United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152 WASHINGTON, TUESDAY, AUGUST 1, 2006 No. 104

House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, August 2, 2006, at 11 a.m.

Senate

TUESDAY, AUGUST 1, 2006

The Senate met at 9:46 a.m. and was called to order by the Honorable JIM DEMINT, a Senator from the State of South Carolina.

PRAYER

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

Let us pray.

Author of wisdom, source of all goodness, keep us from confusion. Today guide Your Senators. Help them to discern between good and evil and to recognize the greater good and the lesser evil. Give them the ability to understand each other and to find common ground. Infuse them with a wisdom that will foster sound judgment and correct appraisal. Save them from being destroyed by the trivial and from wasting their energy on the incidental. Lead them out of confusion into simplicity.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM DEMINT 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. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 1, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM DEMINT, a Senator from the State of South Carolina, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. DEMINT assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. FRIST. Mr. President, this morning we will immediately return to debate on S. 3711, the Gulf of Mexico Energy Security bill.

Yesterday, the Senate by a bipartisan vote of 72 to 23 invoked cloture on the bill. Under last night's order, we will proceed to vote on passage of the bill at 5 o'clock today. Senators will be able to deliver their comments on the bill throughout the day, and the time will be equally divided until 5 p.m.

As I stated yesterday, we have other important issues to consider this week before leaving. With respect to that, a lot of colleagues on both sides of the aisle have come up and asked about how I plan to proceed this week on the pensions bill and the so-called trifecta bill, both of which came over from the House Friday night.

I talked to the distinguished minority leader about the best way to proceed over the next few days, given everyone's curiosity. I will have more to say about that schedule later today. As we talk more about these bills in our various caucuses, when it comes to these two items, I should take a couple of minutes to lay out a few things.

As I have said consistently since Saturday morning, my priorities are simple. We are going to complete action on a very important retirement security bill which protects the pensions of literally millions of Americans before we leave.

Second, to test the Senate's views on the so-called trifecta bill, a package which includes a final resolution of the death tax issue, as well as extension of various tax policies critical to Americans who are trying to create businesses, to start a business, to raise a family, to get that first job, and to invest and save for the future; this package also addresses the minimum wage increase. It is what we are calling—the press started calling and now we are referring to it as the trifecta package.

I want to be crystal clear—and my colleagues know this because a lot of them are making plans for the recess—that this week will be the time and the floor will be the place for the Senate to decide once and for all whether to act on this trifecta bill or to kill it.

First things first. The pensions bill itself is an important bill which, as I mentioned, affects the lives of millions of Americans. It is a must-pass bill. It must pass this week. If we fail to act, billions of dollars of new debt will be thrown onto the Federal Treasury, and

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

Printed on recycled paper.

that would be irresponsible. I think everyone recognizes that.

I know there are those in the minority who argue that the best thing to do is stop the pensions bill and then to try to put the tax extenders on it. But that would put the retirement future of millions at risk, and that is unacceptable. Others in the minority are arguing that they can return to conference on pensions to haggle further on pensions and change this or that or to talk about the taxes. I didn't know exactly what we would do if we went back to conference with that; arguments such as where is the best place to have a clam bake. For the record, I would like to have my clam bakes in New Hampshire. Going back to the conference means waiting until at least September, and that type of ''kick the can down the road'' mentality won't work. It is what happens too much around here—another hearing, another negotiation, another delay. That is going to have to stop, and the Senate must clear the pensions bill clean so the President can sign it this month. We will act on pensions. We will get it done without amendment.

Senators are elected to debate, yes, but also to decide and to vote and to act. So we will also vote this week on whether to stop a filibuster on what I referred to as the trifecta bill. I don't want anybody to be mistaken. If the Senate kills the trifecta bill, we will not return to it this year. That means we would have no permanent death tax reform, no tax policy extenders, and no minimum wage increase. It is now or never. It is this week. Members need to understand that, especially Members who think we can delay and put off and try to divide. We will be addressing it this week. That is why it will be a very important vote on Friday. There are not going to be second chances. There are not going to be last-minute side deals or new unanimous consent agreements or other motions to proceed—nothing. This is going to be it.

The House has acted on a bipartisan basis to pass this bill, and now we have to decide as a body on whether to act as well. We will make that decision this week. It will be decided in that vote on Friday.

In the Senate, we have a bipartisan majority that supports fixing the death tax—a permanent solution for the death tax, fixing it forever.

We have a bipartisan majority that supports the tax policy extenders. We have a bipartisan majority that supports handling the minimum wage. Now let us see that bipartisan majority stand up, express themselves, and act this week. It is our time to choose.

Let's pass pensions without amendment, but stop the filibuster on the trifecta bill. Nothing more and nothing less will honor the heritage of the Senate which has been handed to us by those before us and those who will one day hold our seats. More importantly, acting now will resolve retirement security for millions of Americans. It will help those take that first step on the lowest rung of the economic ladder. It will keep tax policy focused on growing our economy and creating new jobs. And it will finally bring fairness to that wrongful tax on death.

It is going to be a very important week with the vote we will have this afternoon. It started with the vote yesterday. I believe it will be a very productive week for all of us on the Senate floor addressing concerns, both economic concerns as well as other concerns, that the American people feel in their everyday lives.

Before closing, there is an issue that we finished with last week on the floor of the Senate but which we have not fully addressed until we get this bill to conference, so that we can join the child custody bill we passed last week, so that we have expressed the will of the floor of the Senate, and so we can address in conference marrying our bill to the House bill so this important bill will become the law of the land.

We attempted to go to conference last week. There was objection on the other side of the aisle.

UNANIMOUS-CONSENT REQUEST—H.R. 748

At this point, I once again ask unanimous consent that the Senate immediately proceed to consideration of H.R. 748; provided that all after the enacting clause be stricken and the text of S. 403, as amended, be inserted in lieu thereof; the bill then be read a third time and passed, and the Senate then insist on its amendment, request a conference with the House and the Chair be authorized to appoint conferees with the ratio of 7 to 5.

Mr. DURBIN. Mr. President, reserving the right to object, on behalf of several Senators on this side of the aisle, I might say the bill that was brought to the floor is a bill which is fatally flawed. It is a bill which would have allowed a parent who was guilty of a crime against his child, a parent guilty of incest, would have been allowed to file a lawsuit against someone trying to help the victim of his crimes. Fortunately, an amendment was considered and unanimously passed here which addressed this fatal flaw in this bill. There are several on this side of the aisle who are working to receive an assurance from the Republican leader that this matter will not go forward in conference until this fatal flaw is removed in the bill. And until that agreement is reached, I believe—and others do, too—that it would be a terrible injustice for us to consider a bill which would allow this circumstance to continue. And until that agreement is reached, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. FRIST. Mr. President, let me point out on this objection we heard that this bill did pass this body last week by a vote of 65 to 34. It has the overwhelming support of the American people. Over 80 percent of Americans clearly support this bill. It passed with strong bipartisan support in the House of Representatives in I guess April of last year. So now is the time with the House having expressed its will for the Senate to express its will to go to conference, and then we can work out the disagreements that have been expressed between the two. Now is not the time to go back. It is a modest piece of legislation, very balanced, and it simply prohibits transporting a minor child across State lines for an abortion to get around a State law requiring parental notification or consent of that child for that child's abortion. It does not change any State law or policy but helps ensure that those State laws are honored.

I am deeply disappointed that the Democrats are objecting to what would be the normal course of events in taking this bill to conference.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader.

LEGISLATIVE AGENDA

Mr. REID. Mr. President, my friend, the distinguished majority leader, has laid out a program for the Senate to follow this week. As outlined by my friend, it is Alice in Wonderland. He talks about Congress and the Senate being a deliberative body, as well as it should be, and it has not been in recent years because of the Republicans' desire to do as little as possible.

Take, for example, my friend's statement about pensions. Last Friday, conference was agreed upon—working for months and months to come up with an agreement that affects 45 million Americans. It is so important. We talked a lot about the airlines. That is important to the airlines, but a lot of other companies also benefit from this.

The conference was agreed to. The Democrats and Republicans were ready to sign. I wasn't there. I don't know who walked in, whether it was the Senator from Tennessee or the chairman of the Ways and Means Committee, but someone said, no, we are not going to agree to the conference. Even though you have agreed on it, we are stripping all the extenders from this. The conference, in effect, is over.

Now to come to the Senate and say it is a take-it-or-leave it deal is a little hard to comprehend. We have a free-standing bill. If we want to be the Senate, as we are supposed to be, it is subject to amendment. A conference report is not. The pension thing was all worked out until the Republican majority decided they had to get back to the road to legislative heaven, and the only road to legislative heaven in this Republican-dominated Congress is to repeal the estate tax. So the conference report affecting 45 million people was thrown in the garbage to take care of 81 people, the richest people in America. That is what this is all about.

The minimum wage they bring to the Senate is a travesty. The State of Nevada is an example. Everyone knows Las Vegas and Reno are based on tourism. Thousands and thousands of people work in Reno and Las Vegas for tips. In Nevada, those tips are not counted against your minimum wage. It is the same in six other States: California, Montana, Washington, Oregon, and Minnesota. Tourism is a big deal and the State legislatures there did not want minimum wage to be counted against their tips. Where are the States rights we hear so much about from our friends on the majority side? They wiped this out with the bill they sent to the Senate.

If this minimum wage passed, it would be a disservice and an unfair statement to the people of Nevada, Oregon, Washington, Montana, California, and Minnesota. To think we have a minimum wage package that is good is a joke, an absolute joke. It is spread out over a longer period of time and it penalizes seven States.

Right now, as we speak, people are being killed in Iraq. Our soldiers are being killed in Iraq. It is nighttime in Iraq. They have not finished the body count as to the deaths that occurred in the last 24 hours. Well over 100 Iraqis have been murdered or killed one way or the other by the sectarian violence. We have been told by our military commanders, and they have sent a letter to the President of the United States, saying they need $17 billion yesterday. They want an emergency supplemental to take care of the equipment our soldiers are using in Iraq. The President has kept that in his bottom drawer someplace. It has not come to the Senate. I am sure he will wait until after the fiscal year has ended, as he has done in the past. Iraq is not part of his normal budget even though the war is going into the fifth year. Shouldn't we be working on that, rather than the Republicans' domination of time in this Senate with the estate tax repeal? We have spent more time on the estate tax than any other issue. It shows the difference between the two parties. We are concerned about the poorest of the poor; they are concerned about the richest of the rich. The rich in America are getting richer—all the statistics show that—the poor are getting poorer, and the middle class is being squeezed. For the Republican leader to come to the Senate and say this is a take-it-or-leave package, you take the estate tax repeal—and it has these other little goodies they have stuck in it—take it or leave it, and as soon as we finish that, you can take or leave the pension bill that was once resolved Friday until they had to get back on the road to legislative heaven with the estate tax repeal—to say that is a take it or leave it is truly Alice in Wonderland. This is not the Senate.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. FRIST. Mr. President, I will briefly respond on a couple of issues. Things have moved very quickly and, as the Democratic leader knows, not as anticipated exactly as of midpoint last week for all sorts of different reasons—in part because of the House departure—and things have changed. I am very certain at this juncture the choices laid out before the Senate are appropriate choices, that each Senator will be able to come to the Senate and express in what direction they want to go.

The distinguished Democratic leader says that extenders were stripped out of the pension bill. Let's be very clear that the pension bill that passed the House of Representatives did not have tax policy extenders in it; the pension bill that passed the Senate did not have the tax extenders policy in it. So it is a little bit hard to strip out extenders from a pension bill that did not exist in a Senate or House bill.

My distinguished colleague mentioned the pension bill. Things are going well in conference on the pension bill. I argue that on the pension bill they continue, even through all the other disagreements on the pension issue itself, to go very well. The decisions were made on the substance of the pension bill, with Democratic Senators in the room and Republican Senators in the room, both in discussion throughout. I am very comfortable with the pension bill in the nature of the conference. But where the conference broke down is on the other issues, the tax extenders that were not in either pension bill.

Repealing the death tax, the third issue that the distinguished leader mentioned, I make it clear it is an important issue. I think the tax is wrong, it is unsafe, it discourages savings and investment, it punishes farmers and small business people in this country. We have legitimate disagreement about that. I feel strongly about that. Yes, I think the whole tax should be thrown away. It should be buried forever. However, we came to the Senate floor and could not get 60 votes. We got 55 votes, including the ranking member on the Committee on Finance who said it is important to bury that death tax forever.

But in the best spirit of compromise, we understand that right now this Senate will not repeal it forever and, therefore, after a lot of discussion between both sides of the aisle, we have come back with a compromise that basically is not a total repeal, but it does prevent the death tax rate from rising, after it disappears 1 year, from up to 55 percent in 1 year with the exemption dropping down to $1 million. It gives a permanent solution. The details of that, as mentioned yesterday—and I am sure people will talk about it today—it is a fair compromise, and a permanent solution with some certainty for people, for the farmers, for the small business people out there today.

Mr. DURBIN. Will the Senator yield?

Mr. FRIST. Let me finish responding to my distinguished colleague.

The minimum wage that he called ''a joke,'' that we put in the trifecta bill, or the House put in the trifecta bill, which we will be voting on on Friday, to call a minimum wage that, it is their No. 1 issue. I have made it clear, again and again, going to the other side, What are your issues? The No. 1 issue from that side of the aisle is to increase the minimum wage, again and again and again.

To have this opportunity now to take their No. 1 issue, with the issue that is very important to us, that focuses on small business and farms, and take their No. 1 issue and put them together, to me is in the best spirit of this Senate. I would not call it a joke when you increase the minimum wage today from $5.15 per hour to $7.25 an hour. Yes, it is over 36 months. Yes, we do include the minimum wage tip credit which we feel is very important to small businesses. Yes, there is relief for small businesses who might say out there, we cannot afford this increase in minimum wage in the tax extenders package where we have a 15-year depreciation to give some help to those people who might be affected by increasing the minimum wage in a detrimental way, but I would not call it a joke. It is their No. 1 issue. To put it together in one bill that we can take forward, to me, is in the great spirit of coming together in this Senate.

We come to the fifth item the Democratic leader mentioned, ''other issues'' that we are not concentrating on. Again, if you look at this month, we look at the infrastructure in this country, we passed the Water Resources Development Act, a bill very important to our waterways and support of the infrastructure to promote economic growth. The Energy bill we will be voting on today we have spent a lot of time on, but it has the potential for putting a billion barrels of oil not available today out on the markets, 5.6 trillion cubic feet of natural gas which is not available today. If you talk to farmers, the high price of natural gas today drives up that cost of fertilizer, so it is important that we will deliver on that today.

I mentioned earlier issues I know the other side diminishes in importance, but that child custody bill that does address issues around, yes, the sanctity of life, but what State laws say in people trying to circumvent the State laws with regard to parental consent and abortion passed this Senate. The Adam Walsh Sex Offenders National Registry bill addressed a real problem in this country. We have 100,000 sex offenders circulating and we do not know where they are today. We addressed that in the Senate last week.

We continue to address the issues important to real people right now with regard to their cost of living, to hopefully lower natural gas prices in the Senate today, to address the values they care about when you talk about parental consent for abortion, people trying to circumvent those laws, and

sexual predators; or when you talk about the infrastructure of our waterways and our waterway development, again, which promotes economic growth. I would be hard pressed to say we are not addressing the issues that mean something to the average, hard-working taxpayer out there today.

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

Mr. FRIST. I am happy to.

Mr. DURBIN. I would ask the majority leader, since he called for the complete repeal of the estate tax, when President Bush took office, our national debt was about $5 trillion; now it is nearing $9 trillion. In 6 years it has gone from $5 trillion to $9 trillion. What you have proposed in the Senate will add at least $1 trillion more to the national debt. Is there any limit to the amount of debt you would leave to future generations to give tax breaks to wealthy people?

Mr. FRIST. Mr. President, I think the misrepresentation of the issue we are going to be voting on, on Friday, that has just been made by the assistant Democratic leader needs to be addressed.

Right now, the bill, according to the Congressional Budget Office, is around—the cost of this death tax permanent fix—is around $267 billion; again, not the $1 trillion that has been laid out. And the issues of the dollars and the cents we can argue. What we start with, though, is the individual out there, who is running that farm, who is running that small business, who has been taxed again and again and again, is actually taxed on their death for a second time, a third time, a fourth time, and it is just wrong. I would argue it is wrong whatever the price is, although the price is about a quarter of the figure he put forward. It is important for us to act on what is right and what is wrong. That is why, on this Friday, we will be doing just that.

Mr. GREGG. Mr. President, will the majority leader yield for a question?

Mr. FRIST. I will be happy to yield.

Mr. GREGG. Just to clarify the numbers, because I do think the assistant Democratic leader has thrown a bit of a straw dog out there in his numbers, as to the death tax, as it is presently structured under today's law, the exemption is about $2 million. If we do not put in place this change in the death tax, the exemption will go back to $1 million. The tax rate on dollars over the $2 million today goes up to about 46 percent, I believe. If we do not put in place this change, the tax rate would go up to 60 percent on everything over $1 million, potentially.

What the proposal before us will be is to raise the $2 million limit up to $3.5 million, or an increase of $1.5 million, which is basically a small family restaurant or a small family farm or a small family business. It is not to repeal the tax; it simply is to say to people who have small businesses: You will not be wiped out. Your family won't be wiped out by estate taxes which would be 60 percent of the value of that business over $1 million, potentially. Is that not true?

Mr. FRIST. Mr. President, that is absolutely true. And I think as we enter this debate over the course of the week, with a lot of these straw men that are being thrown out, we will have the opportunity to talk about and address the reality of what the costs would be. I think that is important. We have to address that. Our fiscal responsibility has to be there—but ultimately how it affects that individual farmer, who is out there, who dies, and has saved, has invested, has grown that farm or that small business, and has already paid taxes on what they produced, and to be able to pass that on to their children—again, not totally free because we have certain limits. Although I would argue we ought to repeal it totally, that is not what is on the floor. The compromise is on the floor.

Mr. GREGG. Mr. President, if the majority leader would yield further, there is no total repeal; is that not correct? What is happening is the tax is being reformed to reflect the fact there has been an increase in value in assets for especially small businesspeople, especially small farmers, and we are trying to protect those families from having their businesses wiped out. So the first $3.5 million, no, there would not be a tax, but over that there would be a tax?

Mr. FRIST. Mr. President, that is exactly right. What is important is the permanent solution. Right now, it is absurd to think we almost have to have three types of planning for when you die: over the next 3 years, as these prices come down; and then total elimination for a year; and then jump back up to a rate of, as my distinguished colleague from New Hampshire said, as high as 60 percent in 1 year, with that exemption falling back down to $1 million.

So what we propose, what we will be voting on now—and then that is it, that is it for this year—is a permanent solution to give certainty so people will know what the laws are, what the taxes will be, and clearly relieve most of the incentive that discourages savings and investment.

Mr. GREGG. If the majority leader will yield for one or two more questions. I would also ask, on this minimum wage issue, which the Democratic leader has dismissed as irrelevant or ineffective, by my calculation, a $2.15 increase—I believe that is what it is; maybe it is 10 cents—on a $5 basis is about a 40-percent increase. That is not an insignificant increase in the minimum wage, to raise it by 40 percent, is it?

Mr. FRIST. It is not. It is either a percentage or the amount $2.10 for every hour you are working if we pass it this week. It is the law of the land, by the way, if we pass it this week as it is written. We are talking about a 2.10 absolute. But also it is a percentage increase. It is huge. Everybody needs to realize, right now this is going to be the law of the land. The House has already passed it. If we pass it, it is. That will go up, as both that percentage as well as that amount, $2.10. For every hour you are working, you are going to be getting more money.

Mr. GREGG. If the majority leader will yield for one more question relative to the budget issues here. We have heard from the other side, almost interminably, about the need for pay-go and to live by pay-go. Is it not true that these tax cuts within this proposal meet the pay-go scorecard?

