000
JOSEPH S. JENKINS, 0000
THOMAS D. JENKINS, 0000
FRANCA R. JONES, 0000
WILLIAM E. KELLY, 0000
MICHAEL J. KLEMANN, 0000
ANGELICA A. KLINSKI, 0000
DAVID H. KOCH, 0000
LISA S. LABERMEYER, 0000
OCTAVIS D. LAMPKIN, 0000
SEAN M. LANDO, 0000
THOMAS J. LEACH, 0000
NICOLETTE A. LEFLORE, 0000
JASON T. LEWIS, 0000
KYLE Y. LIM, 0000
KATHRYN T. LINDSEY, 0000
NILO M. LLAGAS, 0000
JONATHAN H. LOCKE, 0000
ANNE M. LOPEZ, 0000
ALBERT C. LOUI, 0000
JERALD L. MAHLAUHEINERT, 0000
CHRISTOPHER J. MALDARELLA, 0000
AMANDA R. MASSEY, 0000
BERNARD C. MCDONALD, 0000
GREGORY G. MCLAUGHLIN, 0000
RACHELLE MCPHERSON, 0000
MICHAEL W. MORTON, 0000
KIMBERLY A. MUSA, 0000
DENNIS C. NAGLE, 0000
RAYMOND C. NAIRN, 0000
DAVID A. NELSON, 0000
JOSEPH R. NELSON, 0000
PAUL E. OCONNOR, 0000
MARCELLA R. ODEN, 0000
NICHOLE A. OLSON, 0000
FRANK G. ORMONDE, 0000
SUSAN B. OTTO, 0000
CRISTI A. PECK, 0000
RAY P. PEREZ, 0000
DAVID D. PETERSON, 0000
WILLIAM J. PLUMMER III, 0000
JOSHUA M. PORTON, 0000
DONNA POULIN, 0000
JAMES C. QUICK III, 0000
ROBERT C. RAWLEIGH, 0000
RANDY G. REESE, 0000
JEFFREY J. REPASS, 0000
LESLIE E. RIGGS, JR., 0000
DUNELEY A. ROCHINO, 0000
THOMAS E. SATHER, 0000
LARRY J. SCHMIEGE, 0000
RONALD L. SCHOONOVER, 0000
PATRICIA R. SERRANO, 0000
THAD J. SHARP, 0000
PHILIP J. SIEBIGTEROTH, 0000
FREDERICK W. STEVENSON, 0000
ALEJANDRO C. TAAG, 0000
GODFREY W. TABB, 0000
LORENZO TARPLEY, JR., 0000
BRUCE H. THOMPSON, 0000
DAVID L. TULLISON, 0000
SHERRY M. WACLAWSKI, 0000
JENNIFER C. WALLINGER, 0000
LENORA B. P. WEATHERFORD, 0000
DANIELLE M. WENZEL, 0000
KATHRYN A. WHEELER, 0000
MATTHEW L. WISE, 0000
DANIELLE M. WOOTEN, 0000
SHANNON C. ZAHUMENSKY, 0000
CAROL B. ZWIEBACH, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

RENE J. ALOVA, 0000
MIGUEL A. ARGUMOSA, 0000
PETER R. BARNDT, 0000
THOMAS E. BERCHTOLD, 0000
ELLEN F. BERRY, 0000
RONNIE M. CITRO, 0000
JENNIFER L. ELLIS, 0000
MARTIN E. EVERS, 0000
DEREK T. FAGEN, 0000
MICHAEL D. FERREIRA, 0000
CRAIG K. FOISIE, 0000
JAMES L. HARRIS III, 0000
ROBERT J. HERMAN, 0000
KERWIN K. HO, 0000
JEFFREY L. HOCKETT, 0000
BROOKS B. HORAN, 0000
ANTHONY D. JOHN, 0000
BRADLEY E. JONES, 0000
MATTHEW B. KAHN, 0000
NIMA A. KHORASSANI, 0000
CHAD J. KIMBROUGH, 0000
ROBERT M. LAUGHLIN, 0000
THU N. LUU, 0000
STEVE MANZON, 0000
SEAN T. MCDONNELL, 0000
PATRICK E. MCGEE, 0000
BRADLEY A. MEER, 0000
JEFFREY D. NEAL, 0000
JUDD E. PARTRIDGE, 0000
MARK A. ROMANO, 0000
CHRISTOPHER E. SANDLIN, 0000
ANGELA C. SIMPSON, 0000
ZHENGSHI SONG, 0000
STEVEN L. THOMAS, 0000
JOYCE N. YANG, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MARK E. ALLEN, 0000
KAREN R. ANDERSEN, 0000
MARK A. ANDERSON, 0000
JOSEPH A. ANDRADE, 0000
MARY R. ANKER, 0000
JOSEPH C. BACON, 0000
JESSICA S. BAIN, 0000
WILLIAM A. BAKER, 0000
GILBERTO BALDERAS, 0000
PHILLIP R. BAMFORD, 0000
ANGELA M. BANKS, 0000
LAURIE E. BASABE, 0000
KENNETH R. BASFORD, 0000
LYDIA E. BATTEY, 0000
CATHERINE A. BAUTISTA, 0000
JAYE A. BAYLES, 0000
JULIE P. BISHOP, 0000
RANDALL B. BOHANON, 0000
ERIC J. BOPP, 0000
WAYNE T. BRICE, 0000
MATTHEW J. BRICKEY, 0000

