

(2) GRANT AWARDS.—In determining whether to provide technical and financial assistance to a State or local government under the program, the Director shall consider—

(A) the extent and nature of the flood risk to a State or local government;

(B) the imminence of need;

(C) the degree of commitment of the State or local government to perform ongoing levee maintenance;

(D) the extent to which the levee improvement and modernizations to be carried out using the technical and financial assistance under the program contribute to the economic development and mitigation goals and priorities established by the State;

(E) the extent to which the technical and financial assistance under the program is consistent with assistance provided under other grant programs of the Federal Emergency Management Agency or another Federal department or agency;

(F) the extent to which prioritized, cost-effective levee improvement activities that produce meaningful and definable outcomes in the State or jurisdiction of the local government are clearly identified;

(G) the opportunity to fund activities that maximize net benefits to society; and

(H) such other criteria as the Director, in consultation with States and local governments, may establish.

(d) STATE RECOMMENDATIONS OF PROJECTS.—

(1) IN GENERAL.—Not later than 3 months after the date that the Director establishes the program, and annually thereafter, the Governor of a State desiring to participate in the program during the following fiscal year shall submit to the Director a list of the projects that State that the Governor recommends receive technical and financial assistance (provided either directly to a local government or through the State) under the program.

(2) SELECTION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), for each fiscal year the Director shall select projects to receive technical and financial assistance under the program from among the projects recommended under paragraph (1).

(B) EXCEPTIONS.—The Director may select a project to receive technical and financial assistance under the program that was not among the projects recommended under paragraph (1) for a fiscal year if the Director determines that—

(i) extraordinary circumstances justify the selection of the project; and

(ii) making the selection will further the purpose of the program, as described in subparagraph (b).

(e) USES OF TECHNICAL AND FINANCIAL ASSISTANCE.—A State or local government that receives technical and financial assistance for a project under the program may use such assistance—

(1) for an initial inspection of a levee by a private engineering firm or the Corps of Engineers;

(2) to implement such improvements as are determined necessary by an inspection described in paragraph (1) to prevent areas protected by such levee from being designated as a 100-year floodplain;

(3) to establish levee maintenance priorities and an appropriate levee modernization program; and

(4) for other purposes that further the goal of identifying or implementing levee improvement and modernization measures.

(f) FEDERAL SHARE.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the Federal share of

levee improvement and modernization activities carried out with financial assistance under the program shall be not more than 50 percent.

(2) RURAL AND ECONOMICALLY DISADVANTAGED COMMUNITIES.—

(A) IN GENERAL.—The Federal share of levee improvement and modernization activities carried out in a community described in subparagraph (B) with financial assistance under the program shall be not more than 65 percent.

(B) COMMUNITIES.—A community described in this subparagraph is—

(i) a rural community (as determined by the Director);

(ii) a town with a population of not more than 20,000 individuals; or

(iii) an area in which the average income is  $\frac{1}{3}$  less than the State-wide median income for the applicable State, as determined by the Secretary of Housing and Urban Development.

(3) WAIVER.—The Director may waive paragraph (1) in extreme circumstances, as determined by the Director.

(g) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, the Director, in consultation with State and local governments, shall submit to Congress a report evaluating the efforts of the Director to carry out this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director \$400,000,000 to carry out the program.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 7, 2008, at 10 a.m., to conduct a hearing entitled “Turmoil in the Credit Markets: Examining the Regulation of Investment Banks by the Securities and Exchange Commission.”

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

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Wednesday, May 7, 2008, at 9:30 a.m., in room 253 of the Russell Senate Office Building.

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

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Wednesday, May 7, 2008, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

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

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a business meeting on Wednesday, May 7, 2008, at 9:45 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 7, 2008, at 9:30 a.m., to hold a nomination hearing.

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 7, 2008, at 2:30 p.m., to hold a hearing on international treaties.

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

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, May 7, 2008, at 10 a.m. to conduct a hearing entitled “Fuel Subsidies: Is There an Impact on Food Supply and Prices?”

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

##### COMMITTEE ON THE JUDICIARY

Mr. DODD. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, to conduct a hearing entitled “Judicial Nominations” on Wednesday, May 7, 2008, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

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

##### COMMITTEE ON VETERANS' AFFAIRS

Mr. DODD. Mr. President, I ask unanimous consent for the Committee on Veterans' Affairs to be authorized to meet during the session of the Senate on Wednesday, May 7, 2008 to conduct a hearing. The Committee will meet in room 106 of the Dirksen Senate Office Building, at 9:30 a.m.

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

##### SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY AND CONSUMER RIGHTS

Mr. DODD. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy and Consumer Rights, be authorized to meet during the session of

the Senate, to conduct a hearing entitled "Concentration in Agriculture and an Examination of the JBS/Swift Acquisitions" on Wednesday, May 7, 2008, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building.

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

SUBCOMMITTEE ON PUBLIC SECTOR SOLUTIONS TO GLOBAL WARMING, OVERSIGHT, AND CHILDREN'S HEALTH PROTECTION

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works, Subcommittee on Public Sector Solutions to Global Warming, Oversight, and Children's Health Protection be authorized to meet during the session of the Senate on Wednesday, May 7, 2008 in room 406 of the Dirksen Senate Office Building to hold a hearing entitled, "Oversight Hearing on Science and Environmental Regulatory Decisions."