Mr. FRIST. Mr. President, absolutely. And this has been very carefully crafted to make sure we do meet those criteria. The real beauty of what is on the table—again, it is three different bills, but each has been addressed very carefully, such as pay-go, such as addressing the No. 1 issue from the Democrats on the minimum wage, adding the tax extenders. We have not talked very much about those, but it includes everything from State and local sales tax deductions to the research and development tax credit, which is simplified and extended—absolutely critical, as we hear from the high-tech people across this country in terms of investing for the future to create jobs. The college tuition deduction is in there; the work opportunity tax credit; the welfare-to-work tax credit; the depreciation for restaurants in 15 years; the timber capital gains; the mine safety tax incentives; the teachers' classroom expenses deduction; combat pay applies to EITC; the gulf opportunity zone—that is, the Katrina tax credits. That is what we will be voting on today: the permanent death tax relief, the extension of the tax relief, and the minimum wage increase.

Mr. McCONNELL. Will the leader yield for another question?

Mr. FRIST. I will be happy to.

Mr. McCONNELL. Does the leader share my view that one of the things we hear the most from our constituents as we go about the country is: Why can't you people in the Senate do things on a bipartisan basis? And I heard the leader indicate earlier that we obviously have bipartisan support for the Gulf of Mexico Energy Security Act, we have bipartisan support for the tax extenders, bipartisan support for the minimum wage, and, yes, bipartisan support for a permanent reduction in the death tax.

Why in the world—with bipartisan support for all of these three measures which the leader has put on the agenda for the last week before the August break—why in the world shouldn't we come together on a bipartisan basis and do something together that would be overwhelmingly popular with the American people? We have seen the poll data on the death tax. Even after Americans understand it does not apply to them, they hate the tax and despise it because they think they

shouldn't have to visit the IRS and the undertaker on the last day. And we are not even, as the Senator from New Hampshire pointed out, permanently repealing it, which would be our first choice but, rather, getting a permanent reduction. The minimum wage is overwhelmingly approved, and we have taken Senator KENNEDY's figures. What part of ''yes'' do our friends on the other side not understand?

So I would just ask my friend, the majority leader, if he can think of any rationale why the Senate, any reason why the Senate should not come together—with bipartisan support existing for all of these measures—this week and have one of the Senate's finest moments, operating on a bipartisan basis to do some series of things that are important for America?

Mr. FRIST. Mr. President, I would just very briefly respond that my distinguished colleague from Kentucky really captures the point. Not only is it bipartisan support, but it is bipartisan majority support for each of these. Remember, for a total repeal, we got, in essence, 55 votes—for total repeal—and we are coming back with the compromise. The extension of the tax relief and the long list I went through are issues we have addressed before, and we are extending them because they are so popular in terms of bipartisan support. And the minimum wage increase is an issue that has bipartisan majority support.

Each of these issues has been addressed in some shape or form. I am sure some people would come back and say we need to spend more time and let's put it off until September and let's delay. Each of these issues we have addressed. And there has been an appropriate compromise that is being brought forth that people will be voting on this Friday.

So I think it does capture, potentially, if we continue to work in a bipartisan way, the very best of what this body is all about. And it is compromise. It is vote. It is action. It is addressing the concerns of the everyday people out there today who do scratch their heads at times and say: Now is the time for us to act.

The ACTING PRESIDENT pro tempore. The Democratic leader.

Mr. REID. Again, we live in this ''land of Oz.'' The conferees had signed off on the conference report dealing with pensions. Basically, there had been an agreement, and they were going to put in that, as conferences are able to do, the extenders. They all worked out. We would have been voting on that today. But they wanted the extenders to help the ''pathway to heaven''—the ''legislative pathway to heaven''—of the Republicans on the estate tax, so that was taken away.

Mr. President, if you are working at one of the hotels in Las Vegas or one of the resorts in the State of Washington or Oregon or Minnesota or California and this minimum wage passes, you would get a decrease in your minimal salary. It does not sound very good to me. And I think I would class it and the people in Nevada and those other six States would say it is a joke. How could you pass something saying it helps me; I get a pay decrease. The minimum wage bill they have here is not only spread out over 3 years—different from ours—it also penalizes seven States.

For the majority leader to say that minimum wage is our No. 1 issue, it is one of our No. 1 issues. We have a lot of No. 1 issues. We care about the health care of this Nation—46 million people with no health insurance. We care about the kids being able to go to college. We care about stem cell research, which the President vetoed. That could be a No. 1 issue. I think Iraq is a No. 1 issue—2,600 dead Americans, more than 20,000 wounded, costing $3 billion a week. I think that is a No. 1 issue.

I did not invent for this Congress the name ''the do-nothing Congress.'' Pundits all over America call this the do-nothing Congress because we have done nothing. We have been in session very few days. We have accomplished virtually nothing. And that is why it is called the do-nothing Congress.

Now, we did not—my friend, the distinguished minority whip, the assistant Democratic leader, did not invent the cost of this bill. It is every place, in editorials all over the country—''bad bargain'' in the Washington Post, it is referred to. And in here it talks about the measure would cost $753 billion. No, it is not total repeal; it is only 80 percent repeal: $753 billion.

The Center on Budget and Policy Priorities: House estate tax proposal has essentially the same long-term costs as earlier version.

For the people watching this, Mr. President, understand what has happened, as has been pointed out by the distinguished Senator from Illinois this morning. During the 6 years President Bush has been in office, the debt has skyrocketed, almost doubled: $9 trillion. Now, remember, during the Clinton years, the last 3 years President Clinton was President, the debt was paid down. So it is great for them to talk about pay-go. And as the majority leader mentioned, the death tax he does not like, he does not care how much it costs, he said here right now.

Mr. DURBIN. Will the Senator from Nevada yield for a question?

Mr. REID. I would be happy to.

Mr. DURBIN. I asked the majority leader a question. I said: Since we are adding to the debt which we are leaving to our children and families, is there any limit to the amount of debt you would create in America to provide tax breaks for people who are the wealthiest? And he would not reply to that, which suggests to me—I would ask the Senator from Nevada—that when the majority leader and the majority whip both said they really favor repeal of the estate tax—repeal, complete repeal of the estate tax—that they are prepared to incur whatever debt is necessary and leave that to future generations in order to benefit the wealthy few in America.

We have reports from the Center on Budget and Policy Priorities that the number of people to be benefited in 1 year in America from this estate tax reform is 8,200 people. The average benefit by estate tax reform, as they call it, would be $1.4 million for each one of those persons.

I say to the Senator from Nevada, if the majority party in the Senate is not even sensitive to the fact that they are now leaving three-quarters of a trillion dollars of debt for our children and future generations to benefit 8,200 families, is this pay as you go? And if it is pay as you go, how are the Republicans paying for their reform or repeal of the estate tax?

Mr. REID. I say to my friend, like they pay for everything else. My 16 grandchildren are going to be paying for it, and their children are going to be paying for it. You talk about a death tax; the estate tax is not a death tax. What this Republican-dominated Washington has done in the last 6 years has passed on a birth tax to my children, their children, my grandchildren, and their children.

It is obvious what the priorities of this Republican Senate and the Republican House are: to take care of the fat cats, the rich people. That is what it is all about. They know this minimum wage legislation they sent us is flawed. It eliminates an increase for the hard-working poorest of the poor in seven States, and it is spread out over 3 years.

Mr. DURBIN. I ask the Senator from Nevada, over what period of time have the Democrats in Congress been asking for an increase in the minimum wage and over what period of time have Republican Presidents and the Republican-led Congress said no repeatedly to an increase in the basic $5.15 minimum wage? How long have we been asking for a straight-up vote on increasing the minimum wage?

Mr. REID. It has been about 10 years. As I said here yesterday, I don't know why, even though it is a flawed measure they sent us, I don't know why they have moved forward. Maybe it is because we stood up and said there will be no congressional pay raise until the minimum wage is increased or maybe it is because Oprah did a show on this last week or maybe it is a combination of both.

Mr. DURBIN. I ask the Senator from Nevada, when the Democrats said there will be no congressional pay raise until the minimum wage goes up, and all of a sudden the interest in the minimum wage was rekindled on the Republican side of the aisle, now that the Republicans have said we ought to spread the increase in the minimum wage over 3 years, perhaps the congressional pay raises should be spread over a 3-year period of time. There should be some symmetry if there is an insensitivity to what the lowest paid workers are receiving. I ask the Senator from Nevada

if that is a proposal we ought to consider.

Mr. REID. Of course, we should consider it.

I say through the Chair to my friend from Illinois, we are in this predicament because the Republicans have put us here. We are spending an inordinate amount of time on seeing if they can run up a debt of approximately $1 trillion to the American people to take care of 8,100 people. That is why we are here. It is not because of the minimum wage; they hate the minimum wage. You know that, I know that. It is not because of the extenders. The extenders are good for most everybody. That is why they put it on the pension bill in conference. We are here because of the estate tax repeal. That is what this is all about. All the rest is fluff. As I say, the dominating issue of this Republican Senate has been estate tax repeal. That means more to them than spending time debating the war in Iraq. It means more to them than talking about health care.

It means more to them, certainly, than talking about global warming because, according to them, it doesn't exist. It certainly has taken away time to talk about why the President vetoed stem cell. This issue relating to the estate tax has taken care of everything for them. That is their No. 1 issue. You talk about the minimum wage being our No. 1 issue. They don't have No. 2, 3, 4, 5, like we do. Estate tax is it.

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

Mr. FRIST. Mr. President, I will be very brief. Our agenda has been very clear. It has been clearly articulated and, as people look back, as they look forward, they will see how all the pieces come together because each time we take a bill to the floor there is a complaint. On child custody, there is obstruction; we are going to stop it. But it is clear to the American people. When we go back to our States and talk to the people, they get it. The Democratic leader is right in many ways. He says Iraq and dead Americans—the words he used—$3 billion, all of which I look at as securing America's homeland and those enduring values of freedom and liberty that we know are so important to our generation and that next generation. That is what this war on terror is about. It is the No. 1 issue, securing America's homeland. I will come back to that in a second.

I hope we can address supporting our troops overseas in the Department of Defense appropriations bill, this week. We need to do that this week as well. We could go to that tonight. I will talk to Chairman STEVENS as soon as I finish here to see if we can take that to the floor tonight and address it over the next couple of days.

Securing America's homeland, we addressed in part through our border security bill, and addressing immigration, we did spend several weeks on the floor of the Senate.

The second thematic is securing America's prosperity. By prosperity, the other side wants to talk about rich people because they know it has connotations to it and the sound bites work. But if you look at what we are doing, we are talking about people at the lowest rung of the economic ladder. We are talking about small businesspeople. We are talking about people who feel the squeeze that we know they feel because of energy prices and because of health care. Although they can say we are not addressing those, at 5 o'clock today we are voting on the bill that can have the single greatest impact since our last Energy bill a year ago, which was very successful, a bill which has the potential for reducing that squeeze that people are feeling today when they fill their tractors with fuel. We are addressing it on this floor.

We addressed health information technology, which I think is the single most incremental variable that can transform health care today in terms of improved quality, improved availability, and reduced cost, by getting rid of the waste and the abuse and even the fraud and the medical errors that do typify our health care sector. We addressed that in the Senate. We passed it in the Senate, and the House passed it last week. Now we can go to conference and pass it. So when we talk prosperity, too often the other side just talks about rich people. We too often talk about the 5.4 million jobs created—very, very important—the 4.7 percent unemployment rate, the lowest of the average of the 1960s, 1970s, 1980s, and 1990s—all very important. We are addressing what the average person, the typical taxpayer is feeling—energy prices—on the floor of the Senate today.

We are addressing health care costs through health information technology by trying to take small business health plans to the floor but having it stopped from consideration by the other side of the aisle. People feel those health care costs.

The third thematic is securing America's values. We have securing America's homeland, No. 1; securing prosperity, No. 2; and securing America's values, No. 3. Last week, on child custody protection, it is being stopped by the other side of the aisle. This body has spoken, but it is being obstructed. The Adam Walsh child protection bill, passed, signed by the President. We are going to continue to fight for America's values.

I will close by saying, there is a lot we will be talking about over the course of the week. I restate once again that vote will be Friday. Are we ready to address a permanent solution to the death tax this Friday? We are going to say yes or no. If it is no, we are not going to do it this year. Extension of tax relief, the issues and the policies that I outlined before, we are going to do them now, this week, or we are not going to do it, as well as the minimum wage. Remember, if we pass it this week, or if we demonstrate that we are going to pass it this week, people across this country who are making the minimum wage will have that minimum wage go. It has already passed the House, from $5.15 to $7.25, a $2.10 increase, if we vote correctly on this Friday.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I wanted to correct the RECORD. I spoke inaccurately in that on the issue of pay-go, there is available under pay-go approximately $300 billion to cover the cost of this tax bill. In one 5-year period, it may be out of compliance, but over the entire 10-year period, it is clearly within compliance. I did want to make that clarification.

RESERVATION OF LEADER TIME

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

GULF OF MEXICO ENERGY SECURITY ACT OF 2006

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 3711, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 3711) to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes.

Pending:

Frist amendment No. 4713, to establish an effective date.

Frist amendment No. 4714 (to amendment No. 4713), to amend the effective date.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, we just heard an interesting exchange between the Democratic and Republican leaders about the week's agenda. The Democratic leader indicated that this was a do-nothing Congress and in the same remarks he indicated he was going to try to keep us from doing something this week. As the occupant of the chair has frequently said, block and blame. But the truth is, it must be confusing for the people in the gallery and for those who might be watching on television to try to figure out in the middle of all this what is happening. Let me explain it again before addressing the Gulf of Mexico Energy Security Act, which is my principal reason for rising at this point.

This week, we are considering four bills, each of which enjoys bipartisan support: the Energy Security Act, which I will get back to in a minute, but also the Democratic version of the increase in the minimum wage, a tax extender bill that enjoys broad bipartisan support, and a modification and

permanent reduction of the estate tax which also enjoys bipartisan support. So the Senate will have an opportunity, as the majority leader pointed out, later this week to do what it is about to do at 5 o'clock this afternoon on this important Gulf of Mexico Energy Security Act. We saw a vote yesterday in which 20 Democrats joined all but one Republican to discontinue debate and move toward passage of an extraordinarily significant Energy Policy Act. And there are a number of heroes and a heroine who have been involved in this process.

First, the chairman of the Energy Committee, Senator DOMENICI; this is a singular accomplishment for his leadership. He stepped into the breach, was able to figure out exactly what the Senate could handle and was willing to pass on a bipartisan basis some 3 or 4 months before an election and carefully crafted a compromise that will succeed this afternoon in making a major step forward in addressing our shortage of both domestic oil and natural gas.

Another hero in this story is the Senator from Florida, MEL MARTINEZ. He stepped up to the plate and protected the interests of his State by getting a boundary around the gulf portion of Florida that ensures, up until 2022, that there be no exploration and drilling. There had to be Democrats for this to go forward. Senator LANDRIEU was able to very skillfully line up, as of yesterday—and we assume many of those 20 Democrats who voted for cloture yesterday will be there today—20 Democrats for final passage. Her colleague, Senator VITTER, and, for that matter, all of the gulf coast Senators who reached in to this atmosphere and realized a significant accomplishment would be available on a bipartisan basis that would benefit their States. And for other Members of the Senate not on the gulf coast who realize that getting money for the Land and Water Conservation Fund is an important step forward, a kind of permanent revenue stream for land and water conservation, all of these forces came to work, and we had an example of the Senate working in its finest tradition on a bipartisan basis.

We will have that opportunity again at the end of the week, as the majority leader pointed out, as we have our last chance this year to get an increase in the minimum wage, a permanent solution to the onerous death tax, which is coming back at a confiscatory rate in a few years, and a tax extender package that is widely supported on both sides of the aisle.

Hopefully, the Senate will not block and blame but act in the best interest of the American people later in the week.

Now let me address my remarks specifically to the Gulf of Mexico Energy Security Act. I know that some have said this bill goes too far and others have said it goes not far enough. With apologies to Goldilocks, I think this bill is just right.

We have only reached the point of what I believe will be final passage of this bill after the negotiation I described earlier in the best tradition of the Senate—bipartisan negotiations producing an extraordinarily important piece of legislation. Senators from both parties have worked diligently and in good faith to craft legislation that could win the support of as many Senators as possible. This bill has the support of every single Senator from a Gulf State.

I am pleased to be a cosponsor of the bill and to have been involved on behalf of the leadership in these seemingly endless discussions that went on for the last couple of months in order to put this together.

I know a little something about marshaling support for a bill. Believe me when I say, although this bill may not have in it everything everyone wants, it will greatly improve our country's energy independence and move us toward greater economic prosperity and stronger national security. And it is absolutely the best bill the Senate could pass at this time.

High energy costs are hitting Americans in their pocketbooks because of supply problems for oil and for natural gas. This bill will begin to alleviate our supply problems and provide us with greater independence from foreign sources of energy. The Gulf of Mexico Energy Security Act of 2006 will open up over 8.3 million acres of the Outer Continental Shelf for energy exploration. The Department of the Interior estimates that this area will yield at least 1.26 billion barrels of oil and 5.83 trillion cubic feet of natural gas. That is more oil than the proven reserves in Wyoming and Oklahoma combined. That is enough natural gas to power nearly 6 million homes for at least 15 years.

The price of crude oil, as recently as mid-July, reached a whopping $77 a barrel. Compare that with the price of $34 a barrel in July 2004. Increasing our domestic supply of oil is the only way, in the long term, to bring those prices down. The same holds true for natural gas prices, which also have skyrocketed in the last few years.

As we all know, the price of natural gas is set domestically in America, unlike the price of oil. So we can have a direct impact on natural gas prices in America by increasing the supply. We all know we need to reduce our dependence on foreign sources of energy. The current strife in the Middle East and the rising level of threatening rhetoric from Iran all affect the price of energy in the world market. The more oil and gas we produce domestically, the more we can insulate ourselves from events over which we have little or no control.

Rising energy prices also threaten America's economic vitality. High energy costs hamper our industrial competitiveness, as companies choose to produce goods in other countries where their costs will be much lower. For the goods produced here, prices are higher to take account of those higher energy costs.

The National Association of Manufacturers estimates that from 2000 to 2005, this country lost 2.9 million manufacturing jobs, due in part to high energy costs. Not only will this bill alleviate that problem by boosting America's energy supply, it will also generate revenues from lease sales, all of which are brand new. And 37.5 percent of those revenues will go to the Gulf States of Alabama, Louisiana, Mississippi, and Texas for coastal protection, restoration, and mitigation. Another 12.5 percent of the revenues will go to the Land and Water Conservation Fund, which will distribute the money to State and local governments for the improvement of public parks and recreation areas.

Finally, the remaining 50 percent will go to the General Treasury of the U.S. Government. Because this revenue comes from new leases, this will be an increase of funds—an increase, new money—to the General Treasury.

I also remind my colleagues that S. 3711 ensures that we carry out this energy exploration without sacrificing environmental concerns. This bill will install a 125-mile buffer against energy development in waters off of the coast of Florida, thanks to the negotiations of Senator MARTINEZ, as I indicated earlier. He has protected the coastland of his State. And the bill will extend until the year 2022 a moratorium on energy development in certain areas of the gulf that this Senate has decided are too close to the coastline. Again, that is at the insistence of Senator MARTINEZ.

This bill should garner all of our colleagues' support. It takes a step forward for our country's energy policy. I also thank the majority leader for all of his hard work to shepherd this bill to what I believe we are going to witness this afternoon, which is a strong, bipartisan vote of support. The Senate should pass it. It will reduce America's dependence on foreign sources of energy, while strengthening our economy.

Mr. President, I yield the floor.

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

Mr. DURBIN. Mr. President, I thank the Republican whip for his remarks. I will address them in the same context, first, the earlier debate, what we are considering in the business of the Senate this week, and finally this bill that is pending before us.