JOSEPH W. BROWN, 0000
JENNIFER J. BUECHEL, 0000
KEVIN J. BURNS, 0000
JIMMY A. CALDWELL, 0000
CARLIN A. CALLAWAY, 0000
RUDY R. CARRASCO, 0000
AARON B. CASTLE, 0000
JAMES A. CAUDILL, 0000
CHRISTOPHER A. CESA, 0000
NATHANIEL R. CLARK, 0000
MARSHA S. COLLINS, 0000
JIMY R. COOK, JR., 0000
JENNY M. CULBERTSON, 0000
DANILO I. DANTES, 0000
JULIE A. DARLING, 0000
JOSEPH S. DAVIS, 0000
TERESA J. DEVITT, 0000
KEITH G. DOBBINS, 0000
ANGELA M. DOUGHERTY, 0000
TIMOTHY S. DRILL, 0000
KENNETH N. DUBROWSKI, 0000
JAMES A. ELLIS, 0000
MELINDA R. EWING, 0000
PATRICK J. FITZPATRICK, 0000
JOHN A. FLEMING, 0000
JOSE D. FLORES, 0000
FLEMING L. FRENCH, 0000
ROSEMARY FRIESON, 0000
CHRISTINA E. FRIX, 0000
URSULA V. GALVEZ, 0000
RALPH J. GARGIULO, 0000
KATHRYN A. GARNER, 0000
JAMES P. GENNARI, 0000
TRACEY R. GILES, 0000
CARL W. GOFORTH, 0000
DETRIK F. HARMEYER, 0000
KENNETH E. HODGES, 0000
KEITH B. HOEKMAN, 0000
CHRIS O. HOLMES, 0000
ANNE S. HOPKINS, 0000
WILLIAM D. HORCHER, 0000
DIANA L. HOWELL, 0000
CYNTHIA A. HUTCHINSON, 0000
MARY A. HUTCHINSON, 0000
TRACY R. ISAAC, 0000
MARC E. JASEK, 0000
PATRICIA B. JOHNSON, 0000
JEREMY M. KILDAY, 0000
BRIAN A. KING, 0000
MELINDA A. KING, 0000
LARA L. KIRCHNER, 0000
LINDA R. KOWALSKI, 0000
KATHRYN J. KRAUSE, 0000
ROBERT W. KREJCI, 0000
JOHN E. LENAHAN, 0000
JEANNE M. LEWANDOWSKI, 0000
DAVID M. LOSHBAUGH, 0000
JOSEPH A. MARCANTEL, 0000
LORA A. MARTIN, 0000
MATTHEW J. MARTIN, 0000
MATTHEW P. MATTRO, 0000
DANIEL P. MCRAE, 0000
LORRIE L. MEYER, 0000
KEITH L. MICHON, 0000
JOHANNA M. MILLS, 0000
KELLY D. MINER, 0000
TARA K. MOORE, 0000
JAMES R. MORRIS, 0000
PATRICK S. MYER, 0000
ERLINA P. NAVAL, 0000
REBECCA L. NAVARRETE, 0000
LAURA J. W. NELSON, 0000
KATHERINE E. NOEL, 0000
ANDREW R. ODEA, 0000
JAMES J. OROURKE III, 0000
BRIAN E. PARTON, 0000
JASON A. PATACSIL, 0000
JASON T. PENFOLD, 0000
RACHEL A. PERRY, 0000
MARY E. PHILLIPS, 0000
JESSICA E. PLICHTA, 0000
DAVID L. PORTER, 0000
KRIST E. POTTORFF, 0000
CHRISTIAN R. PRONK, 0000
KEVIN G. QUINN, 0000
CALVIN D. RAWSON, 0000
CAMBRAI E. REED, 0000
PROTEGENIE REED, 0000
DORA O. REID, 0000
BRENDA K. RESETER, 0000
JESSE J. RIVERA, 0000
JOHNNY V. RODGERS, 0000
LUIS A. RODRIGUEZ, 0000
AMY L. RUGE, 0000
CLAIRE O. SAMPSON, 0000
STEVEN J. SCHWENKLER, 0000
MATTHEW D. SEYMOUR, 0000
FELECIA E. SMITH, 0000
MICHELLE L. SMITH, 0000
VORACHAI SRIBANDITMONGKOL, 0000
WENDY L. STONE, 0000
ANDREW D. TARRANT, 0000
MAVIS R. THOMAS, 0000
MAY N. TON, 0000
RAFAEL VARGAS, 0000
TRACY L. VINCENT, 0000
SHARON A. VOLL, 0000
LINNA R. WALZ, 0000
SHONDA D. WASHINGTON, 0000