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

#### PRIVILEGES OF THE FLOOR

Mr. President, I ask unanimous consent that Dionne Thompson, a fellow in my office, be granted privileges of the floor for the remainder of the 110th Congress.

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

#### TEMPORARILY EXTENDING PROGRAMS UNDER THE HIGHER EDUCATION ACT OF 1965

Mr. DODD. Mr. President, I ask the Chair to lay before the Senate a message from the House on the bill, S. 2929, to temporarily extend the programs under the Higher Education Act of 1965.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

S. 2929

*Resolved*, That the bill from the Senate (S. 2929) entitled "An Act to temporarily extend the programs under the Higher Education Act of 1965", do pass with the following amendment:

Strike out all after the enacting clause and insert:

#### SECTION 1. EXTENSION OF HIGHER EDUCATION PROGRAMS.

(a) *EXTENSION OF PROGRAMS.*—Section 2(a) of the Higher Education Extension Act of 2005 (Public Law 109-81; 20 U.S.C. 1001 note) is amended by striking "April 30, 2008" and inserting "May 31, 2008".

(b) *RULE OF CONSTRUCTION.*—Nothing in this section, or in the Higher Education Extension Act of 2005 as amended by this Act, shall be construed to limit or otherwise alter the authorizations of appropriations for, or the durations of, programs contained in the amendments made by the Higher Education Reconciliation Act of 2005 (Public Law 109-171) or by the College Cost Reduction and Access Act (Public Law 110-84) to the provisions of the Higher Education Act of 1965 and the Taxpayer-Teacher Protection Act of 2004.

(c) *EFFECTIVE DATE.*—The amendment made by subsection (a) shall take effect as if enacted on April 30, 2008.

Mr. DODD. I ask unanimous consent that the Senate concur in the House amendment, and the motion to reconsider be laid upon the table with no intervening action or debate.

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

#### AUTHORIZING THE USE OF THE CAPITOL GROUNDS

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 308, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 308) authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. DODD. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the measure be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 308) was agreed to.

#### HUMANITARIAN ASSISTANCE TO BURMA AFTER CYCLONE NARGIS

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 554, 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. 554) expressing the Sense of the Senate on humanitarian assistance to Burma after Cyclone Nargis.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DODD. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to this measure be printed in the RECORD.

Mr. President, I also ask unanimous consent that I be included as a cosponsor of this resolution.

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

The resolution (S. Res. 554) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 554

Whereas, on May 3, 2008, Cyclone Nargis devastated Burma, leaving an estimated 22,500 people dead, 41,000 missing, and 1,000,000 homeless;

Whereas, on May 5, 2008, the United States embassy in Burma issued a disaster declaration authorizing \$250,000 in immediate humanitarian assistance to the people of Burma;

Whereas, on May 5, 2008, First Lady Laura Bush stated that the United States will "work with the U.N. and other international nongovernmental organizations to provide water, sanitation, food, and shelter. More assistance will be forthcoming";

Whereas, on May 5, 2008, Department of State Deputy Spokesman Tom Casey stated that the United States has "a disaster assistance response team that is standing by and ready to go in to Burma to help try to assess need there";

Whereas, on May 6, 2008, President George W. Bush said, "The United States has made an initial aid contribution, but we want to do a lot more. We're prepared to move U.S. Navy assets to help find those who've lost their lives, to help find the missing, to help stabilize the situation. But in order to do so, the military junta must allow our disaster assessment teams into the country.";

Whereas, on May 6, 2008, President Bush pledged \$3,000,000 in emergency assistance to victims of Cyclone Nargis, and stated that allowing the disaster assistance response team to enter the country would facilitate additional support;

Whereas the European Union has pledged to deliver \$3,000,000 in initial emergency disaster assistance to Burma;

Whereas according to the United Nations Country Team in Burma, the average household in Burma is forced to spend almost ¼ of its budget on food and 1 in 3 children under the age of 5 is suffering from malnutrition;

Whereas the prevalence of tuberculosis in Burma is among the highest in the world, with nearly 97,000 new cases detected annually, malaria is the leading cause of mortality in Burma, with 70 percent of the population living in areas at risk, at least 37,000 died of HIV/AIDS in Burma in 2005 and over 600,000 are currently infected, and the World Health Organization has ranked the health sector of Burma as 190th out of 191 countries;

Whereas the failure of Burma's ruling State Peace and Development Council to meet the most basic humanitarian needs of the people of Burma has caused enormous suffering inside Burma and driven hundreds of thousands of Burmese citizens to seek refuge in neighboring countries, creating a threat to regional peace and stability; and

Whereas, in the aftermath of Cyclone Nargis, the State Peace and Development Council continues to restrict the access and freedom of movement of international nongovernmental organizations to deliver humanitarian assistance throughout Burma: Now, therefore, be it

*Resolved*, That it is the Sense of the Senate—

(1) to express deep sympathy to and strong support for the people of Burma, who have endured tremendous hardships over many years and face especially dire humanitarian conditions in the aftermath of Cyclone Nargis;

(2) to support the decision of President Bush to provide immediate emergency humanitarian assistance to Burma through nongovernmental organizations that are not