What we have before us this week is a historic decision to make. It is a historic decision because, if the Republican majority prevails and if the bill, which they are asking us to pass, is enacted and signed by the President, what we will do is add dramatically to the national debt of America.

This morning's Washington Post suggested that the repeal of the estate tax will cost us, with interest over a 10-year period of time, about $750 billion.

This Federal estate tax affects very few Americans—only those in the highest income categories. It is a tax that is imposed on about 2 out of every 1,000 people who die in the course of a year—2 out of 1,000. So 8,200 families each year will get a tax break if the Republican proposal is enacted. Those families, on average, will be spared paying a Federal tax, on average, of $1.4 million.

When you project that over a long period of time, it means that we will be paying out—I should say not collecting—$750 billion that otherwise would have come into our Treasury. The responsible thing to do, for either side of the aisle, if you are going to take $750 billion out of the Treasury, is either cut spending by that amount of money or impose another tax, another revenue source. That would be pay-as-you-go. So you would balance the books. You would say, for example, it is so important for us to reduce the taxes paid by 8,000 families a year—the highest income families—that I would propose raising another tax or I would propose making a cut. But that is not what is happening.

What is happening has become the ordinary course of business under our friends on the Republican side of the aisle. They continue to spend money and they continue to cut taxes without any concern for the impact on our national debt. Here is the record that Republicans have written on the budget: 4 years in a row of record deficits in the United States of America. In the closing years of the Clinton administration—and you can find this in the publications of our Government—we were generating surpluses. For the first time, we had turned the corner; we were reducing the national debt of America, strengthening the Social Security trust fund, and we had reached a point where we were moving forward with confidence that Social Security would be stronger for years to come and we would not be heaping more and more debt on our children. That was at the end of the Clinton administration.

Then came the Bush administration. President George W. Bush, in the 6 years he has been President, in the 4 years the Republicans have been in charge in the Senate, has seen record deficits. The debt is projected to soar under the Republican policies, this one-party rule in Washington—with the President's party in the White House, obviously, and in the Congress, the debt is projected to soar to more than $11 trillion by 2011. It will more than double; their policies will more than double foreign-held debt in 5 years, which I will speak to in a moment. There will be little real revenue growth since 2000. Every penny of the Social Security surplus, $2.5 trillion, will be spent on tax cuts, such as these, for wealthy people in America; and we will find that we are getting deeper and deeper in debt.

Let me illustrate that in a chart which Senator CONRAD, our ranking Democrat on the Budget Committee, uses. This is his ''wall of debt.'' This indicates what has happened since 2000, when President Bush came to office. He faced $5.8 trillion in debt. That was the entire accumulated debt of America, $5.8 trillion, when President Bush was sworn into office. Now, by the year 2006, that number is up to $8.5 trillion. Think about that. It went from $5.8 trillion up to $8.5 trillion today—under the people in charge who call themselves ''fiscal conservatives.'' The debt of America, as projected under their policies, will rise to the level of $11.5 trillion by 2011.

So by the policies President Bush and the Republicans in Congress put into place when they came to Washington, projected out over the 10-year period—that is how we do our budgeting here—it doesn't quite double the national debt, but it comes very close. Where do we get the money to do this? How can we continue to spend money we don't have? How can we build up all this debt? Who is going to provide the mortgage for America?

Well, it turns out that this President has found a source which he uses, which is historic. President Bush has turned to foreign governments to borrow money to sustain this overspending and cutting taxes without cutting spending. President Bush has more than doubled the amount of American debt held by foreign governments in 5 years. It took 42 Presidents in the history of the United States 224 years to build up $1.1 trillion in indebtedness to foreign governments. This President, in 5 years, has more than doubled that amount.

So who are our bankers? Who are America's mortgagors? When you look at the world's biggest borrowers, the United States dominates the scene. We borrow more money from around the world than anybody; 65 percent of all of the borrowing in the world comes from the United States. For instance, this estate tax repeal—by heaping on another $750 billion of debt on America that is not paid for and could rise as high as a trillion dollars, we have to turn to somebody and say loan us the money so we can give a tax break to the wealthiest people in the world. And we borrow more money than any other country. Other countries pale in comparison in terms of how much they borrow. Who are these mortgagors, these bankers who come to our rescue and loan us the money? No. 1, Japan; 2, China; 3, United Kingdom; 4, oil exporting countries—a recurring theme in our policy, our dependence on oil exporters—South Korea, Taiwan, and so forth.

So what we are doing is asking them to loan us money so we can give tax breaks to wealthy people. That is what this choice is this week. How bad is this? Well, the General Accounting Office Comptroller, General Walker, chosen by the Republicans, a very bipartisan man—I respect him. I wasn't sure when he came in if he had a political agenda, but he has been proven as a leader at the GAO who calls them as he sees them. Sometimes his messages make Democrats happy, sometimes they make Republicans happy. But I believe he does his best to be honest and candid. He said:

> ''Our problem is our large long-term deficit, and the sooner we deal with that the better,'' said Comptroller General David Walker. Walker warned of a false sense of security. We are in much worse shape fiscally today than we were a few years ago.

That was an interview in the L.A. Times of July of this year.

So this week, the Republicans will make this proposal: If we will agree to reduce and eliminate, in some cases, the estate tax on the wealthiest Americans who pass away—8,200 of them each year—then they will agree to increase the minimum wage for workers across America.

The difference is stark when one looks at the beneficiaries. The numbers tell the story: 8,200 families benefiting from a reduction in the estate tax to the tune of 41.4 million each family by average; the minimum wage affects 6.6 million beneficiaries, and their average benefit is $1,200. A $1,200 minimum wage increase; $1.4 million in estate tax relief or reduction for the wealthiest people. The ratio is 1,000 to 1; 1,000 to 1 the benefit for the wealthier people in America from the estate tax versus the benefit from the minimum wage.

And who will pay for this repeal of the estate tax? Our children will pay; the next generation will pay. America will go deeper into debt because the Republican leadership is going to add dramatically to the national debt of America. That is not responsible. It really doesn't have the best long-term interests of America in mind.

Many of us are concerned that those who work hard every day have been waiting 9 years for an increase in the minimum wage. For 9 years, the Republicans have stopped us from increasing the minimum wage. Imagine for a moment, if you will, trying to live on $5.15 an hour. Who are these people? They are the people who cleaned your hotel room this morning. They are the folks who cleared the table of dishes when you were finished at the restaurant. They are the ones who are watching your children at the daycare center. They are the people who are probably frying the hamburgers back in the little shop where you went in for lunch. They are making $5.15 an hour. That comes out to about $10,000 a year. Can you imagine? Can you imagine trying to get by, and imagine still if you have a child trying to get by?

For 9 years we said to the Republicans: Shouldn't we turn to the bipartisanship of increasing the minimum wage? That is just basic fairness, a humane approach to dealing with people. They have said no repeatedly. It is one of the longest stretches of time in American history that we have failed to increase the minimum wage.

So now this week they have said: We have a bargain for you. If you will cut

the estate taxes on the wealthiest Americans, if you will build up debt for future generations of $750 billion or more, if you will cause us to borrow more money from foreign governments to sustain this indebtedness in America, if you will do that, then we will consider giving some of the hardest working, lowest paid Americans an increase in the minimum wage.

Doesn't this tell the story? Doesn't this tell the story between the differences between the two parties and their approach and attitude? We believe that an increase in the minimum wage is good for America and good for people who get up and go to work every single day. We think it is good for families, and it is good for their children. We think it is good for us in the long haul to reward work and to give a decent wage to people who get up and go to work. The Republicans, for 9 years, have said no.

We also think if you are going to cut taxes, for goodness' sake, why don't we start by trying to help working families? Wouldn't we be better off as a nation to talk about tax cuts that are limited and focused instead of these that are absolutely out of control? Wouldn't we be better off as a country saying working families, middle-income families could deduct the cost of college education expenses for their kids?

Isn't that a much better investment in our future than saying the wealthiest people in America, those who have benefitted the most from living in this great Nation should be spared and resolved from paying their taxes to our Government?

Shouldn't we be helping these working families and small businesses when it comes to providing health insurance? That is an increasing cost for most families, and certainly for small businesses. That is worthy of a tax break, one that means families will have peace of mind to have basic health insurance. These are things that most Americans would applaud.

But, no, the Republican proposal is take it or leave it. You either give a tax cut to the wealthiest Americans at great expense to our Government, increasing our national debt dramatically, or the Republicans say: We won't increase the minimum wage for the hardest working workers in America.

I think that is a terrible idea. I hope we come to our senses. I hope we say to Republicans there is something more to life than rewarding those who are the most comfortable in America.

This is a time in America's history when we are asking for sacrifice. We are asking for great sacrifice from our men and women in uniform and their families, many of whom have given their lives for our country, many of whom have left behind grieving families who will never get over their loss.

We usually say in time of war: America has to pull together; we all have to sacrifice together. Back in World War II, there were savings bond drives, collection of metals that might be important in the war effort, and victory gardens. People really pulled together.

This administration and this Republican Congress see it differently. When they ask for the greatest sacrifice from families who provide our soldiers and give them the support they need, they turn around and say to the wealthiest people in America: You don't have to sacrifice anything. In fact, we will give you a tax break.

This is the first President in the history of the United States of America who has cut taxes in the midst of a war, the very first. For obvious reasons, it makes no sense. If you faced a medical crisis in your family, if you faced medical costs in your family that exceeded your health insurance, medical costs that might wipe out your life savings, would you consider it responsible at that point to put an addition on your home or take a luxury vacation? No, you would make the commonsense, reasonable decision that in time of great need we cannot afford luxuries.

But listen to this administration and this Republican Congress: In time of war, a war that costs us $3 billion a week, they are proposing tax cuts for the wealthiest people in America. Think of it: the debt that future American generations will face because of this war is going to be increased by this tax cut for the wealthiest people in America. It tells the whole story about their priorities.

So as we bring this week in the Senate to a close before the August recess, I believe there is a report card which the American people would like to have us address. The first part of the report card is this: What are you going to do about the war in Iraq? The Democrats came together—the leadership in the House and the Senate—and said to the President in a letter we sent just recently that it is time to start bringing American troops home. We have lost 2,573 of our best and bravest. They are now in a crossfire of a terrible civil war where 100 Iraqi civilians are being killed on average every single day.

We have had promises over and over again that the Iraqis will stand up and defend their own country. Yet they have not done it, at least not to the extent where any American soldier has come home. It is time for that to change.

It is time for change in Iraq. The Republicans don't want to address this issue. During the debate on the Defense authorization bill, they offered no amendments in terms of Iraqi policy. They rejected our effort to start bringing American troops home this year. They say: We are going to stay the bloody course in Iraq.

It is sad. It is time for us to assess honestly our future in Iraq.

The scorecard would obviously go to energy costs. As I travel around Illinois, and other Senators in their States, people are paying more for gasoline and hardships are being created. I was in Decatur, IL, on Saturday and had a roundtable. People came in and talked about the impact of gasoline costs on their lives and businesses. There were businesses large and small. There was a trash hauling business which has a lot of big scavenger trucks on the road around Decatur talking about increased costs. A woman came in from the UPS with 700 trucks that she moves around downstate Illinois and talked about the increased diesel costs. We had concerns, as well, from our veterans. There was a group that forms an honor guard and volunteers to perform an honor guard at military funerals. They travel about 1,200 miles a year to 150 funerals where they present the flag and have the appropriate respectful sendoff for the veteran who has died, and they are talking about the increased cost of gasoline.

Families and businesses, large and small, farmers—they are all talking about that. Yet the best we can do for an energy policy is the bill pending on the floor which will allow more drilling in the Gulf of Mexico but which will come up with only a few months' worth of natural gas for America and a few months' worth of oil.

We are not addressing the larger questions—questions, for example, about why we don't have CAFE standards for more fuel efficiency and fuel economy for the cars and trucks that we drive. This Congress, this Republican-led Congress has not seriously engaged in that conversation.

There is no conversation about giving businesses, small businesses across America and the people of this country the same basic health care protection that Members of Congress have.

That is what the Democrats believe we should do and move forward to do as quickly as possible.

We also believe when it comes to jobs in this country, this is an issue often overlooked. Our Tax Code rewards companies that send jobs overseas, and that has to stop. We have to have an increase in the minimum wage and not be held at gunpoint to say you can only have it by cutting the estate tax. The agenda is clear for America, but it is not the agenda of the Senate. That is why this November there is an appetite for change and leadership, a change in direction, a significant change for a new direction in this country.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from Alabama.

Mr. SESSIONS. Mr. President, one thing we are about to do today after many objections and difficulties over the years from the Democratic leadership is to pass a bill that will allow offshore production of oil and gas. It will absolutely positively affect the pocketbooks of American citizens.

This is a bipartisan effort, although as one can see from my colleague and his polemic—political polemic—that he just completed, even the Democratic leadership is not comfortable with making progress, but many of the Members are.

Before I talk about the energy bill, I want to take a moment to respond.

He talked about the war. We had a vote on withdrawal from Iraq. It was 93 to 6 against that. We voted a year later on it again and only 13 Democrats voted for it then.

We need to have more bipartisan work to accomplish issues that are important to the American people, and we can do it. But we are being driven by the politics of elections, and I don't think it is healthy for us. That is the way it goes around here, unfortunately. We will continue to proceed.

I just want to know how the Senator comes up with this number, 700-something billion dollars of costs for the partial repeal of the death tax. Who knows where that number came from? The Congressional Budget Office which, in my view, tends to overscore, making it higher than reality, said it was $260 billion over 10 years. I submit that even this is a high number. I submit also that we have voted in this body—and it is now the law of the United States—that in 2010 the death tax will be completely eliminated. It phases out and goes to zero, but if we don't do something about it permanently, it will go back to 55 percent. Plus, if a State has another 5 percent, such as Alabama does, that is 60 percent of a person's net wealth confiscated by the Government. The polls show the American people are not happy with that. They don't think that is legitimate.

So we spend a lot of time here figuring out how to make this death tax law stable so that people know what they are facing and what they are going to have to pay and what their families will have to pay.

We looked at it, and we have come up now with a flat rate of 30 percent for estates that would qualify at that level. That would be the maximum rate—not 55 but 30, a compromise that deals with this extraordinary confiscation of wealth by the Government of people who have worked hard, have paid their taxes, made money, paid a third of it to the Government, saved something for their children, and then the Government comes in and takes 55, 60 percent of it.

We do not think that is fair. The American people do not think that is fair. Polling data shows they do not think that is fair. This is a matter we need to fix.

We have this zero rate out there at 2010, about a little over 3 years from now, that we need to fix—a permanent fix. We are on the verge of doing that. We will have bipartisan support for that despite the assistant Democratic leader's arguments against it. We need to work on these things. We can and will move forward with that proposal.

Also, our Democratic colleagues say they wanted the minimum wage raised, according to the Kennedy bill, and so as a compromise we proposed to do that and work that out. That is where the negotiations are going. Hopefully we will be successful in that.

Mr. President, I will talk briefly about some good news, for a change.

We have had, I have to say, Members of this body—almost entirely on the other side—who have blocked energy production in our country for a number of years. It has caused the cost of living and the price of gasoline, natural gas, and heating oil for Americans all over this country to go up.

What have we seen in the 10 years I have been here? We have seen this. We have seen the proposals to produce oil and gas from the vast Alaskan ANWR region blocked. A substantial majority of Senators have voted for it, but the Democrats have been able to block it with a filibuster each time.

We have had a long-term battle on nuclear power, and just this last fall that battle broke in the right direction. We have not had a nuclear plant for over 30 years in this country. We are burning a lot of natural gas to generate electricity when it could be produced for a fourth or a fifth of that cost by nuclear power with no air pollution. Also, it wouldn't drive up the cost of natural gas for heating our homes. We have had that nuclear power blocked. Finally, we passed a bill that gave us the opportunity for more nuclear power. We now have 18 different preliminary requests to develop new nuclear powerplants in America, all filed within a year of the bill's passage. The Tennessee Valley Authority in my home State—and we have two nuclear plants in Alabama—tells me that nuclear power comes in at 1.2 cents per kilowatt hour compared to 1.8 cents for coal—that is 50 percent higher for coal—and natural gas at 6 cents, five times as much. We need more nuclear power. Finally, under the leadership of President Bush and this Congress, we have moved forward in that direction. That is positive.

We have also passed an energy bill that enhances wind, solar, and ethanol, and included mandates that will cause us to utilize more of our domestically produced biofuels—something I support.

I have worked with Senator EVAN BAYH, Senator JOE LIEBERMAN, Senator SALAZAR, Senator BROWNBACK, Senator LINDSEY GRAHAM and others on this issue. We have a bipartisan group to treat energy production as a national security issue. And we should.

It requires conservation. It requires efficiency. It requires biofuels. It requires enhanced production.

Nobody suggests our demands are going down. We can do better to contain the growth in demand, and we should do everything possible to do that, but the world is growing economically and more people are utilizing energy and it is causing shortages and driving up the price.

So let's celebrate a little bit. We had a vote yesterday. The opposition to drilling in the Gulf of Mexico has broken. It was, I believe, 72 to 23 against the filibuster of this bill. So I believe we are heading toward passage of it, and it is a fabulous thing. We would be so much better off today had we passed this legislation 5, 6, 7, or 8 years ago. But we have had a moratorium on drilling in huge portions of the Gulf of Mexico. Around Texas, Louisiana, Mississippi, and Alabama—off our shores, pretty far out in the gulf in most cases are some 4,000 producing oil and gas wells. But a few areas of the Gulf of Mexico, with very large reserves, have been under a moratorium. We have been blocked by law from having production in those areas. As a result, we have sent around the world huge amounts of American wealth, the wealth earned by American citizens—huge amounts of that to other nations, many of them not friendly to us. As a result, it has made the price of gasoline and natural gas for American citizens higher. It has resulted in many of my constituents and others around the country paying $50 or $75 more a month for gasoline so they can go back and forth to work—money they didn't have to spend on that a year or two ago. Prices have gone up.

We have ceased to expand our domestic production. We have had to buy it on the world market, 60 percent from foreign nations, many of those hostile to us politically and otherwise. It is not a good thing.

One of the things we need to do is to make a step in the direction of producing more at home. It is overdue. I am glad my colleagues on the other side have moved forward.

Once again, we had to reach a compromise. We talked with Senator MARTINEZ and Senator NELSON of Florida and they have come around to this 125-mile buffer zone around Florida. That is far more than I think is necessary, but certainly there are strong feelings in Florida about it. Under all the circumstances involved, I think it is a good decision. I am prepared to go forward with that. I would like to see more, but this, certainly, with 8.3 million acres that could be produced, will provide an opportunity for us to get out there, prove these reserves exist, and have production there.

I want to say one thing here. I want to be clear. This is very important. It is not correct it is exactly wrong, in fact—and it must never be the policy of this Senate, this Congress, or this Government to conduct drilling anywhere for the purposes of helping oil companies. That must never be our mission. Our mission must be to study what is happening in our country and in our world and to take actions that will help reduce the cost of energy for American citizens. That is what our responsibility is. That is our duty.

Congress has created laws that put a moratorium from production on areas where large reserves exist. I don't know what oil companies may desire to produce there. Most of them out there, I understand, are independent firms doing the production, but regardless, whoever produces it, that is not whom I am trying to help.

If we produce more natural gas in our domestic system, we help drive down the cost of natural gas. In fact, this production could have a larger impact on natural gas than it is likely to have on gasoline. It should really have a positive impact on both.

Let me show this chart. I didn't realize this originally. I met a businessman in Alabama. He has a big chemical company, an international company. He was telling me how much his natural gas costs have gone up and he said it is hurting him. It is putting his business in a position where they might have to close it or cut back.

I said, Why? Aren't other places in the world paying more?

He said, No.