ANNETTE H. WATKINS, 0000
ALLYSON S. WATSON, 0000
JANET M. WEATHERWAX, 0000
ALLECIA V. WEBSTER, 0000
MICHELLE E. WEDDLE, 0000
CEDRIC L. WEST, 0000
CHARLES L. WHITE, 0000
WILLIAM W. WIEGMANN, 0000
EVELYN K. WILDMAN, 0000
KATHYLYN B. WILLIAMS, 0000
WALTER D. WILLIAMSON, 0000
WILLIAM A. YOUNG, 0000
SARAH M. YUENGLING, 0000
JENNIFER M. ZICKO, 0000
GEORGINA L. ZUNIGA, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DON N. ALLEN, JR., 0000
WILLIAM R. ALLEN, 0000
CIELO I. ALMANZA, 0000
SHAUN J. ANDERSON, 0000
SEAN M. ANDREWS, 0000
AARON K. AYERS, 0000
SPENCER L. BAKER, 0000
WILLIAM J. BARICH, 0000
MARTIN J. BARLOW, 0000
JASON D. BARTHOLOMEW, 0000
LUIS A. BENCOMO, 0000
WILLIAM T. BENHAM, 0000
MICHAEL C. BISHOP, 0000
MATTHEW L. BOLLS, 0000
KEVIN L. BORKERT, 0000
MARK S. BOWMER, 0000
PETER M. BRAENDEHOLM, 0000
MATTHEW J. BRICKHAUS, 0000
ANTHONY R. COCA, 0000
DONOVAN P. COFFEY, 0000
ROBERT M. CORLEY, 0000
FREDERICK H. CRAWFORD, 0000
ANDRES DIAZ, 0000
STEVEN L. DORMAN, 0000
EDWAUN L. DURKINS, 0000
MATTHEW J. FAHNER, 0000
KELLEY C. FARRIS, 0000
JODIE R. FORBES, 0000
JAMES F. FRANKLIN, 0000
MANUEL E. GANUZA, 0000
CARLOS F. GONZALEZ, 0000
LA H. A. GRAHAM, 0000
JEFFREY A. GREENFIELD, 0000
RICHARD C. GUSTAFSON, JR., 0000
PAUL G. HAVENS, 0000
DANNY H. HOUGLAN, 0000
KELLY W. HOUSE, JR., 0000
KENNETH J. JACKSON, 0000
ROBERT J. JAMES, 0000
ADAM L. JOHNSON, 0000
SEBASTIAN J. KIELPINSKI, 0000
WALTER W. KULZY, 0000
THEOPHIL A. KUSH, 0000
MICHELE M. LAPORTE, 0000
TRACEY M. LOPEZ, 0000
TIMOTHY LOTT, 0000
TODD D. LUNSFORD, 0000
JESUS I. MARSDEN, 0000
VALERIE M. MCCALL, 0000
THOMAS P. MOORE, 0000
JAMES B. MORFITT, 0000
JAMES D. OLEARY, 0000
JACOB A. PADILLA, 0000
PETRA PAGAN, 0000
DOUGLAS B. PERKINS, 0000
RYAN M. PERRY, 0000
RICHARD M. RAYOS, 0000
JOSEPH E. REAUME, 0000
SAMUEL T. RISER, 0000
SAMUEL E. ROBINSON, 0000
MICHAEL A. ROCHARD, 0000
ROLAND G. RODRIGUEZ, 0000
CAMERON W. ROGERS, 0000
SCOTT A. ROSCOE, 0000
JOSEPH R. ROVITO, 0000
DAVID M. ROZZELL, 0000
MICHAEL P. RYAN, 0000
FRANCISCO P. SANTOS, 0000
ERIC M. SCHMIDT, 0000
THOMAS W. SCHULTZ, 0000
STEVEN H. SHERWOOD, 0000
AARON B. SIKES, 0000
BRIAN K. SIMONSON, 0000
MICHAEL A. SNYDER, 0000
SCOTT D. STAHL, 0000
TERESA A. STEVENS, 0000
STEPHEN N. STRAYER, 0000
PHOEBE U. TAMAYO, 0000
CHRISTOPHER C. TECMIRE, 0000
CHARLES M. TELLIS, 0000
RONALD K. TERRY, 0000
JONATHAN W. THURSTON, 0000
ROBERT D. TOMCHICK, 0000
SALVADOR TORRESACOSTA, 0000
ELIZABETH A. TRAVIS, 0000
JULIA A. VEALENCIS, 0000
KRISTEN D. VECHINSKI, 0000
JAMES L. VENCKUS, 0000
NOLASCO L. VILLANUEVA, 0000