I suppose that is the first time I realized that fact. You know, for gasoline, we pay $3 a gallon here. It is $7 or $8, or more in Europe—more in Japan, I think. So I have always thought we were cheaper.

But look at this chart. In the United States we are now at $8.85 per million Btus of natural gas. Lots of Americans heat their homes with natural gas. Lots of American electricity is generated by natural gas. Lots of businesses utilize great amounts of natural gas in their chemical and other processes that they need to be successful.

But look at these numbers. In Trinidad it is $1.60. Bolivia is $1.65. Even in England—the United Kingdom, it is $7. In Belgium, $6.95; in Russia, $1.20; Ukraine, $2.70. In the Gulf States, it is a little over $1. Even in China, it is $5.05. In Japan, it is $6.05.

If you are a business and you make fertilizer with natural gas—we make fertilizer, plastics and other things from natural gas—it is clear that our corporations and businesses that hire Americans are having to pay more, as are consumers of natural gas, than many areas around the world.

I say that to say this has a potentially significant positive impact for our economy if we can knock down the price of natural gas. Natural gas goes into pipelines. It is moved by pipelines throughout our country. We have the pipeline infrastructure. We have the pipelines on the coast. We have a pipeline right now that runs from Mobile, AL, across the gulf to take our natural gas that we produce—that Florida does not produce—to Florida so they can generate electricity or do other things with it in Florida. They can have their air conditioning running and live near the beach and be comfortable.

Somebody has been producing it. We have been producing it on the western part of the gulf. We need to produce it further toward the East.

Natural gas is not easily transported. Only 2 percent of our natural gas comes from LNG, liquefied natural gas. That gas is cooled tremendously, it becomes a liquid instead of a gas, it is put in a ship, and it is brought to the United States. Then it has to be heated up, returned to its gaseous state, and then put in the pipeline.

That is what we do. We do very little of that because natural gas is primarily a domestic product. So the more natural gas we can produce in the gulf, the more likely we will see these prices decline. If we have more nuclear power to generate our electricity with rather than natural gas, we could also see a decline.

What I am saying is that I am not here, and the people in support of this bill are not here, to say we want to help energy companies.

We want to create a market out there that would contain the rising cost of gasoline and natural gas.

I will note that it is a good thing for me that after all these years, some 40 years of production in the gulf, some 4,000 wells that are offshore, that for the first time the Gulf States that have been bearing the brunt of this effort will receive some funds from it, 37.5 percent—a little more than a third of the value. Two-thirds will go to the Federal Government, 63 percent will go to the Federal Government through either the Land and Water Conservation Fund, which will be spent all over the country on environmental matters, or for the General Treasury.

I think that is a good mix. I think it is fair. It will be limited, however, to be spent in the Gulf States for things that benefit the environment and the Nation. We have people from all over the Nation who come and enjoy our coast. The funds will be utilized for coastal protection, mitigation in damage to fish, wildlife, and natural resources, implementation of federally approved marine, coastal, or comprehensive conservation management plans, and mitigation of offshore drilling activities through funding of offshore infrastructure projects.

Yes, for the first time there will be some sharing with the States on this offshore production, but it is not a huge amount, No. 1.

No. 2, the funds are to be used for conservation-type programs that will benefit the entire Nation.

In conclusion, I believe that what we are doing now is a direct response to the cries of Americans working citizens and middle-class Americans who are concerned about their high heating costs. They are concerned about their high gasoline costs. They are concerned about our wealth being transferred overseas—$200 billion a year is what we pay for oil and gas around the world. If we can produce more at home, we can help contain the cost of gasoline and natural gas, and maybe even reduce it. We can keep that wealth right here at home. We can create good, high-paying jobs here. And those citizens with those high-paying jobs will pay taxes to the Government so that we can have money in the U.S. Treasury instead of spending it in Venezuela and having it go into Hugo Chavez's treasury.

I am excited about it. It is historic. I thank Senator LANDRIEU, and I thank other Democrats on their side that are now coming around to support it. Senator LANDRIEU has been our most knowledgeable supporter on this issue for many years.

I believe we are going to make it happen today. It is going to be good for America. It will be a bipartisan act, and we need to do more of that around here.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Alabama for his statement about the efforts we are making today to reduce the price of natural gas and to use the revenues to pay the bills of the Federal Government, while at the same time to spend some of those dollars for conservation purposes, which is a subject that the Presiding Officer, the Senator from New Hampshire, has advocated both as a Member of the House and while he has been in the Senate.

I would like to speak today to the Energy bill, the Gulf of Mexico Energy Security bill. I would like to speak on three points.

The first is to emphasize why it is important, exactly what are we doing, and why is it important to the blue-collar workers, the chemical workers, the autoworkers in Tennessee and in Michigan, to people who are trying to pay their home cooling bills as the temperature soars above 100 degrees, and to farmers who have seen their fertilizer prices double in the last several years all because of the high price of natural gas.

Second, I would like to put this single piece of legislation into some perspective and reemphasize why it is the rest of the story. Most of what we are doing to try to reduce the price of natural gas came with the comprehensive Energy bill last summer. This finishes the job—not completely. We have more to do, but this is something we should have done a year ago. We couldn't command 60 votes then. We didn't have a formula for passing it in the Senate last year, so we left it undone. This finishes that part of the job.

Third, I would like to say a word about what I like to call the outdoor recreation and conservation royalty that this legislation establishes to help create soccer fields and city parks with what we call the State side of the Land and Water Conservation Fund. This Fund, for 40 years, has provided modest but very important Federal dollars to help Americans enjoy our outdoor spaces.

First, why is this so important? We hear a lot of talk about the high cost of gasoline because we are reminded of it all the time when we fill up our tank. It is $3 a gallon, or $2.80 or $3.10. We hear it might go higher. All across the country in American restaurants people are eating out a little less and thinking a little bit more about long drives because of the high price of gasoline.

What if the price of the gasoline at the pump were $7 a gallon? What do

you suppose the reaction would be in the United States if the price of gasoline at the pump were $7 a gallon? That is exactly what the situation was in terms of natural gas last year. The price of natural gas went up to $14 a unit.

Testimony before the Energy Committee showed that if we translated that into gasoline prices, it would be the same thing as if gasoline prices were $7 a gallon.

That is how big the hurt is. Where does the hurt apply when the price of natural gas is too high, when it is $14?

Let's start with manufacturing jobs in this country. We hear a lot of speeches being made about manufacturing jobs. Let's not send them overseas, people say. I agree with that. We don't want them to go overseas. What will send them overseas in the chemical industry? There are 1 million blue-collar and white-collar jobs—jobs at Eastman Chemicals in east Tennessee. I have spoken about this many times on the Senate floor. My uncle used to work there. For three or four generations, Eastman Chemicals has been a part of east Tennessee and the Great Smokey Mountains. People came to depend on Eastman Chemicals. It led to strong families, high wages, good schools, and low crime rate. It is hard for people to imagine what life would be like in the Appalachian Mountains in upper east Tennessee if Eastman had not been there for three or four generations.

But how long is Eastman going to stay in upper east Tennessee if the price of natural gas is at $14? Not long, if what it does is make chemicals. The chief executive of Dow Chemical testified that when the price is that high, his raw material cost is 40 percent of his costs.

When the price, as the Senator from Alabama was saying, of natural gas in other parts of the world is $2, $3, $4, or $5 a unit, and it is $14 here, where do you suppose the new chemical plants are going to be built? Not here, not in Tennessee, not in New Hampshire, not in Kansas, not anywhere. In fact, there are about 100 new chemical plants being built around the world today. One is being built in the United States.

There are several reasons for that, but a primary reason is the unpredictable and high cost of natural gas. It is $7 or $8 today per unit. But our economy was built on $2 natural gas. Every little addition to costs in the manufacturing process increases the likelihood that a job, or a plant will go to Mexico or some other place. It is incumbent upon us to do everything we can to keep the prices down: First, to stabilize and then begin to keep the price down.

That is why it is important to begin with manufacturing jobs, and not just the chemical industry.

At a roundtable I had with the Farm Bureau in Tennessee, the chief executive of Saturn, the auto manufacturing plant, said to me: We have done about all we can to save on costs by efficiency. The price of natural gas is raising the price of our cars. If you raise the price of cars and the supply parts are made in the United States, where do you suppose they are going to be made? They are going to be made in some other country where the price of natural gas is a lot less than it is in the United States.

One-third of all the manufacturing jobs in Tennessee are automotive jobs. In Tennessee, there are not just manufacturing jobs and automotive jobs but jobs in our agricultural community. The Tennessee Farm Bureau was helping to sponsor that natural gas roundtable because in every part of a production-oriented enterprise, which agriculture is, energy adds to cost. It especially adds to cost when we are talking about the price of fertilizer.

As with Eastman Chemicals, natural gas is the main raw material in making fertilizer. So we can begin to see pretty quickly why it is difficult for our economy, on us as families and individuals for the price of gasoline at the pump to be high. I would argue that it is even worse for us for the price of natural gas to be too high because of the effect of high natural gas prices on our jobs and because of its effect on agriculture.

Finally, we are today reminded, certainly in Tennessee and in Washington with the heat going over 100 degrees, of the cost of heating our home in the winter and cooling our home in the summer, which many people do with natural gas.

The price of natural gas is tremendously important. This legislation opens up the most promising new area for the most rapid large amount of new natural gas that is under the control of the United States to come into our system: 8.3 million acres in the Gulf of Mexico where we are already busy producing a lot of oil and gas, where we know what we are doing.

There are a lot of ways to talk about it, but one is to say it is enough to heat and cool nearly 6 million homes for 15 years. Will this by itself stabilize the price of natural gas, by itself lower the price of natural gas back to $3 or $4? No. But it is an important part of the whole picture—a part that was left undone last year when we passed the comprehensive Energy bill.

That is my second point. Some have said we can't drill our way out of this problem of high gasoline prices and high natural gas prices. I think we agree on that. Nobody is suggesting that we do so, which is why we passed the comprehensive Energy bill last year. Here is what we did.

We started with conservation. In fact, the name of the bill probably should have been the Natural Gas Price Reduction Act of 2005 because that is the way we began to think about it. We were looking for ways to produce large amounts of clean, low-carbon, or carbon-free energy.

The United States of America uses 25 percent of all the energy in the world. We are not on some desert island. We need a lot of energy. We increasingly understand that it has to be reliable energy. And we increasingly understand it has to be less expensive energy. Now we understand it has to be clean energy.

In the Great Smoky Mountains National Park in east Tennessee where I live, we have too much sulfur, too much nitrogen, too much mercury in the air. That produces asthma, that produces particulate matters which harms our health. The Smokies has become the most polluted national park in the country. So clean air is important.

A great many people are concerned about global warming—a majority of this Senate is. That is why we in our bill said let's have more carbon-free, low-carbon energy.

What did we say?

First, we had major incentives for conservation and efficiency. Conservation is the place to start in any effort to have large amounts of reliable, low-cost, carbon-free energy.

Second, nuclear power. There is a renaissance of nuclear power in this country. Hopefully, it will continue. Nuclear power not only produces 20 percent of all of our electricity, it is 70 percent of our carbon-free electricity.

If you care about global warming, for example, it is not enough just to care about it—we need to do something about it. The two ways to do something about it are conservation and nuclear power—at least in the next generation.

Third, we had major incentives in the Energy bill last year for clean coal. Many people prefer that as a strategy because it doesn't run into some of the problems in waste disposal and the possibility of nuclear proliferation that nuclear power might.

But there are significant problems with clean coal. One is it is dirty. Even clean coal production is dirtier than nuclear power.

Finally, we don't know exactly what to do with all of that carbon we produce.

We have some inventing to do in order to sequester and recapture the carbon and perhaps bury it.

Because we wanted to get on with natural gas price reduction, we also made it easier to bring in natural gas from other places in the world—freeze it, bring it in, unfreeze it, put it in terminals, and put it back into our pipelines.

That is an elaborate process. But for the next 5 or 10 years, we are going to have to rely on that.

We did some things to make it easier for refineries to operate. There are a variety of other things we did. Last year, we did conservation, nuclear power, clean coal, liquefied natural gas—a number of other things. But the one thing we didn't do enough about was more natural gas supply. We are not going to drill our way out of this problem. We are trying to reduce our dependence on foreign oil and lower the price of natural gas in a variety of ways.

In this transition period, it helps to take the most obvious area of supply

and take it and do something with it, which is what we are doing here.

My second point is we have to finish the job that we started last year. I suspect—I know—there is much more to do. We should be more aggressive with conservation and efficiency, more aggressive in support of nuclear power, more aggressive in research for clean coal. I would like to see us accelerate our efforts for hydrogen fuel cell production and give more incentives for fuel-efficient cars as a way of dealing with reducing our supply of oil on the transportation side. Here we are doing what we need to do to finish the job.

Finally, I will say a word about where the money goes. Before the money goes into the Federal Treasury, it first goes into two important royalties. Royalties are not a new concept. Land owners get royalties when someone finds oil or gas. Then the money goes to the production company or to the State or the Federal Government. The idea of State royalties is not a new concept. If you are drilling for oil in Wyoming, the first 50 cents of a dollar goes to the State for various purposes. If you are drilling in Alaska, 90 cents goes to Alaska and the other 10 cents to the Federal Government.

Senator DOMENICI and the Framers of this piece of legislation wisely said the first 50 cents of the money we get from this deep sea exploration will go to the States. States along the gulf coast get the bulk of it, 37½ percent for wetlands, coastal renewal, and conservation purposes, and the other 12½ percent goes to the State side of the Land and Water Conservation Fund.

The Land and Water Conservation Fund was created by the Outdoor Recreation Resources Review Commission. It was recommended in 1958. It was called the Rockefeller Commission, headed by Laurance Rockefeller. Congress enacted it in 1965. The idea was very simple. When we spend an asset, we create another asset.

In 1977, Congress authorized that one of the sources of funding for the Land and Water Conservation Fund would be receipts from the Outer Continental Shelf mineral lease—in other words, the kind of revenues from the oil and gas drilling we are authorizing today. Congress has authorized in the law that we spend $450 million a year on the State side. It goes to States for city parks, soccer fields. The amount of money has gone up and down over time, so in 1985 and 1986 President Reagan's Commission on Americans Outdoors, which he asked me to chair, and I did, recommended we make some of that money permanent. So for the first time in 40 years, this legislation does just that: 12½ percent of the revenues go for the State side of the Land and Water Conservation Fund.

Exactly what are we talking about? Since 1964, the State side has created improved parks and forests in all 50 States, helped to create more than 40,000 athletic and playing fields, 12,000 hiking trails, 20,000 family picnic locations, 5,000 campgrounds, 10,000 swimming and boating facilities, and 600 hunting and nature areas.

In Tennessee, since 1965, our State has received 170 Land and Water Conservation Fund grants totaling $67 million in Federal dollars. It has been vital to stretch local matching dollars to fund the acquisition of parks, ballfields, trails, and playgrounds across Tennessee.

The funding has been modest. The new funding in this bill is modest, but it is important. It will grow over time. It has been recognized by those who have worked for a long time to support the Land and Water Conservation Fund.

I have a letter from Patrick Noonan and Henry Diamond. Mr. Noonan is the founder of the Conservation Fund and is chairman emeritus. Henry Diamond is the former commissioner of New York Parks and Environment and was involved in the writing of the original Land and Water Conservation Fund in 1962. They say:

> If the precedent of a conservation royalty can be established, it would be an important first step in the right direction, one that we have spent 40 years attempting to achieve.

I ask unanimous consent to have printed in the RECORD the letter from Mr. Noonan and Mr. Diamond, written in their individual capacities.

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

WASHINGTON, DC,
July 21, 2006.

Hon. LAMAR ALEXANDER,
U.S. Senate,
Washington. DC.
Hon. KEN SALAZAR,
U.S. Senate,
Washington, DC.

DEAR SENATORS ALEXANDER AND SALAZAR: We are writing to express our strong support for the concept of permanent federal funding for the state side of the Land and Water Conservation Fund. If the precedent of a conservation royalty can be established, it would be an important first step in the right direction, one that we have spent 40 years attempting to achieve.

We and others have long advocated the principle that some of the funds from offshore oil and gas drilling should become in effect a royalty for conservation and outdoor recreation, providing a reliable and permanent stream of funding for the Land and Water Conservation Fund. This basic concept was put forward by the Rockefeller Commission to President Kennedy and the Congress in 1962 and was also a primary recommendation of President Reagan's Commission on Americans Outdoors in 1986. Unfortunately, during the last 40 years, the Land and Water Conservation Fund has been subjected to the unreliable annual appropriations process. During recent years, those appropriations have averaged less than $100 million for the state side of the Land and Water Conservation Fund and this the Administration recommended zero.

Our goal is full funding for both the federal and state side of the Land and Water Conservation Fund, each of which is authorized at $450 million per year. At a minimum, we believe there should be $125 million a year available for the state side now and $450 million no later than 2017.

Sincerely,

PATRICK F. NOONAN.
HENRY L. DIAMOND.

Mr. ALEXANDER. Mr. President, I salute Senator DOMENICI, Senator SESSIONS, Senator LANDRIEU, Senator VITTER, Senator MARTINEZ, and many others who have worked hard on this piece of legislation.

Two years ago, the idea of giving additional authority for offshore drilling for oil and gas was an unmentionable subject around here. No one would bring it up in polite conversation.

Last year, with the price of natural gas reaching $14 a unit, we had about 50 Senators who would support it, but that wasn't 60. Yesterday, I believe we had more than 70 on the cloture vote.

We recognize there are environmentally sound ways to go a long way offshore, as we are here, where we cannot see it from the shore, and look for oil and gas. We have learned to do that in a way that is so safe that less oil and gas seeps into the ocean from that process than comes from natural seepage out of the ground. We have learned to do that and to do that well.

We have also come a long way in recognizing that it is good policy to say if we are going to spend an asset—and by that I mean create an environmental burden—drilling for oil and gas, we ought to create an asset and spend some of the money for wetlands in the more affected States and through the State side of the Land and Water Conservation Fund in all of the other States.

This is an important piece of legislation. It helps blue-collar workers. It helps farmers. It helps homeowners who are paying skyrocketing bills to deal with 100-degree heat. It helps reduce our reliance on parts of the world such as the Middle East where we should not be importing as much oil and gas, and it establishes for the first time good clear policy about how and when we take initial steps of offshore drilling. We not only should do it in an environmentally sound way, but we should use some of the revenue to create other conservation and outdoor recreational assets.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CONRAD. 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. CONRAD. Mr. President, we heard debate start this morning on permanently cutting the estate tax. I heard some of my colleagues again this morning refer to it as the death tax.

There is no death tax in America. We have no tax that applies at death. We do have an estate tax. We have a tax on wealthy accumulations that occur in families. That tax does not affect an individual unless they have at least $2 million. For a couple, that would be $4 million before they face any estate tax.

Of course, my colleagues know there are many ways you can further reduce the taxes that apply to wealthy estates. But the first thing we ought to say clearly and directly to the American people is, there is no death tax. There is no tax that applies at death. None.

One of the most interesting stories I have heard was a colleague of mine who was at the airport. A baggage handler said to him: My God, you have to get rid of that death tax. That is going to affect my family.

And my colleague said to him: Unless you have at least $4 million as a family, you do not have to worry about any death tax because there is no death tax.

This baggage handler was completely shocked to hear there was no death tax. He has heard over and over and over there is a death tax. He believed it. Everyone in this Senate knows there is no death tax.

What is most extraordinary about the proposal before this Senate is the context in which it occurs. Our country is deep in debt—deep in debt. Now our friends on the other side, their idea in the last week we are in session for the next month is to come out here and put us deeper in debt. Dig the hole deeper and deeper and deeper. What an extraordinary proposal that is.

And for what purpose? To help the struggling middle class? No, no, they are out of this. This is not even the upper class. This is the wealthiest among us. That is who this is designed to help.