SHANNON W. WALKER, 0000
MARK A. WARD, 0000
MICHAEL R. WILSON, 0000
JIMMIE I. WISE, 0000
GLENN A. WRIGHT, 0000
JEFFERY S. YOUNG, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CERINO O. BARGOLA, 0000
JOHN C. BURNETTE, 0000
CAREY H. CASH, 0000
LYNN W. CHRISTENSEN, 0000
ROBERT R. CHRISTIAN, 0000
JON W. CONROE, 0000
BRYAN K. CRITTENDON, 0000
BRUCE W. CROUTERFIELD, 0000
WILLIAM N. HAMILTON, 0000
HENRY F. HOLCOMBE, JR., 0000
ROBERT L. JONES, JR., 0000
ERIK P. LEE, 0000
EMORY C. LUSSI, 0000
LEROY G. MACK III, 0000
HAGAN R. MCCLELLAN, JR., 0000
WESLEY T. MYHAND, 0000
PATRICK A. NIEMEYER, 0000
DANIEL C. OWENS, 0000
JEFFREY S. PLUMMER, 0000
JOSEPH D. REARDON, 0000
SANTIAGO RODRIGUEZ, 0000
RYAN R. RUPE, 0000
BETH A. STALLINGA, 0000
MICHAEL L. TOMLINSON, 0000
PAUL S. TREMBLAY, 0000
BRIAN D. WEIGELT, 0000
TEDDY L. WILLIAMS, JR., 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JAMES ALGER, 0000
DOUGLAS J. ARNOLD, 0000
WILLIAM R. BUTLER, 0000
DEANNA S. CARPENTER, 0000
CHRISTINE B. CAWAYAN, 0000
JASON CHUNG, 0000
BRIAN L. CLAPP, 0000
PATRICK T. CONNOR, 0000
JASON A. CROSBY, 0000
DANNY H. CRUZ, 0000
BOBBY D. DASHER, JR., 0000
RYAN C. DAVIS, 0000
MARC A. DORAN, 0000
JOSHUA J. GAMEZ, 0000
CHRISTOPHER S. GARVIN, 0000
LUKE B. GREENE, 0000
DANIEL M. GRIMSBO, 0000
JOSEPH D. HARDER III, 0000
MICHAEL W. HERMANSON, 0000
LUIS A. HOLKON, JR., 0000
GARY HULING, 0000
MICHAEL A. JAMES, 0000
JEFFREY D. JASINSKI, 0000
DAVID M. JAYNE, 0000
CARL V. KIRAR, 0000
MICHAEL S. LAVIELLE, 0000
WARREN R. LEBEAU, 0000
ROBERT C. LEINES, 0000
PHILLIP M. LEMONDS, 0000
BENJAMIN D. LEPPARD, 0000
BRIAN J. LONGBOTTOM, 0000
WALTER S. LUDWIG, 0000
ANCELMO J. MCCARTHY, 0000
MICHAEL W. MENO, JR., 0000
EDWARD B. MILLER IV, 0000
CRISTOPHER P. NEISH, 0000
MICHAEL K. OBEIRNE, 0000
VONDA L. OLSAVSKY, 0000
NATHAN R. PAUKOVITS, 0000
BRENT C. PAUL, 0000
JEFFREY M. PFEIL, 0000
RUSSELL S. PILE, 0000
SHAWN P. POPE, 0000
ANGEL L. SANTIAGO, 0000
JESUS M. SANTIAGO, 0000
KENNETH E. SCHWALBE, 0000
GRIFFIN K. STAUFFER, 0000
DANIEL A. STOKES, 0000
JOEL R. STRAUS, 0000
OMARR E. TOBIAS, 0000
MICHAEL W. TREST, 0000
MICHAEL J. WANGER, 0000
SUSANNE M. WIENRICH, 0000
MARCUS E. WILLIAMSON, 0000
WILLIAM E. WINDUS, 0000
JONATHAN P. WITHAM, 0000
JASON N. WOOD, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DOUGLAS E. BAKER, 0000
JOSELITO T. BALUYOT, 0000
GARRY BERNIER, 0000
KEVIN G. CHIRAS, 0000
CARRIE L. KIMBLE, 0000
RICARDO L. LEGASPI, 0000
GERALD W. MCNALLY, 0000
ALFRED F. PIERSON, 0000
TODD M. SULLIVAN, 0000
SHEILA R. WILLIAMS, 0000