Here is our current circumstance. The deficit last year was $318 billion. The deficit for this year is now projected to be just under $300 billion, some modest improvement in the deficit.

But that completely misses the point because at the same time the deficit is showing some modest improvement, the increase in the debt is getting much worse. Last year, the debt increased by $551 billion. This year, we now project the debt will increase by almost $600 billion.

Someone out there listening might say: How can that be? How can it be the Senator is saying the deficit is less than $300 billion, but the debt is going to increase by almost $600 billion? How can that be?

That is largely because under the President's plan, they are also taking hundreds of billions from Social Security to use to pay other bills. All of it gets added to the debt. None of it gets counted for the deficit.

This chart shows the deficit for 2006 just under $300 billion. Here is the amount added to the debt—almost $600 billion. And you can see the biggest difference between the deficit and the increase in the debt is the amount of Social Security money that is being taken to be used for other purposes: $177 billion in this 1 year alone, Social Security money taken to pay other bills. And, of course, it all gets added to the debt. None of it gets counted to the deficit.

When one looks at what is happening to the debt, here is what one sees: We are building a wall of debt that is extraordinary. At the end of this President's first year in office, the debt was $5.8 trillion. We do not hold him responsible for the first year. But at the end of this year, the debt will have climbed to $8.5 trillion. And if the President's plan is put in place, for the next 5 years, the debt will go over $11.5 trillion.

The debt under this President has taken off like a scalded cat, and at the worst possible time. The debt is increasing before the baby boom generation retires.

What are the implications of this rapidly rising debt? Well, one of them is that increasingly we are borrowing this money from abroad. Increasingly, we are going, hat in hand, all around the world borrowing money. This chart shows that it took 42 Presidents—all the Presidents pictured here—224 years to run up $1 trillion of debt held abroad. This President has more than doubled that amount in just 5 years. That is a completely unsustainable course. You go back to President Clinton, you go back to the previous President Bush, you go back to President Reagan, President Carter, President Lyndon Johnson, and all the other Presidents—224 years of American history—they ran up $1 trillion of external debt. This President, in just 5 years, has run up more than $1 trillion of U.S. debt held abroad.

So what we see are these countries to which we now owe money. We owe Japan $638 billion. We owe China $326 billion. We owe the United Kingdom almost $200 billion. We owe the oil exporters over $100 billion. My favorite down here, the Caribbean banking centers, we owe them over $60 billion. Mexico now is on the top 10 list of countries that we owe money. We owe Mexico $43 billion.

I asked my staff the other day: What do we see in terms of our borrowing compared to other nations borrowing? Sometimes that is a good way to get a sense of where we stand. They came back with this answer. It is not their numbers; it is the International Monetary Fund. It shows the percent of world borrowing by country. These are the world's biggest borrowers. And who is No. 1? Our country. We borrowed over 65 percent of the money that was borrowed by countries last year—65 percent borrowed by our country. Turkey borrowed about 2 percent. I see the United Kingdom borrowed about 4 percent. Spain was the next biggest after the United States. We borrowed 65 percent of all the money that was borrowed by countries last year. The next biggest was Spain at 6.8 percent; then the United Kingdom at just under 4 percent; then Australia, just over 3 percent; France, under 3 percent; Italy, just over 2 percent; Turkey, just under 2 percent. The United States, 65 percent.

With all of this occurring, with the deficit skyrocketing—that is by historical comparison; yes, it improved somewhat over last year, but these are the biggest deficits our country has ever run—and the debt taking off like a scalded cat, what do our colleagues do in the last week before we break for a month? They come out here and propose to virtually eliminate the tax on wealthy estates. Now, there is an idea whose time has come. While we cannot pay our bills now, while we are borrowing money from Japan and China, their answer is: Let's go give an enormous tax break to the wealthiest among us. And where will we get the money to fill in the gap because we cannot pay our bills now? Let's go borrow some more money from Japan and China. Let's go borrow some more money from Japan and China. You would think you were in a movie—not even a very good movie—that somebody had dreamt up if you were to describe what is going on here.

Our country is the biggest debtor nation in the world. Our colleagues have cut the revenue, cut the revenue, cut the revenue, increased the spending, increased the spending, increased the spending; and now their answer is: Let's cut the revenues some more, and let's cut it on the wealthiest of the wealthy, the top three-tenths of 1 percent of the estates in this country, because they are the only ones who are paying the estate tax now.

Our friends say: Oh, no, my goodness, let's cut them some more. Let's cut them some more. The wealthiest among us have already gotten the greatest benefit of the tax cuts that have been enacted—by far. Now they say: Let's cut their taxes some more and borrow the money from China and Japan. This is a farce—a farce—which is occurring here. And it is a disaster for the economic strength of our country.

Here is what the size of estates has to be before they pay any tax. We are in 2006. These are the estate tax exemption levels under current law for a couple. Couples have to have $4 million before they pay a penny of estate tax—$4 million, not of gross assets, of net assets. They have to have $4 million free and clear before they pay a dime. And in 2009, that will go up to $7 million.

Our friends on the other side of the aisle say: Whoa, that is not nearly enough. Let's jack this thing up dramatically. Let's lower the rates. Let's increase the exemptions. And let's borrow the money from China and Japan. Now, there is a format to strengthen America.

The number of taxable estates is already falling very dramatically under current law. In 2000, there were 50,000 taxable estates in the whole country. This year, there will be 13,000 in the whole country.

Now, people say there is a death tax. There is no death tax. There is no tax that attaches to anybody at death in this country. The estate tax applies to

people who have accumulated wealth. Good for them. I am glad for their success. But does a further tax cut on multi-million dollar estates make any sense for our country? Does it make any sense at all when we cannot pay our bills now that we would go out and dramatically cut taxes on the very wealthiest among us who already have tax cut after tax cut after tax cut—let's give them one more—when we have to borrow the money from China and Japan?

In 2009, the estimates are that there will only be 7,000 estates taxable in the whole country. In 2009, only two-tenths of 1 percent of estates will be subject to tax. That is under current law. Under current law, 99.8 percent of estates will not pay a penny of tax—99.8 percent. Our colleagues say: That is not good enough. Let's cut it some more. Even though we cannot pay our bills now, let's give another big tax cut to the wealthiest among us and go borrow the money from Japan and China and Great Britain and the oil exporting countries—because the money is gone. The money is gone. There are no surpluses here. We cannot pay our bills. We are borrowing 65 percent of the money that is being borrowed in the world today by countries. We are borrowing 65 percent of it.

This is insanity. This is irresponsible. This is reckless. And not just a little bit reckless, this is totally reckless. Now our friends come with a proposal to virtually eliminate the estate tax. Full repeal from 2012 to 2021 would cost just over $1 trillion. This proposal costs $753 billion from 2012 to 2021.

Now, our friends on the other side say: Hey, Social Security is short $4 trillion. They say: Medicare is short $29 trillion. And they are not doing anything about that. What they are doing is digging the hole deeper. Let's get rid of another $750 billion we do not have—that we have to borrow from Japan and China and all the other countries in the world, even Mexico, because we now owe Mexico $43 billion—let's do that so we can cut the taxes on the very wealthiest among us.

What earthly sense does this make? I will tell you for whom it makes sense. It makes sense for—as this article in the New York Times on June 7 says, it is ''A boon for the richest in estate tax repeal.'' Over the last decades, 18 of the wealthiest families in the country have spent more than $200 million lobbying to repeal the estate tax. Eighteen families have put up $200 million to repeal the estate tax. How happy they must be on this day. How happy they must be. The wealthy families include the Mars candy family; the Gallo wine family; the Wegman supermarket family; the Dorrance family, which controls Campbell's Soup; and the Waltons, who control Wal-Mart.

I applaud people who have been successful, but people who have been successful have succeeded not only because of their own hard work and creative approach to solving problems; no, in part they have succeeded because they are part of this country. How incredibly fortunate we all are to be born in America.

Many very wealthy people I know believe they have an obligation to give back. We just saw an extraordinary example of that with Warren Buffett. Warren Buffett, the second wealthiest man in America, worth some $40 billion, just decided to give virtually all of his wealth to Bill Gates's foundation, who is the wealthiest person in the country, in order to do good works, in order to give back, in order to make a difference for others.

What is being said here on the floor of the Senate? No, that should not be the test—giving back, helping others, making a difference to improve this world, understanding that part of each of our success is because we had the good fortune to be born in America. This proposal is all about me, all about me. I have it. I am keeping it. I am not giving it away. What is the result? Well, our country will have to go borrow more tens of billions and hundreds of billions of dollars from Japan and China and Great Britain and the oil exporting countries, and even Mexico. That is what is going to happen. Or our friends on the other side will, at some point, just shred Social Security and Medicare. That is where this is all headed. Make no mistake. That is where this is all headed because America cannot pay its bills now.

Hurricane Katrina put the estate tax repeal in some perspective.

The chairman of the Finance Committee said this:

> It's a little unseemly to be talking about eliminating the estate tax at a time when people are suffering.

He said that last year. People are suffering this year as well, suffering the aftermath of Katrina—I have been with families suffering from losses in Iraq and Afghanistan—but also suffering because our country is in deep trouble. Our country is living on the credit card. Our country is borrowing money at a rate unprecedented in our history. We are borrowing 65 percent of all the money that was borrowed by countries of the world last year, our country. And who did we borrow it from? It used to be when we ran deficits we borrowed the money from ourselves. We issued bonds and Americans bought them. It has all changed because now more than half of the bonds that we sell are going to foreigners. Every time we have another month where we spend more than we take in, we have to borrow more money. Over half of it now we are borrowing from Japan, China, Great Britain, the oil exporting countries, and the Caribbean banking centers. What sense does this make?

Now we are told: Do you know what we should do? Here is a good idea. Just before we take a break for the month, let's go out and dig the hole deeper. Let's go out and have a plan that will reduce taxes on the wealthiest among us by $753 billion for a 10-year period—not million, $753 billion—and put that on the charge card. Boy, we will have a real party in August.

The cost of the proposal before us absolutely explodes, because they have a clever device called a phase-in that hides the long-term cost. It is not in full effect until 2015, and then the cost goes up like a scalded cat, as this chart depicts. The cost between 2012 and 2021 is about $600 billion plus an additional $154 billion of interest cost, because, after all, where is the money coming from? Is it coming out of the Treasury of the United States? No, it is all going to have to be borrowed. And who are we borrowing from? Increasingly, we are borrowing from abroad.

And what is going to happen? Some in this town say deficits don't matter. Go ask the Germans about that. Ask the Germans what happened after World War I when they were on a course like this, borrowing, borrowing, borrowing, increasingly borrowing from abroad. How did they try to get out of it? They inflated their currency until the German mark was virtually worthless. If you wanted to buy a pair of shoes, you had to fill up a wheelbarrow with German marks and go to the store because the currency had so little value. That is one way out. It is a disastrous way out, but many countries have tried it.

The other way out is, you have to cut spending and raise taxes. That is tough. That is hardly popular politically, go out and tell people: Gee, none of this adds up. We have been spending money we don't have in your name. It is your debt. The President likes to say it is the people's money. He is exactly right, it is the people's money. It is also the people's debt. This debt is being run up in the people's name. This debt is owed and is going to have to be paid.

The cost of the House proposal, if you compare it with the cost of extending the middle-class tax cuts, is very interesting. Over the first 10 years of this proposal, it costs $268 billion; from 2012 to 2021, it costs $753 billion. But in just the first years, it dwarfs the cost to extend the child tax credit. That would cost $183 billion. It dwarfs the money to extend the marriage penalty; that would cost $46 billion. It totally overwhelms the cost to extend the college tuition deduction; over that period that would cost $19 billion. Those are tax reductions and tax relief that do benefit the middle class. This is one of the most irresponsible proposals to come before the body in the 20 years I have been here. It is completely and totally irresponsible.

I was a conferee on the conference committee to deal with the issue of pensions. Last Thursday the conferees were to meet at 6 o'clock. We were there. House Republicans did not appear. They asked us to come back 2 hours later. They needed some more time. We came back at 8. They still did not appear. At that time they apparently made the decision to forget about

the conference committee. The conference committee worked since March of this year in good faith to deal with the pension crisis, and they added to that package the so-called extenders, those tax provisions that are about to expire that are critically important to the country. We were prepared to pass that package. The leaders from the conference on the other side decided, no, they didn't want to have that discussion in the public. Instead they didn't appear, and they hatched this other plan to have a pension bill come out of the House freestanding and this other package that includes elimination of the estate tax and an increase in the minimum wage for some States.

I was with the Senator from California, Mrs. FEINSTEIN, who informed me in her State the so-called minimum wage increase will actually reduce the minimum wage for millions of workers because of its provisions. They put together the Abandoned Mine Lands Act in this package in order to try to get the support of Members here, and they have wrapped it all in a big package to try to get this body to do something that makes absolutely no sense for the fiscal future of this country. That is, without question, the most irresponsible package I have seen offered here in my 20 years in the Senate. It is not just a little bit irresponsible; it is wildly irresponsible. This is reckless, the course this country is being taken on, utterly reckless.

Why do I say that? Because sometimes you wonder if anybody is paying attention. Here is what is happening to the debt of our Nation: $5.8 trillion in 2001; $8.5 trillion at the end of this year. If the budget the President proposed is followed, the debt will rise to $11.5 trillion in 2011. If this proposal is adopted, it will be even worse. From 2012 to 2021, this proposal that is before the body will take another $750 billion and add that to the amount this country will have to borrow. It is unbelievable.

This President has taken us on a reckless course. Forty-two Presidents took 224 years to run up a trillion dollars of our debt held abroad. This President has more than doubled that amount in only 5 years.

So what is before the body now? A plan to go out and put another $750 billion on the charge card, because this money has to be made up from somewhere. We can't pay our bills now. If you reduce the revenue that is scheduled to come in, the debt goes up. You have to have more borrowing, more going to the Chinese, more going to the Japanese, and asking them for more money. How are we going to pay it back?

Our friends say this is a tax cut. I don't think so. I think what this is an enormous tax shift. Because at some point we are going to have to start paying our bills. And when we do, I have a feeling I know what they are going to do. They are going to come out here and they are going to say: All of us have to contribute. All of us have to participate. We are going to have to cut spending. We are going to have to raise revenue.

I can see their proposal now. They will be coming right at the middle-class people who are the bulwark of this economy. They will either cut programs that are important to them, such as Social Security and Medicare, or they will raise taxes on them, all so that we could give a big reduction to the very wealthiest among us, the people who have benefitted most from the genius of the American economy.

Many of the wealthiest people I know say: Don't do it in my name. Don't do that in my name. I don't need another tax cut. I do need a country that pays its bills. I do need a country that isn't borrowing more and more money from China and Japan and Great Britain and Mexico.

I can't think of a more consequential fiscal decision that will be made than this one. Are we going to keep digging the hole deeper and deeper? Or are we going to head in a new direction and get serious about getting America back on track?

I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mr. BURR). The Senator from Arizona.

Mr. KYL. Mr. President, in response to my friend from North Dakota, I would note that the difference between the position he articulates—and it is a position a lot of people in Washington hold—and the position that a lot of the rest of us hold is between those who worry a lot about how much money the Government has versus those of us who think it is a better idea to let people keep more of what they earn, that they are probably in a better position to make good judgments about how that money should be spent, and especially when it comes to their death and their loved ones who have to face the difficult choice of deciding how to pay the death tax that, unless something is done, is going to go up to effectively 60 percent. Can anybody imagine a 60-percent tax rate? It is actually on the books at 55 percent, but because of the way the Code works, it can be as much as 60 percent. Can you imagine a 55-percent or 60-percent tax rate? You cannot pay it unless you sell the farm or sell the business. I know people to whom that has applied. So it is a difference between those who worry how much money Washington has and those of us who are concerned about people keeping more of what they earn.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:31 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. VITTER).

GULF OF MEXICO SECURITY ACT OF 2006—Continued

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, I note that the next Democratic speaker after me will be Senator HARKIN, and the next Democratic speaker after Senator HARKIN will be Senator SCHUMER.

We are now in the final days and hours of this session of Congress. One of the bills that is circling, waiting for a place to land is the pension bill. We now know the pension bill has been passed by the House, and it is waiting to be taken up in the Senate, but we don't know when it is going to be taken up. It all depends on what we do about the estate tax.

The pension bill—the bipartisan pension bill—must not become a pawn in the debate over other unrelated issues. This bill needs to pass, and it needs to pass this week. There is only one reason it is being held up: politics, politics, politics.

The pension bill is being used as a pawn for reckless tax breaks for a few when the pension bill will help the many. We need to move this pension bill. I urge the Republican leadership to bring up the bill this week and to bring it up before any tax bill. The American people need it. We need to protect the pensions of millions of Americans, we need to provide relief and certainty to good-guy businesses, and we need to protect the taxpayers from having billions of dollars dumped on the Pension Benefit Guarantee Corporation. Promises made should be promises kept.

America's pension system is in crisis. There are companies that are declaring bankruptcy and then dumping their pension plans on the taxpayers. We have the legislative framework to deal with this.

We have had terrible problems. Bethlehem Steel didn't honor their books and declared bankruptcy. They dumped the pensions of 100,000 workers and retirees on the Pension Benefit Guarantee Corporation. United Airlines declared bankruptcy in 2002 and dumped the pensions of 122,000 workers on the Pension Benefit Guarantee Corporation.

One might say: What will this bill do? It will help to make sure that history does not repeat itself. I have been fighting alongside my colleagues for a long time to enact comprehensive, bipartisan reform. Senator DEWINE and I held hearings over a year ago. The Senate passed its bill 7½ months ago. There was a HELP Committee bill and a Finance Committee bill.

When we were waiting to pass the bill, Senator DEWINE and I had a hold on it because we were concerned that it would place at risk certain come-back companies that were working their way out of bankruptcy and would force their pensions into junk bond status.

We had the assurances of our colleagues, Senators GRASSLEY and BAUCUS from the Finance Committee, saying: Lift your hold. We need to pass the pension bill. We will work with you.

So Senator DEWINE and I trusted Senators BAUCUS and GRASSLEY, and we did work it out. We were able to agree within the Senate on a bipartisan framework. Then we took it to the House conferees. It was a rocking-and-rolling conference but, again, we were able to get it done.

Now, why can't we get the bill done in the Senate? We worked it out in conference, and it passed the House. Why can't it pass the Senate? It needs to pass the Senate by Thursday or Friday. Now is the time to pass the bill.

The Republican leadership has decided that protecting a few zillionaires' estates after they die is more important than protecting pensions for retirees while they are still alive. Let's get our priorities straight. We are not only talking about the retirees who depend on us, we have workers right now in airlines who are wondering what is going to happen to them. What do you say to somebody who is working for an airline who might lose his pension? Think about that mechanic. Think about what he is concerned about.

What about the stewardesses, the brave people we saluted on flight 93? The last thing we can do is honor their memory and have a pension bill for those who fly every single day.

What about the people who are working right now who are concerned that the rules of the game will be shifted on them? Our pension bill—our bipartisan pension bill—will protect them.

We really have to pass this bill. I urge the Republican leader to bring up the pension bill after we dispose of this coastal drilling issue. As I said, the time for delay is over, the time for politics is over, and it is time for us to take up and pass the pension bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise to strongly support S. 3711, the Gulf of Mexico Energy Security Act of 2006, and I also rise to put its provisions in perspective and to dispel some of the myths and simple inaccuracies that, unfortunately, have been propagated in many places, including on the Senate floor.

It is important to understand what this important Energy bill does because it does do significant and important things, and it is also important to understand what this bill does not do because it does not do several things that opponents have claimed. So let's go down these two simple lists.

This Energy Security Act does many important things. It brings new sources of domestic energy to the market over the next few years. All of us should agree that is a very important and necessary component of securing our energy future—not the only component, not the only thing we must do but a very important component of what we must do.

This bill generates new revenue for the U.S. Treasury. There has been enormous misinformation about that. There have been claims that the producing States are somehow raiding the Federal Treasury. What the States are doing is producing more Federal revenue for the Federal Treasury. If that is a raid, let the raids begin, and we will soon erase the deficit.

This bill promotes parity with nearly 90 years of onshore energy production policy by recognizing the importance of reinvesting in our offshore energy-producing areas to ensure the sustainability and liability of domestic energy production and independence.

For decades and decades, producing States onshore, on Federal land, have shared 50 percent of the royalty produced on those Federal lands. This begins to achieve some parity with that by allowing coastal producing States 37.5 percent.

This provides dedicated revenue streams for the State side of the Land and Water Conservation Fund. That fund makes grants available to all of our States for 50 percent of the costs of parks, soccer fields, and other recreational opportunities.

This fully complies with the budget resolution we passed last year and the reserve fund amendment I included in the Senate's budget resolution this year, and it all reduces America's dependence on volatile foreign energy sources.

Those are all very important goals. Those are all goals achieved by this bill.

Just as importantly, there are many things this bill does not do which opponents have confused in the debate.

This bill does not in any way affect offshore California, the west coast, the Northeast, or anywhere on the east coast. This bill is focused on the Gulf of Mexico and has the support of the Senators from all of those Gulf Coast States.

This bill does not change offshore policy in any area other than the Gulf of Mexico, which today provides up to 30 percent of our energy.

This bill does not raid the Federal Treasury of funds from current revenue streams. It does not increase the deficit. As I said, what this bill does is the opposite. It allows production activity which would not occur otherwise. What does that mean? That means increased Federal revenue—$1 billion toward deficit reduction—not decreased Federal revenue.

This bill does not provide funds for the expansion of Federal land acquisition programs through the Land and Water Conservation Fund.

I find, quite frankly, the opposition to this bill enormously frustrating. So many of these same Members of the Senate—others in the broader debate—are some of the loudest voices about high, increasing energy prices, oil prices at the pump, natural gas prices and what that does to our competitiveness. I agree with those concerns. Those are very legitimate concerns. Yet we bring a bill to the floor of the Senate that can absolutely have a short-term impact, a positive impact, bringing prices down, and, no, they have to oppose it. That is not good. That cannot be part of the solution.

The cost of natural gas has increased 400 percent over the last several years. Natural gas is a mostly continental commodity. Its importation through LNG is possible, but that alone cannot have enough of an impact to bring down prices the way we want to see them come down. So we need to produce more domestically. This bill will do that and help bring down natural gas prices.

Gasoline prices have increased from $1.28 in 1996 to over $3.60 in some areas of the country today. Of course, these surges were exacerbated by Hurricanes Katrina and Rita.

These huge spikes don't impact us just at the gas pump or when we pay our heating and cooling bill. They affect us everywhere—at the grocery store, when we buy clothes, at the hardware store, the airlines when we go on trips, restaurants when they pay higher energy bills, and also in the job picture. When we decry jobs moving overseas, high natural gas prices in this country are a huge factor, particularly in select industries such as our chemical industry.

Yet, again, the folks who run to the floor of the Senate to beat on these issues and try to take advantage of them politically the most are among those who are opposing this bill. It makes no sense to me, and it is enormously frustrating to me.

They also seem to be opposed to this bill because they are just opposed on virtual religious grounds on more oil and gas production.

We need to do a lot of things to secure our energy future, and certainly that involves research and new technology and new forms of energy. But as we do that—and we are doing that, and we will do more, and we must do more—as we do that, the fact is, for the next several years and several decades we will have an economy in some ways dominated by oil and gas.

So if we want to give consumers relief, if we want to secure our energy independence in the short term, we also at the same time need to attack that side of the question, and this bill does that, domestically increasing our independence.

It is just completely irresponsible for people to say we can't address that side of the equation. We must, as we must address the longer-term side of the equation, with new technology, new sources of energy, new science and engineering. Those both have to be necessary components of a solution.

I would have a little more sympathy with some of these arguments if Senators from many of these other States,

not in the directly affected region in the gulf, were producing at least other forms of energy. They don't like oil? They don't like natural gas? There are other things folks in different parts of the country can do. There is nuclear. There is solar. There is windpower. The fact is, so many of the critics from these other places do not contribute to the Nation's energy needs in any of these categories.

The Department of Energy has some interesting statistics. State by State, what does a State consume in energy and what does it produce? California consumes eight times more energy than it produces. Massachusetts is the winner. It consumes 65 times more energy than it produces. Florida consumes 11 times more energy than it produces.

This is not being part of the solution. This is not sustainable. It is particularly ironic when some voices from these very same places decry a bill as we have on the floor which can be part of the solution, which can lower energy prices even in the short term and can get us to the longer term as we transition to new energy sources.

Finally, as I mentioned, there is a whole myth that many of these same opponents bring up that somehow we are raiding the Federal Treasury. If bringing in more Federal revenue is raiding the Federal Treasury, then let the raid begin. That is what this bill does. It increases Federal revenue—$1 billion more for the Federal Treasury, $1 billion more of deficit reduction. That is the plain and simple fact. Why is that? Because this bill expands production which expands revenue which, even in the new rules of revenue sharing under this bill, increases Federal revenue and decreases the deficit.

For any opponents to claim that this somehow increases the deficit and raids the Federal Treasury is simply untrue. It is factually incorrect. There is more Federal revenue, bringing down the deficit.

S. 3711 is positive. It is concrete, it is taking action now. It is a step forward. It can have an impact that can make life better for average Americans, even in the short term, and help bring down energy prices, help increase our energy independence, help produce new revenue, not just to the producing States; but also to the Federal Treasury—help reduce the Federal deficit.

This is a win-win-win-win, and I urge my colleagues to support this important energy legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, I have come to the floor to speak in opposition to the so-called Energy bill that we have before us, on which we will be voting cloture later this afternoon. I want to make my position very clear. I am certainly not against drilling for oil and gas here in the United States or in the Gulf of Mexico. Fossil fuels are an essential component of our Nation's energy infrastructure, and I support appropriate steps to build our supply and use. For example, I have repeatedly, for several years, called for the construction of the Alaskan natural gas pipeline. I voted for last year's Energy bill which contained numerous incentives and provisions for the development of fossil fuels. In fact, I voted for previous Energy bills over the past several years.

However, unlike those previous Energy bills, the bill before us today is not comprehensive. Far from it; it is a narrow bill, focused strictly on drilling for oil and gas in certain portions of the Gulf of Mexico. There simply is not that much gas being made available under this bill.

I mentioned a moment ago the Alaska natural gas pipeline. Every day, they are reinjecting into the ground gas already discovered in Alaska that could be shipped to the lower 48 if we had a pipeline in place. In fact, if we had started on this several years ago we would just about be completed with that pipeline right now. The pipeline is projected to provide some 2.2 trillion cubic feet of technically recoverable gas each year for the next 100 years. But the bill before us today would provide perhaps 5 or so trillion cubic feet lasting less than 3 years.

What does that all mean? It means there is about 40 times the amount of natural gas in Alaska than we would ever get from this bill before us in the Gulf of Mexico. That may not even be including the Mackenzie gas bill in Canada.

The Minerals Management Service indicates the gas made available under the bill before us, if you project 50 years into the future, could be about 2½ months of supply. In other words, of all the natural gas we are going to need for the next 50 years, the bill before us will provide about 2½ months of supply. Over the next 15 years—another way of looking at it—we get about 9 days' worth. And we won't get any at all until 2012. This is not going to have any significant impact on our supply.

As Senator BINGAMAN noted, in order to get access to this very modest amount of gas—as I said, perhaps 5 trillion cubic feet—we are locking away 21 trillion cubic feet in the eastern gulf until 2022 by placing these areas under a 16-year moratorium. What a deal for the American consumer. What a deal. We can get 5 trillion cubic feet, but in exchange for that we are going to lock away, for 16 years, up to 21 trillion cubic feet that could be made available in the eastern gulf. That is not a very good deal for the American consumer.

I think the better bet is for Congress to find a way to get the Alaska natural gas pipeline built. Yet we have done nothing on that. Unfortunately, key parties in the State of Alaska are not getting the job done, and we have not done anything to really move them in that direction. My understanding is that the legislature there is not satisfied with the concurrent contract proposal negotiated by the Governor, and he is not satisfied with them. It goes back and forth and back and forth.

Earlier this year, Senator SNOWE and I wrote a letter to the Energy Committee asking them to investigate this and hopefully to come up with some suggestions so that in some way we here in Congress might break that logjam.

Anyway, there is little hope for them getting it settled by the end of the year, but we are focusing on this—5 trillion cubic feet, when we have 40 times that amount in Alaska that could be piped down. That is just one facet of how bad this bill is.

Second, this drilling legislation would drain the Federal Treasury of billions of dollars in lost revenue that would otherwise be available for urgent national priorities—priorities, I might add, such as agricultural and rural development assistance, health care and education, in addition, of course, to real energy security.

I know a number of farm groups—my farmers—need more natural gas. We use it to make fertilizer. We use a lot of it to make ethanol, also. The point here being that the amount of money we are going to lose under this bill means that we are going to be draining money away from the Federal Treasury that we will need in the next farm bill, which is coming up, which we are going to need for a safety net for farmers, which we are going to need for conservation payments, which we are going to need to provide more incentives for ethanol and biodiesel and biomass production.

Again, the offset is not good. Agriculture really comes up a loser.

The reason I say that—one other bad facet of this bill is that it provides 37.5 percent of the revenue from the new leases in areas beyond their areas to four Gulf Coast States. In other words, four States are going to get 37.5 percent of all the revenues from gas and oil that is way, way beyond their territorial waters.

I can't blame my friends from those States for fighting hard for this bill. I can't blame the Senators from Texas and Louisiana and Mississippi and Alabama—they are making out. This is a heck of a deal for them. Like I said, I can't blame them, but what about the rest of the Senators here? We represent other States.

This is not unique. This came up once before back in 1952, when the President of the United States was Harry S Truman, from Missouri. The issue again was, to whom do these minerals, oil and gas, in the Gulf of Mexico belong? I want to read this for the RECORD. Here is what a courageous, gutsy President had to say:

> The minerals that lie under the sea off the coast of this country belong to the Federal Government—that is, to all the people of this country. The ownership has been affirmed and reaffirmed in the Supreme Court of the United States . . .

I am quoting Harry Truman. He said:

If we back down on our determination to hold these rights for all the people, we will act to rob them of this great national asset. That is just what the oil lobby wants. They want us to turn the vast treasure over to a handful of States, where the powerful oil interests hope to exploit it to suit themselves.

Talk about corruption. Talk about stealing from the people. That would be robbery in broad daylight—on a colossal scale. It would make Teapot Dome look like small change.

I got a letter from a fellow in Texas today, who is a friend of mine, and he was weeping over what the schoolchildren of Texas were going to lose if Texas didn't get its oil lands 9 miles out from the shore.

Nine miles. Here we are talking about 100 miles, and more. This was 9 miles. Listen to what Truman was saying about the oil and the gas 9 miles off the shore:

And I composed a letter to him, and then didn't send it. I said what about the schoolchildren in Missouri and Colorado, and North Dakota and Minnesota and Tennessee and Kentucky and Illinois, do they have any interest in this at all? Evidently not, it should all go to Texas. Well, it isn't going there, if I can help it.

Boy, why don't we have a President like that today? Talk about telling it like it is. And Truman did veto it.

Here is his closing.

I can see how the Members of Congress from Texas and California and Louisiana might like to have all the offshore oil for their States. But I certainly can't understand how Members of Congress from the other 45 States can vote to give away the interest the people of their own States have in this tremendous asset. It's just over my head and beyond me how any interior Senator or Congressman could vote to give that asset away. I am still puzzled about it. As far as I am concerned, I intend to stand up and fight to protect the people's interest in this matter.

President Harry Truman, May 17, 1952.

Where is Truman when we need him today? Yet we read history and look back and say: Boy, that Truman, he was brave, he was courageous, he fought for real people. He was on our side. How, he said, can Members of Congress from other States—Iowa, Missouri, Minnesota, Nebraska, Illinois—how can they vote for something like this to give away a national asset to four States? Truman said it in 1952. Here we are back again, back again.

As I said, 37.5 percent goes to these four States. As Truman said—how did he say it? He said here, ''Talk about corruption. Talk about stealing from the people. That would be robbery in broad daylight—on a colossal scale. It would make Teapot Dome look like small change.''

Truman had it right then. He is right today, too.

Another reason to be opposed to this bill is it is such a narrow and controversial bill when we consider the components of what we really need for a 21st century sustainable energy policy for our Nation. By that I mean an aggressive and continuing effort to promote conservation and to ramp up renewable energy. It is as true today as it was 10 years ago, 20 years ago, and 30 years ago. It is cheaper right now to conserve a barrel of oil or a trillion cubic feet of natural gas than it is to go out and drill for it. It is easier and cheaper—cheaper to conserve. Yet we have this bill before us, this very narrow bill, very contentious bill, that gives all this—37.5 percent of these royalties—to these four States.

You might say the average American out there listening to this debate would say: HARKIN, why don't you amend it? If you feel so strongly about this, offer an amendment; see what happens.

Guess what. We can't offer any amendments. Yes, that is right. You may wonder, Is this the Senate? You mean we can't offer an amendment? That is right. I cannot offer an amendment to this bill because of the games the leader on the other side played in terms of how he brought it up under cloture and filled the tree, as they say. That is just gobbledygook, meaning the majority leader is able to engineer the way the bill is brought up so we cannot offer amendments to it. When the bill comes up for a vote, it is up or down. We can't even offer an amendment. We can't offer an amendment on conservation or renewable energy or to say maybe it shouldn't be 37.5 percent for four States, and maybe other States something else. Fifty amendments were filed on this bill. None of them will be considered.

We have time to talk for days around here about flag desecration and about gay marriage. I am not saying those aren't important issues. But let's get real, folks. We are talking about something here that affects every American every day. People are hurting out there with an unusually hot summer. People are struggling to pay these big gasoline prices—upwards of about close to $3 a gallon, 71 cents more than a year ago. Natural gas prices are the highest of anywhere in the world right here in America. Yet how do we go about achieving some energy price relief for my Iowans or other Americans? How do we go about it?

We have this bill—this very narrow bill. We should be discussing other parts of what we need for energy. The Senate leaders, Senator FRIST and Senator REID, were asking last week that we include a period for energy debate while addressing the measure before us. Again, we spent all this time this year debating this and that. And if we have time for those, we surely have time to debate America's energy security challenges, offer our amendments, debate them, and let's see what comes out of the process.

I filed two amendments to this bill. One contains the Biofuels Security Act. It is a bipartisan measure to improve our ability to deliver renewable fuels to motoring consumers. I am not going to explain every little bit of it, but basically it would increase the amount of renewable fuels we make.

Second, it would make E–85 ethanol available at gas stations across America.

Third, it would require the automobile companies to make more flexible fuel cars such as they are doing in Brazil right now so we could have E–85 pumps across America.

I filed a second amendment that would require the EPA to adjust the fuels standards to meet a 10 billion gallon target by 2010. That shouldn't be too much. We are going to meet that, anyway. We should do it higher.

We need to spur growth of cellulosic biofuel production—fuels made from fibrous materials such as corn stover, wheat straw, wood waste and switchgrass.

Lastly, in terms of conservation, I cosponsored an amendment with Senator OBAMA and others to increase vehicle fuel economy standards for the first time in two decades. Imagine that. We have not increased fuel standards in this country in 20 years. Yet here is a bill on energy and we can't amend it.

Conservation of energy coupled with increased availability of renewable fuels is the pathway to the future while at the same time doing what we can to increase our natural gas production.

The best thing would be the pipeline from Alaska.

As I said, I am not opposed to drilling for gas and oil in the gulf, but I am the way this bill is set up. If you do not have a component in the bill for renewable energy production, biomass, biofuels, wind energy for electricity and others, photovoltaics as a component of it, and also conservation, all this bill says is basically we are going to continue to do what we have been doing in the past—getting more fossil fuels. We may need fossil fuels, but the sad truth is that this bill before us is a missed opportunity to do big things for our energy future and our energy security.

Again, I assume that the votes are cut and dry on this the way they have it. I just want to make sure people know we can't offer amendments. We are being precluded from doing so. But hopefully we will be back and hopefully we can have a more serious discussion and debate about how we provide for America's energy security in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. SCHUMER. Mr. President, would my colleague yield for a brief question?

Mr. LOTT. I would be happy to yield, without losing the floor.

Mr. SCHUMER. Does the Senator know how long he will speak?

Mr. LOTT. Mr. President, as a Member of the Senate, I must say I never know how long I am going to speak. I will not speak that long, but I may get excited and go a little longer. My guess is not more than 15 minutes.

Mr. SCHUMER. Mr. President, I ask unanimous consent that I be recognized to speak immediately after the Senator from Mississippi finishes his remarks.

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

Mr. LOTT. Mr. President, I rise to speak on this very important legislation, S. 3711. But like others today, I may decide I need to comment on some other issues that will be discussed later on this week.

First, I must say that this week I have been thinking repeatedly about that great line from Rudyard Kipling's ''If.'' ''If you can keep your head when all about you are losing theirs and blaming it on you''—

And it goes on. It is a great poem, it says that if you keep your head when everybody else around you is losing theirs, you shall inherit the Earth, my son.

That is what I would encourage my colleagues to do today. Let's keep cool. Let's not lose our heads. Every one of us is going to get up to speak, and there is going to be somebody on the other side of the issue or on the other side of the aisle who is going to say, That Senator lost his head. Let's keep our cool.

I just heard a speech saying we shouldn't pass this bill because it is not big enough. Yet you are going to hear a speech later this week saying we shouldn't pass one of the next bills because it is too comprehensive.

This is not a bill that is going to solve all of our energy needs. This energy problem has not developed in the past year, or 10, or 20, or 30. It has been coming for years. We have made speeches on this floor about how we are becoming more and more dependent on foreign oil. We were all worried that it would go up to 40 percent, then 50 percent, and now it is 60 percent. If we don't do anything about it, it is going to continue to go up.

Do I think it is dangerous? Yes. I believe we should address it in every way we can.

As I have said before in some of my speeches here, I personally believe that the way to deal with our energy needs is to produce more of everything—make the pie bigger; quit trying to find ways to shrink it; more gas production; more clean coal technology; more hydrogen plants; more nuclear plants; and, yes, alternative fuels—biomass, bio-diesel, conservation; the whole package.

In my opinion, the first option has always been to produce more. That is the way I was raised. You do not have to do with less. You can find more natural resources, you can find more alternative fuels, and we ought to try to do that. I think we can get together on this.

As far as I am concerned this is not a comprehensive package, we passed a big energy bill last year, a very costly bill, with several good provisions in it.

This very morning I met with people saying they were interested in several tax credits. They said they could change automobiles so they could work using propane. We have the infrastructure to do this. There are lots of good ideas out there. We are going to have our first ethanol plant in Mississippi. We are all trying to find a way to do a better job.

This bill will also help our new ethanol plant. It will produce lots more oil and gas, millions of barrels of oil, and trillions of cubic feet of natural gas. Why shouldn't we do that? Because it does not include all the coasts or all kinds of other resources? That is not good enough.

This bill is a step in the right direction. It will lead us toward more production which will make us less dependent on foreign oil. Why don't we do that? It will have an impact pretty quickly. It will have an impact on the futures markets. I think we can get some of that oil and gas out of the Gulf of Mexico in this designated area sooner than a lot of people think, and in larger quantities.

I urge my colleagues to quit trying to find the perfect. This is good enough. This is a magnificent effort, and it is bipartisan.

I talked to my friend, former Senator John Breaux of Louisiana, a Democrat, this morning. I said, We finally figured out how to bring together a bipartisan package without you. Twenty-two Democrats voted to move to this legislation yesterday. Seventy-two Members of the Senate said let's cut out the frivolous debate, and let's go to the substance here. This is an opportunity to get something done.