CONFIRMATIONS

Executive Nominations Confirmed by the Senate Wednesday, September 12, 2007:

DEPARTMENT OF STATE

MARGARET SPELLINGS, OF TEXAS, TO BE DESIGNATED A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE THIRTY-FOURTH SESSION OF THE GENERAL

CONFERENCE OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION.

NANCY GOODMAN BRINKER, OF FLORIDA, TO BE CHIEF OF PROTOCOL, AND TO HAVE THE RANK OF AMBASSADOR DURING HER TENURE OF SERVICE.

HARRY K. THOMAS, JR., OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE DIRECTOR GENERAL OF THE FOREIGN SERVICE.

PAULA J. DOBRIANSKY, OF VIRGINIA, FOR THE RANK OF AMBASSADOR DURING HER TENURE OF SERVICE AS SPECIAL ENVOY FOR NORTHERN IRELAND.

NED L. SIEGEL, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COMMONWEALTH OF THE BAHAMAS.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 13, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 18

10 a.m.
Commerce, Science, and Transportation
To hold an oversight hearing on the National Football League retirement system.
SR–253

10:30 a.m.
Judiciary
To hold hearings to examine corporate fraud prosecutions and the attorney-client privilege under the McNulty Memorandum.
SD–226

2:30 p.m.
Intelligence
Closed business meeting to consider pending intelligence matters.
SH–219

SEPTEMBER 19

9:30 a.m.
Indian Affairs
To hold hearings to examine the process of federal recognition of Indian tribes.
SD–628

Rules and Administration
To hold a hearing to examine S. 1905, to provide for a rotating schedule for regional selection of delegates to a national Presidential nominating convention.
SR–301

Veterans' Affairs
To hold oversight hearings to examine information technology.
SD–562

10 a.m.
Environment and Public Works
Transportation Safety, Infrastructure Security, and Water Quality Subcommittee
To hold hearings to examine America's wastewater infrastructure needs in the 21st century.
SD–406

10:30 a.m.
Aging
To hold hearings to examine preparing for the digital television transition, focusing on how senior citizens will be affected.
SD–106

2:30 p.m.
Judiciary
To hold hearings to examine the ''material support to terrorist organizations'' bar to admission to asylum and resettlement in the United States, focusing on the denial of refuge to the persecuted.
SD–226

SEPTEMBER 20

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation by the American Legion.
345, Cannon Building

10 a.m.
Small Business and Entrepreneurship
To hold hearings to examine expanding opportunities for women entrepreneurs, focusing on the future of women's small business programs.
SR–428A

2:30 p.m.
Homeland Security and Governmental Affairs
Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee
To hold hearings to examine the Office of Management and Budget's oversight on ongoing information systems projects, focusing on the efficacy of the management practices use by agencies to ensure the success of the projects.
SD–342

Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold hearings to examine S. 1433, to amend the Alaska National Interest Lands Conservation Act to provide competitive status to certain Federal employees in the State of Alaska, S. 1143, to designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape System, S. 2034, to amend the Oregon Wilderness Act of 1984 to designate the Copper Salmon Wilderness and to amend the Wild and Scenic Rivers Act to designate segments of the North and South Forks of the Elk River in the State of Oregon as wild or scenic rivers, S. 1377, to direct the Secretary of the Interior to convey to the City of Henderson, Nevada, certain Federal land located in the City, S. 1608, to provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard, H.R. 815, to provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard, S. 1740, to amend the Act of February 22, 1889, and the Act of July 2, 1862, to provide for the management of public land trust funds in the State of North Dakota, S. 1802, to adjust the boundaries of the Frank Church River of No Return Wilderness in the State of Idaho, S. 1803, to authorize the exchange of certain land located in the State of Idaho, S. 1939, to provide for the conveyance of certain land in the Santa Fe National Forest, New Mexico, and S. 1940, to reauthorize the Rio Puerco Watershed Management Program.
SD–366

Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

SEPTEMBER 24

3 p.m.
Energy and Natural Resources
To hold an oversight hearing to examine scientific assessments of the impacts of global climate change on wildfire activity in the United States.
SD–366

SEPTEMBER 25

9:30 a.m.
Judiciary
To hold hearings to examine streghtening the Foreign Intelligence Surveillance Act (FISA).
SD–226

Veterans' Affairs
To hold oversight hearings to examine Persian Gulf War research.
SD–562

10 a.m.
Energy and Natural Resources
To hold hearings to examine S. 1756, to provide supplemental ex gratia compensation to the Republic of the Marshall Islands for impacts of the nuclear testing program of the United States.
SD–366

SEPTEMBER 26

10 a.m.
Energy and Natural Resources
To hold hearings to examine S. 1543, to establish a national geothermal initiative to encourage increased production of energy from geothermal resources.
SD–366

SEPTEMBER 27

9:30 a.m.
Energy and Natural Resources
To hold hearings to examine hard-rock mining on federal lands.
SD–366

Veterans' Affairs
To hold hearings to examine the nomination of Paul J. Hutter, of Virginia, to be General Counsel, Department of Veterans Affairs.
SD–562

CORRECTION

Daily Digest

HIGHLIGHTS

Senate passed H.R. 3074, Transportation, Housing, and Urban Development Appropriations Act.