Why are we whining about it? Why aren't we high-fiving and congratulating each other and saying to the American people that it is not the end but it is a beginning? It is good. Let's do that. We need to address this overall energy problem.

I have heard some other interesting opposing ideas to this bill. One of them is: Well, if we do this, it will be cutting revenue coming to the Federal Government. Let's see. The math on that one eludes me. If we don't do this, we are not going to get any revenue from this area—none, zero.

If we do it, we will have a substantial impact on the Federal budget with revenue coming in. Yes, some of it will go to the States in the region and some of it will go to States all over the country. However, there will be a huge impact on revenue coming in from the royalties if we pass S. 3711, to open up millions of acres in the south central part of the Gulf of Mexico.

This, once again from the standpoint of helping the Government and the people, is a winner because revenue will also be coming into the Federal Treasury.

Some have argued: Why should the States in the area benefit? We should benefit because we haven't benefitted in the past; because we have not been treated fairly; because we are the ones who take the risks. We are the ones who have a tremendous coastal impact problem which we must now address: hurricane prevention, protection and coastal replenishment. We have estuaries in Louisiana that are disappearing. We have a huge problem on our hands. With the revenue from offshore drilling we can pay for it. We are taking the risks, therefore we should have the benefits. At least some benefit. These risks may be very minimal, but we need the revenue to take care of ourselves.

I like the fact that not all of the revenue from this area goes to the Gulf States or the Governors. It goes to the local people. Twenty percent will go to the local people, the supervisors. The individual counties will decide what part of preservation, restoration, prevention, or recovery they will put this revenue into.

For years, the royalties from on shore exploration in the West stayed within the States where drilling was taking place. They got 50 percent of it. Yet, in the Gulf where oil and gas exploration has taken place for years, we have been getting zero except for the tiny percentage we got out of the Land and Water Conservation Fund. Basically nothing.

Now we would like to have something similar to what they've had out West. However, we are not saying that it all either has to go to the states or to the Federal Treasury. Part of the revenue will go to the Gulf States, part of it will be going to the Federal Land and Water Conservation Fund, which will go to States all over the Nation, and part will go to the Federal Treasury. For the first time, the Gulf of Mexico States would be getting a fair deal. I am proud of that. All of us from that region—Texas, Louisiana, Mississippi, and Alabama—are supporting this package.

Without us, it probably wouldn't have happened. A lot of credit goes to the Senators from the region, particularly the Senators from Louisiana, MARY LANDRIEU and DAVID VITTER.

This is also an acceptable arrangement for Florida, which has not been easy. It has been tedious. They want to protect the area that is used for military training. They want to protect their beaches, which are crucial to their tourism. I understand that. I may not agree with them in terms of how far away it has to be, but they believe this is a fair agreement for their state.

That was not easy to achieve. It has taken a lot of time and effort. It is a principled one, from an economical, energy security and environmental standpoint.

All of this drilling will not take place unless it is at least 100 miles from our coast, or 125 miles away from the Florida shore.

By the way, back in the real world, China is prepared to start drilling off the coast of Cuba, which is within 60 miles of Florida. Is that going to happen? Yes. Yet we are prohibiting the drilling for the gulf oil and gas even 125 miles away for the Coast of Florida. This legislation is a good effort. I am proud to be part of it.

Let me speak a little bit about this week. Colleagues, there will be plenty

of time and plenty of opportunity to say: It is your fault, it is this leadership, that leadership, it is Democrats, Republicans, it is this chairman, it is the House of Representatives; recriminations, blame all over the place. We need to put aside the blame game. We need to put aside our own pitiful pride, where we are defending our turf, insisting on the correctness of our position.

If it were my call, I wouldn't set this week up the way it is, but someone has to make that call, and it has been made and I support it. This could be an incredibly good week. If anyone thinks we are going to do better in the elections this year by doing nothing, you are sadly mistaken. Does anyone around here not see where Congress is rated? Between the two parties, it is a question of who is the lowest, not who is the highest.

We need to produce. We used to be able to do that. We used to be able to reach across the aisle and find a way to make it happen. That is what we need to do this week. Envision this: Dream that at the end of this week we will have passed an energy bill that will help reduce our dependence on foreign oil; we will have passed a defense appropriations bill that will help us in the war on terror, and support our troops wherever they stand vigil this very night; we will have passed pension reform that has been years in coming that is in the best interest of corporations and employees all over this country, that is good for aviation and automobile manufacturers, but most importantly of all, working people, people out there making it all happen, people who are worried about their retirement, worried whether their pensions will be there, will it be at the level they were promised? What will it be? How can you transition from defined benefits into defined contributions, 401(K) plans, IRAs? They would sleep better if this dream came through and we finished this week up passing this pension reform with the aviation pension part of it included. And the so-called trifecta.

I don't know much about betting. I must admit that I don't even know what a trifecta is, but I know it is three of something. I suspect that in a trifecta bet the return on a dollar is huge. That is what will happen if we pass this bill.

It has a minimum wage increase, $2.10 over the next 3 years. A lot of small business men and women are concerned about that. How will they cope with that? Will they take it out of the bottom line? Will they lay off people? Will they raise their prices? They are not sure, but the fact is we have not passed a minimum wage increase in 10 years. I was here when that happened. There are a lot of people who feel it is time we do this. We can debate that. We will debate that. But if we are going to get a trifecta, that is part one.

Part two is extenders. That is more Senate talk in Washington for tax provisions, but they are not just insignificant tax provisions; they are the tax credit for research and development, which is about the future of America. If we want to be competitive, we better be doing research and development because the Chinese, the Japanese, even the Russians are beginning to do things in that area.

It has a deduction for college tuition. I thought we were for that. For the first time we are on the verge of getting a fair capital gains rate for timber. I thought we were for that. That part of the trifecta has so many things that will be beneficial for working men and women of America, the people who own a few acres of timberland, for people who want to send their kids to school. We need it. It will produce I don't know how much more revenue than would be expended in tax credits or deductions. You never get finished reaping the benefits of helping your kid go to college and getting an education. It benefits the revenue of our Federal Treasury for years to come. I am one of those. I had a school loan to get through college. I paid it back a few times over through the years. So we ought to do the extenders.

We ought to do a reasonable compromise on the death tax. We will hear ranting and raving about how horrible it is that we would reduce taxes on the wealthy. I am not one of those. I don't have anyone in my blood family who will qualify. I do have a couple of in-laws who would probably qualify for it. But I have never been able to conceive but one other tax worse than the death tax. Just the idea that you work all your life, you produce, you save, you have a house, a farm, a small business, whatever, and the Government shows up when you die and says, give me a huge chunk of it—the principle is wrong. I have never talked to men, women, young or old, all kinds of different races, who say the death tax is a good idea. That is a bad idea. The only tax I know that is worse is the income tax, of course, and the day will come when we will have to fix that, too.

Can I argue about parts of it? Sure. Can I argue against some of the things in the death tax and the minimum wage and how it is constructed? Sure. But is it good enough? Will it help America? Yes.

We can have a vision this week that leads us to do these four things and leave here on a high note. That would be good for America and good for everyone who participated in the effort.

I urge my colleagues to keep calm this week. Let's hold down on accusations. Let's try not to get mad at each other. Let's try to cooperate as much as we can between our leadership. Let's see if we can't do something right for a change in this institution.

I still have faith that the majority of the Senate wants to do what is right for our country, not what is right for our party or our region to the disadvantage of other regions, and certainly not what we are told by our leadership.

Sometimes we do not agree with our leadership, but these guys and ladies have a very tough time. They have to review a lot of things the rest of us don't know about. We have to be prepared to follow. This week they may be pulling against each other, but maybe we can help get them back together and produce a final product.

I would like to urge my colleagues to vote for S. 3711. In fact, I suggest that we vote for everything this week. That would be novel.

I yield the floor.

The PRESIDING OFFICER (Mr. COLEMAN). The Senator from Idaho.

Mr. CRAIG. Mr. President, by unanimous consent I understand the Senator from New York has reserved the time coming up. I visited with him. He needed to attend a meeting, so I ask unanimous consent I be allowed to proceed, to be followed by Senator SCHUMER.

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

Mr. CRAIG. Mr. President, the Senator from Mississippi counseled me to stay calm. I am a reasonably calm guy. I don't get too excited about much of anything—at least that is what my wife would suggest. But let me tell you something that happened to me last night that caused me to be a little less than calm.

I drove, like most Americans, to a gas station. I pulled up to the pump, I swiped my credit card, and $39 later I filled an economy car full of $3.25 per gallon gas.

I must tell you and tell the Senator from Mississippi, I wasn't calm. This Scotchman's blood began to rile a bit when I realized that I and all other Americans are paying more for their gas today than ever in the history of this country and it is Government policy that caused it.

It is an attitude over the last 20 years that somehow America was going to conserve its way out of this problem. We didn't have to produce, we didn't have to refine, and, by the way, you can go out and buy a bigger car and it will burn a little more, but don't worry about it, it will be there. We lulled ourselves into this sense of false security that somehow gas is always going to stay at $1.25 or $2 a gallon.

While we were in a sense of false security, we did something else that was politically stupid. Where the greatest potential for domestic oil production exists today, we said take it out of bounds, take it offline. Seventy-five percent of the Outer Continental coast of America today, where our greatest reserves exist, is off limits, all in the name of the environment, even though we have applied technology, science, and engineering in a way today that was proven during the tremendous storm of Katrina when we knocked thousands of wells offline in the gulf, and not one drop of oil was spilled.

Why, then, did we do this all in the name of the environment if, in fact, we can retrieve oil from our deep waters off the Continental Shelf and coast

today and not damage the environment? It was the politics of the 1970s, the 1980s, and the 1990s. During that time, not only was gas relatively inexpensive compared to today's prices, but our consumption levels went up and we began to buy more and more oil from foreign supplies, foreign producers, dominantly from the Middle East but some from Central and Latin America.

Today, with all of these red areas off limits, where there are potentially billions of barrels of oil, we said ''no'' and we find ourselves dependent today with speculative oil prices going through the roof because wars are being fought, people are killing people in one of the most insecure areas of the world, an area we have grown to become dependent on for the supply of our primary economic resource, oil. What is wrong with that picture, America?

Pogo once said: I have found the enemy and the enemy is us. Maybe that is to paraphrase it a little bit. The enemy for oil prices is us, if I can say it in those terms. It is not only public policy in America today that has created the ''no'' zone to production, it is the attitude in America that somehow energy prices are always going to stay inexpensive and we don't have to produce anymore, even though our rate of consumption continues to grow.

Then along come the late 1990s and the early 2000s and the Chinese economy takes off, the European economy takes off, and the Indian economy takes off, and they are now all large consumers of oil. We all buy it from the same pool, and the price goes up.

Today, before the Senate, this afternoon at 5 o'clock, we have an opportunity to begin to slowly but surely correct a very big problem we built up in the decades of the 1970s, the 1980s, and 1990s, a self-inflicted wound we can now bind up and heal while we work our way out from increasing dependence on foreign resources. That legislation is S. 3711.

What does it do? It takes us right down here to this tiny little green square in the Gulf of Mexico called lease sale 181.

We say to the oil companies of America: You can go out there and bid and lease and drill. Our geological survey determines that there are trillions of cubic feet of gas out there and, potentially, billions of barrels of oil. We can bring it on line and send it to our gulf coast refineries and begin to process it and move it into our distribution systems. And for a moment in time we will become just a little less dependent on Saudi Arabia or Iraq or anywhere else in the world in which we are buying oil today.

Why did we do it? Times change. Attitudes shift. Technology changes. Today, there is absolutely no reason to have a no-zone around the United States because we not only can produce it, we can do it in an environmentally sound way. Here is what we believe—not me; we, the U.S. Geological Survey, our Federal agencies that study where our oil reserves and potentials are—here is what they say we can do. They say there are, potentially, in the Alaska National Wildlife Refuge—2,200 little acres that we can drill out of millions of acres—potentially, tens of billions of barrels of oil up there; and in the OCS, 115 billion barrels of oil, of which this one little spot down in the gulf we call lease sale 181 that is embodied in this legislation, S. 3711, will be able to reduce this maybe down to 110 billion barrels because maybe we can get 5 billion barrels out of there.

Of course, a few months ago I came to the floor and said: Why are American companies not being allowed to drill in the northern properties off Cuba—where Cuba is now leasing that area out to China to drill, 50 miles off the U.S. shore. Why are not Americans out there doing that? That is another potentially 4.6 billion to 5 billion barrels of oil.

Add it all up, if we were able to use our skill, our talent that we have developed in the decade of the 1990s, and 2000 and beyond, for deepwater drilling, we could bring this much oil on line in a relatively short period of time.

But California says no. Florida, in large part, has said no, although the Senators from Florida have worked with us, and MEL MARTINEZ has done a beautiful job striking the balance to protect the environment of Florida and to drill in lease sale 181 off the coast of Florida.

But, then again, in these areas up through here, where there is tremendous potential off of the northeastern coast of our country, what do Vermont and Maine and New Hampshire and Rhode Island and Connecticut say? No, even though their consumers are paying $3.25 to $3.30 a gallon for gas. Where is the logic? Where is the sensitivity of that? Where is the sensibility of it?

I know America wishes we could snap our finger and this energy problem or crisis would be over. And it will not be. It took us 30 years marching down a path in which production was a negative, in which we said we simply did not have to produce; we could go someplace else and buy it. It is going to take a while to turn that around.

Last year, this Senate made a major step to turn that around. The National Energy Policy Act of 2005, known as EPAct, today, is bringing ethanol refineries or distilleries on line all across the Midwest as a part of producing into the whole energy supply of our country. Twenty percent of America's corn crop, being raised right now in the fields of Illinois and Iowa and Kansas and other places, will be used for ethanol production to go into the gas tanks of the American automobile. So we are moving in the right direction.

Last year at this time, as it relates to electrical production, we had about two reactors on the drawing board; that is, nuclear reactors. Folks, today there are 24 on the drawing board. Ten or 12 of them will be built, but it will take 10 or 12 years to build them. You do not overnight correct the problems you have created over the last 30 years.

The American consumer, in their sense of frustration, today is saying: Fix it. We like inexpensive energy. And I do not blame them. So do I. Last night, at $3.25 a gallon for that regular gas I put in my gas tank, I did not like it one bit. That is the bad news: high gas prices. The good news is: high gas prices. Today, we would not be on the floor debating lease sale 181 if gas were still $1.25 a gallon or even $2 a gallon. It was at $3 a gallon when the folks in Florida scratched their head and said: Maybe we could allow a little drilling out there. Maybe we could bring a little more on production. Maybe we ought to sit and listen to the reality of the environmental skills that our deepwater drillers have today in the production of oil, and we can do that and protect our environment at the same time. And we can. This legislation is going to do just that.

That is why what we pass this afternoon is critically important to the long-term stability and security of this country, to the strength and security of the average American family and consumer out there. It isn't that they will pay less after we do it; it is that they probably will not pay more.

In trying to level these prices and get this country back into production, I would hope that Americans quit saying no. I would hope that Senators would quit saying no and look at all of the alternatives out there today in a diverse energy portfolio of ethanol, of gas, of hydrogen, of nuclear generation for electricity, of wind and solar, and all the things we ought to bring into production in this country that we are working hard to do at this time.

I am not going to ask Americans to be patient. We are not a patient people. We are very impatient as a country. But it is going to take some time. It is going to take the concerted efforts of Senators such as PETE DOMENICI and myself and MEL MARTINEZ and others who have worked this issue as hard as we have to convince this Congress, that oftentimes is very resistant to change or very resistant to having to go out and face the very powerful environmental community and say: You know, you are just flat wrong. We can produce energy, and we can produce it cleanly for Americans, and provide it abundantly at a reasonable price—if we let the marketplace work, we put the parameters around it as it relates to what we expect from them in the safety and security of our environment but we do not say no. And for too long we have.

Finally, this afternoon, at around 5 o'clock, we are going to vote on S. 3711 and, hopefully, we will say: Yes, let's bring it on line. Let's produce it. Let's put trillions of cubic feet of gas into the gas pipelines and let's bring billions of barrels of crude into the refineries of the gulf coast.

Senate: Say yes. You have been too long saying no. Americans are frustrated and angry they are now having

to pay a price they are not used to, and certainly have an abundance and a sense of security that most Americans have come to enjoy and expect of themselves living in this great country of ours, living with a system that works, and with a government that tends to be responsive to their needs. That is what this legislation is all about this afternoon.

So when the Senator from Mississippi counsels patience, I am an impatient guy, especially when it comes to my pocketbook. And I know most consumers are. I don't like paying $3.25 a gallon. I would like to find the boogeyman and blame somebody for it. We have ourselves to blame because the no-zone was created by public policy, not by the big oil companies. No. They would like to be there drilling and using the latest technology. No. The no-zone was created by public policy: no to the billions of barrels of oil that exist, as shown on this chart, in Alaska, in the Outer Continental Shelf, in the northern area off from Cuba, and in lease sale 181.

The reason we are not there today is public policy, is an environmental attitude that simply says ''we don't have to produce any more.'' Well, we do have to produce, but we need to do it cleanly, responsibly. That is what this legislation is about. That is what the energy policy of last year was about. This Government, thank goodness, has been listening and has finally heard the consumer and his and her frustration.

I would hope this afternoon we turn a no vote into a yes vote. I encourage all of my colleagues to vote for S. 3711. It means a lot to the average family who is paying the price today for bad policy at the gas pumps of America.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Utah.

Mr. HATCH. Mr. President, I understand that Senator SCHUMER is supposed to go next. So I ask unanimous consent that I may be recognized following Senator SCHUMER or, if the other side would like me to go first, I would go first. But it is my understanding the time should be charged to the other side.

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

Mr. HATCH. 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. HATCH. 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. HATCH. Mr. President, I ask unanimous consent that the distinguished Senator SCHUMER immediately follow me on the floor.

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

Mr. HATCH. Mr. President, I rise today to express my very strong support for S. 3711, the Gulf of Mexico Energy Security Act of 2006, sponsored by our very able chairman of the Senate Committee on Energy and Natural Resources, Senator DOMENICI. I was pleased to cosponsor S. 2253 with the chairman, which was an earlier version of this bill.

We must all recognize that the global oil market has changed dramatically, and we must pursue an energy-security strategy that takes into account a new set of realities.

We are now faced with the prospect of a long-term oil shortage conjoined with a serious lack of spare capacity among even the world's most reliable suppliers.

As OPEC's ability to respond to growing global demand for crude has slackened, so, too, has OPEC's ability to maintain a price band and the resulting political and price stability on which our Nation—more than any other—has been dependent. It is imperative we face the fact that even exhaustive efforts to conserve and increase renewable fuel production will still fall far short of bridging the gap between global supply and our world's swelling demand for liquid fuels.

Oil and natural gas have production. limits. We do not manufacture oil. In order to produce oil and natural gas we must go through a lengthy process of exploration and extraction. Increasingly our search for replacement light sweet crude has been coming up short.

Just as it is important to recognize the magnitude of our global energy shortage, it is equally important to recognize that North America has solutions that are being ignored. The passage of S. 3711 would allow us to benefit from one of the best solutions available.

Within our reach, in the Gulf of Mexico, we have an abundance of new sources of oil and gas. It is time we develop these new sources in order to help American families as they struggle against the rising cost of energy.

Mr. President, increasing our domestic supply of oil and gas will have a positive impact on every American and every American business. Unfortunately, Canada, one of our major natural gas suppliers, has struggled to increase production and deliver it to the United States. As a result, gas imports from Canada have dropped in recent years.

I don't see how this Congress can turn away an opportunity to gain access to the 5.8 trillion cubic feet of natural gas that this legislation would make available. This is enough natural gas to heat and cool nearly six million homes for 15 years.