Senate

Chamber Action

Routine Proceedings, pages S11461–S11531

Measures Introduced: Eleven bills and two resolutions were introduced, as follows: S. 2040–2050, S. Res. 318, and S. Con. Res. 44. **Pages S11504–05**

Measures Reported:

S. 1256, to amend the Small Business Act to reauthorize loan programs under that Act, with an amendment in the nature of a substitute. (S. Rept. No. 110–154) **Page S11504**

Measures Passed:

Transportation, Housing, and Urban Development, and Related Agencies Appropriations Act, 2008: By 88 yeas to 7 nays (Vote No. 336), Senate passed H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, after taking action on the following amendments proposed thereto:, clearing the measure for the President.

Pages S11461–91

Tabled:

By 56 yeas to 37 nays (Vote No. 334), DeMint Amendment No. 2844, to provide a system for better construction and maintenance of America's aging bridge infrastructure by spending American tax dollars more effectively and efficiently. **Page S11462**

By 63 yeas to 32 nays (Vote No. 335), Coburn Amendment No. 2812, to remove an unnecessary earmark for the International Peace Garden in Dunseith, North Dakota. **Pages S11462, S11465**

By 63 yeas to 32 nays (Vote No. 335), Coburn Amendment No. 2813, to ensure that no funds made available under this Act shall be used to carry out any activity relating to the design or construction of the America's Wetland Center in Lake Charles, Louisiana, until the date on which the Secretary, in consultation with the Administrator of the Federal Emergency Management Agency and the State of Louisiana, certifies to Congress that all residents of the State of Louisiana who were displaced as a result of Hurricane Katrina or Rita in 2005 are no longer living in temporary housing.

Pages S11462, S11465

By 63 yeas to 32 nays (Vote No. 335), Coburn Amendment No. 2814, to prohibit the use of funds for the construction of a baseball facility in Billings, Montana, and to reduce the amounts made available for the Economic Development Initiative and the Community Development Fund. **Pages S11462, S11465**

Senate insists on its amendment, asks for a conference, appoints conferees Murray; Byrd; Mikulski; Kohl; Durbin; Dorgan; Leahy; Harkin; Feinstein; Johnson; Lautenberg; Inouye; Bond; Shelby; Specter; Bennett; Hutchison; Brownback; Stevens; Domenici; Alexander; Allard; Cochran. **Page S11490**

Cal Ripken Way: Senate passed H.R. 3218, to designate a portion of Interstate Route 395 located in Baltimore, Maryland, as "Cal Ripken Way", clearing the measure for the President. **Page S11516**

Korean War Veterans Association: Senate passed S. 1692, to grant a Federal charter to Korean War Veterans Association, Incorporated. **Pages S11516–17**

We Don't Serve Teens Campaign: Senate agreed to S. Res. 318, supporting the We Don't Serve Teens campaign. **Pages S11517–18**

District of Columbia House Voting Rights Act—Agreement: Senate began consideration of the motion to proceed to consideration of S. 1257, to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives. **Page S11516**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Tuesday, September 18, 2007.

Page S11516

Subsequently, the motion to proceed was withdrawn.

National Defense Authorization Act—Agreement: A unanimous-consent agreement was reached providing that at 3 p.m., on Monday, September 17, 2007, Senate resume consideration of H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel. **Page S11518**

District of Columbia College Access Act—Agreement: A unanimous-consent agreement was reached providing that following morning business on Tuesday, September 18, 2007, Senate begin consideration of H.R. 1124, to extend the District of Columbia College Access Act of 1999, and that the only amendments in order be the following: a Coburn Amendment relative to the topic of scholarships, and that it be considered and agreed to, and a Coburn Amendment relative to the topic of public colleges; provided further, that there be a total of 65 minutes for debate with respect to the bill and amendments, with Senator Coburn controlling 30 minutes, Senator Voinovich controlling 20 minutes and Senator Akaka controlling 15 minutes; that Senate vote on or in relation to the Coburn Amendment; provided further, that upon disposition of the Coburn Amendment on public colleges Senate vote on passage of the bill. **Page S11516**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to the terrorist attacks on the United States of September 11, 2001, as received during recess of the Senate on September 12, 2007; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–24) **Pages S11503–04**

Nominations Confirmed: Senate confirmed the following nominations:

Ned L. Siegel, of Florida, to be Ambassador to the Commonwealth of The Bahamas.

Nancy Goodman Brinker, of Florida, to be Chief of Protocol, and to have the rank of Ambassador during her tenure of service.

Harry K. Thomas, Jr., of New York, to be Director General of the Foreign Service.

Margaret Spellings, of Texas, to be designated a Representative of the United States of America to the Thirty-fourth Session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization.

Paula J. Dobriansky, of Virginia, for the rank of Ambassador during her tenure of service as Special Envoy for Northern Ireland. **Pages S11518, S11530–31**

Nominations Received: Senate received the following nominations:

Thomas F. Stephenson, of California, to be Ambassador to the Portuguese Republic.

Daniel V. Speckhard, of Wisconsin, to be Ambassador to Greece.

Ted Poe, of Texas, to be a Representative of the United States of America to the Sixty-second Session of the General Assembly of the United Nations.

George E. Pataki, of New York, to be a Representative of the United States of America to the Sixty-second Session of the General Assembly of the United Nations.

William Delahunt, of Massachusetts, to be a Representative of the United States of America to the Sixty-second Session of the General Assembly of the United Nations.

Kelly G. Knight, of Kentucky, to be an Alternate Representative of the United States of America to the Sixty-second Session of the General Assembly of the United Nations.

Rodger D. Young, of Michigan, to be an Alternate Representative of the United States of America to the Sixty-second Session of the General Assembly of the United Nations.

William H. Frist, of Tennessee, to be a Member of the Board of Directors of the Millennium Challenge Corporation for a term of three years.

Kenneth Francis Hackett, of Maryland, to be a Member of the Board of Directors of the Millennium Challenge Corporation for a term of two years.

7 Coast Guard nominations in the rank of admiral.

1 Marine Corps nomination in the rank of general.

Routine lists in the Air Force, Army, Navy. **Pages S11518–30**

Executive Communications: **Page S11504**

Additional Cosponsors: **Pages S11505–06**

Statements on Introduced Bills/Resolutions: **Pages S11506–14**

Additional Statements: **Pages S11501–03**

Amendments Submitted: **Pages S11514–15**

Notices of Hearings/Meetings: **Page S11515**

Authorities for Committees to Meet: **Pages S11515–16**

Record Votes: Three record votes were taken today. (Total—336) **Pages S11464, S11465, S11471**

Recess: Senate convened at 9 a.m. and recessed at 3:20 p.m., until 9:45 a.m. on Friday, September 14,

2007. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S11518.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF DEFENSE

Committee on Appropriations: Committee ordered favorably reported H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, with an amendment in the nature of a substitute.

ENHANCING THE SAFETY OF TOYS

Committee on Appropriations: Subcommittee on Financial Services and General Government concluded a hearing to examine enhancing the safety of toys relating to lead paint, the Consumer Product Safety Commission, and toy safety standards, after receiving testimony from Senators Klobuchar, Nelson (FL), and Pryor; Nancy A. Nord, Acting Chairman, and Thomas H. Moore, Commissioner, both of the U.S. Consumer Product Safety Commission; Carter Keithley, Toy Industry Association, Inc., New York, New York; Jerry Storch, Toys ''R'' Us, Inc., Wayne, New Jersey; Robert A. Eckert, Mattel, Inc., Segundo, California; S. Joe Bhatia, American National Standards Institute, and Sally Greenberg, Consumers Union, both of Washington, DC.

FEDERAL TRADE COMMISSION REAUTHORIZATION

Committee on Commerce, Science, and Transportation: Subcommittee on Interstate Commerce, Trade, and Tourism concluded a hearing to examine the Federal Trade Commission Reauthorization, after receiving testimony from Deborah Platt Majoras, Chairman, Federal Trade Commission; Mark N. Cooper, Consumer Federation of America, Chris Murray, Consumers Union, Ari Schwartz, Center for Democracy and Technology, and Martin E. Abrams, Hunton and Williams LLP Center for Information Policy Leadership, all of Washington, D.C.; and Michael D. Calhoun, Center for Responsible Lending, Durham, North Carolina.

NATIONAL ENERGY EFFICIENCY STANDARDS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 2017, to amend the Energy Policy and Conservation Act to provide for national energy efficiency standards for general service incandescent lamps, after receiving testimony from Representatives Harman and Upton; Alexander Karsner, Assistant Secretary of Energy for Energy Efficiency and Renewable Energy; Paul Waide, International Energy Agency, Paris, France; Kyle Pitsor, National Electrical Manufacturers Association, Rosslyn, Virginia; and Steven Nadel, American Council for an Energy-Efficient Economy, Washington, D.C.

COMMITTEE ORGANIZATION

Committee on Environment and Public Works: On Thursday, July 31, 2007, Committee approved for reporting the following committee and subcommittee assignments for the 110th Congress:

Committee on Environment and Public Works: Senators Boxer (Chairman), Baucus, Lieberman, Carper, Clinton, Lautenberg, Cardin, Sanders, Klobuchar, Whitehouse, Inhofe, Warner, Voinovich, Isakson, Vitter, Barrasso, Craig, Alexander, and Bond.

Subcommittee on Public Sector Solutions to Global Warming, Oversight, and Children's Health Protection: Senators Boxer (Chairman), Lieberman, Carper, Klobuchar, Whitehouse, Alexander, Craig, Bond, Barrasso, and Inhofe (ex officio).

Subcommittee on Transportation and Infrastructure: Senators Baucus (Chairman), Carper, Clinton, Cardin, Sanders, Boxer (ex officio), Isakson, Warner, Voinovich, Vitter, and Inhofe (ex officio).

Subcommittee on Private Sector and Consumer Solutions to Global Warming and Wildlife Protection: Senators Lieberman (Chairman), Baucus, Lautenberg, Sanders, Boxer (ex officio), Warner, Barrasso, Isakson, and Inhofe (ex officio)

Subcommittee on Clean Air and Nuclear Safety: Senators Carper (Chairman), Lieberman, Clinton, Sanders, Boxer (ex officio), Voinovich, Isakson, Alexander, and Inhofe (ex officio).

Subcommittee on Superfund and Environmental Health: Senators Clinton (Chairman), Baucus, Lautenberg, Cardin, Boxer, Barrasso, Craig, Vitter, and Inhofe (ex officio).

Subcommittee on Transportation Safety, Infrastructure Security, and Water Quality: Senators Lautenberg (Chairman), Cardin, Klobuchar, Whitehouse, Boxer (ex officio), Vitter, Bond, Voinovich, and Inhofe (ex officio).

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following:

An original bill entitled, ''The Medicare, Medicaid and SCHIP Indian Health Care Improvement Act of 2007'';

H.J. Res. 43, increasing the statutory limit on the public debt; and

Also, Commmittee announced the following subcommittee assignments for the 110th Congress:

Subcommittee on Health Care: Senators Rockefeller (Chairman), Kerry, Bingaman, Lincoln, Wyden, Stabenow, Cantwell, Salazar, Hatch, Grassley, Snowe, Kyl, Roberts, Bunning, and Ensign.

Subcommittee on Taxation, IRS Oversight, and Long-Term Growth: Senators Conrad (Chairman), Baucus, Wyden, Cantwell, Schumer, Stabenow, Salazar, Kyl, Lott, Roberts, Snowe, Crapo, and Hatch.

Subcommittee on Energy, Natural Resources, and Infrastructure: Senators Bingaman (Chairman), Conrad, Kerry, Lincoln, Wyden, Cantwell, Salazar, Bunning, Smith, Hatch, Lott, Crapo, and Ensign.

Subcommittee on Social Security, Pensions, and Family Policy: Senators Kerry (Chairman), Rockefeller, Conrad, Schumer, Ensign, Lott, and Kyl.

Subcommittee on International Trade and Global Competitiveness: Senators Lincoln (Chairman), Baucus, Rockefeller, Bingaman, Stabenow, Schumer, Smith, Crapo, Snowe, Roberts, and Bunning.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Julie L. Myers, of Kansas, to be Assistant Secretary of Homeland Security, after the nominee testified and answered questions in her own behalf.

REGULATORY PREEMPTION

Committee on the Judiciary: Committee concluded a hearing to examine regulatory preemption relating to federal agencies usurping congressional and state authority, after receiving testimony from Delaware Representative Donna Stone, Dover, on behalf of the National Conference of State Legislatures; Collyn A. Peddie, Williams Kherkher Hart Boundas LLP, Houston, Texas; and Alan E. Untereiner, Robbins, Russell, Englert, Orseck and Untereiner LLP, on behalf of the United States Chamber of Commerce, and Viet D. Dinh, and David C. Vladeck, both of Georgetown University Law Center, all of Washington, D.C.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 10 a.m. on Friday, September 14, 2007.

Committee Meetings

WHY WEREN'T 9/11 RECOVERY WORKERS PROTECTED AT WORLD TRADE CENTER?

Committee on Education and Labor: Held a hearing on Why Weren't 9/11 Recovery Workers Protected at the World Trade Center? Testimony was heard from Patricia Clark, Regional Administrator, OSHA Region II, New York, Department of Labor; James Melius, M.D., Director, Laborers' Health and Safety Fund, New York; and public witnesses.

COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 13, 2007

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No Committee meetings are scheduled.

Next Meeting of the SENATE

9:45 a.m., Friday, September 14

Senate Chamber

Program for Friday: Senate will meet in a pro forma session.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Friday, September 14

House Chamber

Program for Friday: To be announced.

Congressional Record

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