And how can we ignore 1.26 billion barrels of oil which would become available through this proposal?

I understand there may be members of this body who will oppose this measure but I wonder why.

But if the Senate is to get serious about reducing our dependence on foreign oil, we must pass this legislation.

Reducing our foreign dependence by means of conservation, alone, will not work.

Conservation is a part of the solution, but it is only a small part.

The fact is, if we do not actually increase our domestic supply of oil and natural gas in a significant way, as soon as possible, our Nation will pay a very heavy price.

I have been a strong advocate of conservation and increasing efficiency.

Seven years ago, I recognized that about two-thirds of all our oil consumption is taken up by the transportation sector, and I began to draft the Clean Efficient Automobiles Resulting from Advanced Car Technologies Act, or CLEAR ACT.

The CLEAR ACT was made law as part of the Energy Policy Act of 2005, and it is now providing strong tax incentives for the purchase of alternative fuel and hybrid-electric vehicles, for the installation of new alternative fueling stations, and for the use of alternative fuels in vehicles. We have had an explosion on the development of hybrid vehicles and alternative fules. The CLEAR Act had a lot to do with it.

It took me and my cosponsors substantial effort and political capital to pass the CLEAR Act, but we did it because we knew it was important to increase the efficiency of our transportation sector.

But I have never lost sight of the fact that our Nation absolutely must increase our domestic oil and gas production if we hope to continue to prosper and remain competitive.

Also, there are several longer term solutions to our Nation's energy needs, such as our vast resources of unconventional oil, that need to be implemented.

The U.S. Department of Energy estimates that recoverable oil shale in the western United States is somewhere between 800 billion and 1 trillion barrels of oil, but it is not counted among world reserves because it is not yet commercially developed.

I should point out that the world's oil reserves stand at just about 1.6 trillion barrels. That means, at a minimum, the U.S. can increase the world's oil reserves by 50 percent by implementing an aggressive policy to recover our own oil shale. We in the west understand that in Colorado, Utah, and Wyoming, that tri-State area, is an estimated 1 trillion barrels of recoverable oil from tar sands and oil shale.

Chairman DOMENICI and Senator ALLARD worked with me to ensure that the Energy Policy Act included strong provisions to promote the development of these unconventional resources.

However, even if the development of oil shale and tar sands is a success, as I believe it will be, it would not occur in time to save us from our current supply shortage.

S. 3711 is one of the few opportunities we have to improve our Nation's energy situation in the near term. I believe it represents an excellent compromise among the various interests

involved, and I applaud the parties involved for bringing us to this point.

I hope this body will not throw this opportunity away. This is a way of helping our country, helping our citizens. This is a way of stabilizing the price of oil and of natural gas.

I urge my colleagues to support S. 3711, the Gulf of Mexico Energy Security Act.

I suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. 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. SCHUMER. Mr. President, I rise in support of S. 3711, the Gulf of Mexico Energy Security Act of 2006.

Before I begin, let me say this: I want to try to put this in a general setting. We have an energy problem in this country. We all know about that. Every year, hundreds of billions of dollars flow out of the pocketbooks of hard-working men and women and end up in the pockets of people we don't like particularly, people in Iran and people in Venezuela, countries like them, leaders who don't really play ball with us in the Middle East or in the Soviet Union on so many issues. It is imperative that we get a grip on this. In the long run, there is only one solution, and that is independence from fossil fuels. We are doing so little on that, it is almost pathetic. We should have a crash program to free us of imports within 10 or 15 years. We should be putting every nickel in. We don't.

The Energy bills in the past have too often listened to the big oil companies which are happy with the status quo. Mr. Tillerson, head of ExxonMobil, came before our Judiciary Committee and said he didn't believe in alternative fuels. But that is down the road. Because even if we started today—and we should have started 5 or 10 years ago—that will take a while. So what do we do in the short run? It seems to me there has been a little bit too much deadlock here: one side, mainly our side, saying conserve—and we are right, there should be conservation—the other side saying produce more, not just alternative fuels, which I think are very important, alternative energy, which I think is very important, whether it be wind or solar or biofuels but those just nibble at the edges. The other side says we need to supply more fossil fuels. There is a deadlock. It is about time we broke the deadlock. An ideal bill would be one that breaks the deadlock on both sides, that increases supply of fossil fuels in a way that doesn't do grave damage to the environment and yet at the same time conserves. Such a bill is not yet here.

The majority in its wisdom does not allow such a bill to come forward. The majority doesn't allow amendments on conservation to be added to this bill. But this bill does move to increase supply in a certain portion of the gulf, 1.2 million barrels of oil, 5.8 trillion cubic feet of gas, in about 8 million acres. That is 1.2 billion barrels of oil we won't have to purchase from a Middle East that is, unfortunately, looking more volatile and less friendly day by day.

For the sake of consumers, it is clear we have to get gas prices under control. And while drilling in these 8 million acres isn't going to send the price plummeting—that takes a much larger endeavor and a larger picture—it will affect things at the margin. Gas prices are the highest they have been since the aftermath of Katrina. In my State, a family with two cars, two cars they need to get to work, drive the kids to the doctor and dentist, to get the groceries, can expect to pay $1,000 more in gas this year as compared to just 1 year ago. That is a tragedy for that family—not a tragedy, I guess, but an economic tragedy. If your income isn't that large, $1,000 is just too much. It is a huge burden—is a better way to put it—on working families as prices keep going up.

So I have thought a lot about this. I am going to vote for this bill. I have advocated in our caucus for this bill as a way of showing faith on this side of the aisle that when dramatic damage is not done to the environment, as it would be in Alaska where we are 10 years away, we are willing to look at increasing the supply of fossil fuels in the United States.

I am going to support this bill. I hope the other side will join us in allowing CAFE standards to come to the floor. A bipartisan bill sponsored by Senators LUGAR and OBAMA would be a great place to start. Then we would increase supply some and decrease demand some. It would make a huge difference. The fact that our CAFE standards are lower than that of China, a country with virtually no environmental conscience but, rather, a country interested in economics—and they understand the economics are very important.

Make no mistake about it, if this bill is tampered with in the House, if we go beyond these two areas and talk about drilling in the oceans, as the Congressman from California, Mr. POMBO, is, most of us on this side of the aisle will do everything we can to block that, and we will get no bill at all. Let that be a warning to the people in the House not to take advantage of our good faith here. By opening significant tracts for drilling in the Gulf of Mexico, I also believe this bill should give us less reason to drill in areas that are more environmentally sensitive like ANWR.

I am supporting this bill. I have urged my colleagues on this side of the aisle to support the bill. I appreciate the hard work the Senator from Louisiana, Ms. LANDRIEU, has done in persuading us to be for this bill. But this bill will be an empty promise if we don't go further, if we don't do more to conserve, if we don't do more to come up with a bipartisan approach that in the long run removes us from the stranglehold of fossil fuels and in the short run both increases supply and decreases demand for energy.

Mr. ENZI. Mr. President, I rise in support of S. 3711, the Gulf of Mexico Energy Security Act. This important energy legislation begins a process by which we start to produce more energy domestically. It moves our Nation and our economy one step away from foreign oil barons and one step closer to energy independence.

The legislation does so by opening up a portion of the Gulf of Mexico to energy production. Energy production in the Outer Continental Shelf, OCS, is not a new energy endeavor. The entire OCS is composed of 1.76 billion acres and there are 8,000 active lease areas producing oil and natural gas. This production translates to approximately 20 percent of our domestic oil production and approximately 30 percent of our domestic natural gas production. Unfortunately, as hard working families endure record prices each time they fill up their vehicles and as our Nation's ranchers and farmers struggle with higher fertilizer costs, more than 85 percent of the coastal waters around the lower 48 States currently are off limits to energy development.

This legislation is a step in the right direction. S. 3711 requires the Secretary of the Interior to offer mineral leases in what is known as lease area 181 within 1 year of enactment. Such leasing would translate to 1.26 billion barrels of oil and 5.8 trillion cubic feet of natural gas. Those minerals could be used to help meet the energy needs of our economy and help ease the burden of high prices on our hard working families. Put in perspective, lease area 181 will provide enough natural gas to heat 6 million homes for 15 years.

Although I support the Gulf of Mexico Energy Security Act, it is not perfect. I would prefer to see the act do more to open up a greater portion of the OCS to drilling. I would prefer that Federal royalties not be automatically directed to the Land and Water Conservation Fund, and I would prefer that the bill allowed States that wanted energy development off their coasts to opt in and States that opposed energy development off their coasts to opt out.

While I would like to see these improvements made eventually, it is important to remember that S. 3711 is an excellent first step to expand our domestic energy production. Opening lease area 181 must be part of a broad and comprehensive strategy to expand our traditional energy portfolio as we develop better technologies such as clean coal and hydrogen. Every great endeavor starts with a first step. The Gulf of Mexico Energy Security Act is a good first step, and I urge my colleagues to support this legislation.

Mr. GRASSLEY. Mr. President, I strongly support S. 3711, the Gulf of Mexico Energy Security Act. I would like to thank Senator DOMENICI, chairman of the Energy Committee, for his hard work in making this compromise possible. This legislation is a much needed step to increase the domestic production of natural gas and crude oil.

In recent years, the cost for natural gas has risen from the moderate, stable level of $3 per thousand cubic feet to $6, and even exceeded $10 last fall. Current prices are three times the average during the 1990s.

In just the past few days, natural gas prices have risen by nearly 15 percent. Why? Because the current heat wave crossing the country is putting a strain on our Nation's electrical grid—an electrical grid that is increasingly dependent on electricity generated from natural gas.

And, while the demand for natural gas has increased, we have done little as a nation to ensure that there is access to the domestic supply to meet the growing demand. For too many years, our country has had a ''natural gas and nothing else'' policy.

The Energy Policy Act, which we enacted a year ago, took significant steps to diversify our energy production and increase energy efficiency. The Energy bill included provisions to expand the use of clean coal and advanced nuclear technologies. It also included provisions to expand the use of renewable and alternative energy and energy conservation. All of these provisions will help in the long term to balance and diversify our energy portfolio.

However, we need to take action today to increase the supply of domestically produced energy. The fact is, consumers in the United States are paying some of the highest natural gas costs in the world. This puts our farmers, manufacturers, and industrial users of natural gas at a competitive disadvantage.

Few things are as important to the livelihood and well-being of Iowa's economy than natural gas. Although the State of Iowa is considered a national leader in the agricultural industry, our manufacturing industry actually contributes five to six times more to Iowa's economy than agriculture. Manufacturers have been particularly hard hit by the increase in prices because they consume over one-third of our country's natural gas. I have heard from manufacturers across Iowa who have urged Congress to act to increase the supply of affordable natural gas.

Farming is also an extremely energy-intensive industry. Farmers and ranchers need large amounts of natural gas for drying crops, heating buildings, producing ethanol, and most importantly, as the feedstock of chemicals and fertilizers.

The vast majority of the cost of nitrogen fertilizers is natural gas. Numerous domestic manufacturers of ammonia and nitrogen fertilizer have closed in recent years due to higher costs. As a result, prices for their products have increased. Ammonia for fall application this year will cost a farmer nearly $400 a ton. This is double what it was just a few years ago.

This legislation will also help my constituents with their home heating and electricity bills. A significant portion of Iowa households use natural gas for their home heating. Even while the past few winters have been relatively mild, home heating bills have doubled and tripled for some families. And, while I have been an ardent supporter of the Low Income Home Energy Assistance Program that helps the less fortunate pay for home heating, we must also recognize that the high prices are a result of the tight energy supply. One way to ensure that consumers aren't forced to choose between heating their home and putting food on the table is to lower the price for natural gas.

That is why I am eager to see this bill pass. The compromise bill before us will open up 8.3 million acres on the Outer Continental Shelf for oil and gas leasing. It requires that leasing begin as soon as practicable but no later than 1 year after the date of enactment. This area is estimated to hold 5.8 trillion cubic feet of natural gas and 1.26 billion barrels of oil. This legislation will take a significant step to enhance our county's domestic energy supply.

This bill is a proactive response to the rising cost of energy and our growing dependence on foreign sources of crude oil. It is a bipartisan agreement that has the support of the Gulf State Senators, and it deserves our full support. I encourage my colleagues to vote in support of this bill which will increase our energy supplies and help stabilize prices for our consumers, farmers, and manufacturers.

Mr. BURNS. Mr. President, today I rise in support of S. 3711, the Gulf of Mexico Energy Security Act.

This energy bill will open more than 8.3 million acres on the Outer Continental Shelf for oil and gas leasing. This area is estimated to produce 1.26 billion barrels of oil and 5.8 trillion cubic feet of natural gas. I expect as new technologies are developed this estimate of recoverable resources will only grow.

As oil and natural gas prices fluctuate, many Americans, especially Montanans, are feeling the strain of increased prices for energy use in their homes and businesses. The natural gas supply made available by this bill will heat and cool nearly 6 million homes for 15 years.

Additionally, an increased supply of natural gas will greatly benefit Montana's agriculture producers who are particularly hard hit by skyrocketing costs of fuel and fertilizer. Natural gas is the primary feedstock in virtually all fertilizer manufactured in the United States. Increased production of domestic natural gas will help stabilize prices and decrease our dependence on foreign suppliers of natural gas such as Venezuela and Russia.

In order to strengthen American energy security, it is our obligation to use our own domestic resources whenever we can. Offshore drilling has proven to be safe, reliable, and environmentally responsible for oil and gas production. While this bill is limited in scope, it is an important first step to increasing our energy supply to meet our country's demands. Lease area 181 is a phenomenal resource, and time after time in energy committee hearings when we ask expert witnesses for their opinions on how to best stabilize and lower natural gas prices, the answer is: Open lease area 181.

I applaud the leadership of Chairman DOMENICI and the bipartisan groups of Senators that hammered out this compromise. I urge my fellow Senators to support this bill and pass this important piece of our energy security.

Mr. SPECTER. Mr. President, I seek recognition to discuss today's vote on the Gulf of Mexico Energy Security Act, S. 3711. I support the bill because it will provide a needed source of natural gas, which is a clear-burning fuel, and its passage is realistically calculated to have a positive impact on natural gas prices for American consumers and businesses. While voting for the bill, my preference would be for it to contain conservation, energy efficiency, and other measures beyond Gulf of Mexico development to address our Nation's growing energy needs.

The issue of energy prices is on the top of Americans' minds and their list of expectations for elected officials to address. For a number of months, there has been discussion in the Senate of a possible energy bill to follow the 2005 Energy Policy Act. However, despite the great importance of this issue and intense interest from Senators who have suggested various energy proposals, we are now presented with only one option, a bill to allow oil and natural gas leasing in a portion of the Outer Continental Shelf in the Gulf of Mexico. Beyond the narrow scope this bill, there have also been questions raised as to the 37.5 percent share of revenues going to the four Gulf of Mexico States—Florida, Alabama, Louisiana, and Texas—instead of the Federal Treasury, and concerns about the eventual bill emanating from a House-Senate conference.

Unfortunately, this bill and the way it has been considered miss an important opportunity to build on the successes of the 2005 energy bill and deal with our nation's energy policy in a comprehensive manner. This is likely the last energy-related bill to receive floor consideration prior to the recess for the November elections and the eventual adjournment of the 109th Congress. That means we will have to return to the beginning of the legislative process upon the commencement of the 110th Congress.

That is why I am greatly disappointed that Senators were unable to have amendments to this bill considered. Amendments were precluded by a

rarely used legislative procedure known as ''filling the tree'' which occurs when the majority leader offers the maximum number of amendments allowable under the official Senate rules in order to preclude amendments from other Senators.

As I stated on the floor last night, I had hoped to have the Senate consider my Oil and Gas Company Antitrust Act, S. 2557, as an amendment. The Judiciary Committee held hearings on the issue of competition in the oil and gas industry and the committee voted S. 2557 to the Senate floor on April 27, 2006. The Judiciary Committee's hearings considered the many factors brought about by consolidation in the oil and gas industry. The testimony indicated that market concentration is a problem in the industry. Responding to these concerns, my bill would prohibit individual firms from exporting petroleum and natural gas products with the intent of increasing prices or creating shortages in the market. Further, the bill would allow the government to prosecute cartels such as OPEC that set the price of petroleum and natural gas, even when the cartel members are foreign states. This bill would encourage vigorous competition in the oil and gas industry to ensure that the forces of supply and demand are working and that the industry is competitive.

I also cosponsored an amendment offered by Senators LUGAR and OBAMA to provide for a 4 percent annual increase in Corporate Average Fuel Economy, CAFE, standards. This is a rate that the National Academy of Sciences has determined is possible, but could be altered if the National Highway Traffic Safety Administration, NHTSA, can prove that the increase is technologically unachievable, cannot maintain overall fleet safety or is not cost effective. The bill provides flexibility to domestic automakers by establishing different standards for various types of cars to enable domestic manufacturers that produce full lines of small and large vehicles to better compete with companies that only sell small cars. Credit would also be given for exceeding fuel economy standards in one type of car to help meet goals with other vehicle models. Finally, the bill provides tax incentives for companies to retool parts and assembly plants to develop advanced-technology vehicles.

I note that Senator BINGAMAN has offered an oil conservation amendment No. 4692, which would save 2.5 million barrels (bbl) of oil per day by 2016; 7 million bbl/day by 2026; and 10 million bbl/day by 2031. I was disappointed that the 2005 energy bill did not include a similar oil savings goal which would have required the administration to identify and implement policies reducing domestic oil consumption by 1 million barrels per day from projections by 2013. This provision was based on the Carper-Specter amendment from 2002 and the Landrieu-Specter amendment in 2003 which passed by a vote of 99 to 1. These are modest goals, but ones which would help focus the Federal Government in reducing oil imports in support of energy independence, national security, and lower trade deficits.

The energy bill conference also deleted the Senate provisions mandating that by the year 2020 at least 10 percent of our electricity be produced from renewable resources. This goal was meant to help spur development of renewable resources, which currently account for just over 2 percent of U.S. electricity production. Pennsylvania is currently implementing a similar Alternative Energy Portfolio Standard with an eighteen-percent goal by 2020 of electricity production from renewable and other alternative energy sources.

Despite my desire to see additional energy issues debated, I say to my colleagues that I am sensitive to the price and supply concerns that have led to the consideration of the Gulf of Mexico legislation. The natural gas supply and demand imbalance has caused U.S. prices to increase from an average of $2.20 per million BTUs during the 1994–1999 timeframe to $8.84 per million BTUs in 2005, which is the highest average natural gas cost in the world. These high prices have increased economic pressure on American consumers and industry, particularly those who use natural gas to heat their homes and industrial sectors that rely on natural gas as a fuel and as a raw material.

Finally, when it comes to oil prices the problem is well known. All Americans are facing high gasoline prices at the pump and are expected to have high heating oil prices this winter. With gasoline hovering just above $3 per gallon nationally while this bill has been debated, there is no better time to discuss energy issues and ensure that Congress is doing everything in its power to address them. While the 2005 Energy Policy Act provided an important framework and policy direction from which to proceed, it did not address every facet of these complex issues and has not convinced the American people, nor me, that nothing more can be done. Therefore, I encourage the Senate to consider additional energy-related measures at the earliest opportunity.

Mr. DODD. Mr. President, today the Senate will be voting on S. 3711, the Gulf of Mexico Energy Security Act of 2006. I regret that I cannot support this bill for a number of reasons.

First, I am deeply disappointed that the majority leader used parliamentary maneuvers to prohibit any Senators from offering amendments to the bill before us today. While I did vote last week to allow for the consideration of this legislation, I did so with the hope that Senator FRIST would allow both Republicans and Democrats to offer amendments that are important to our energy security. In fact, I am a cosponsor of a number of bipartisan amendments that were scheduled to be offered to S. 3711. But unfortunately, the bill before us today is the only energy bill that the Senate will debate this summer. That is not in the best interest of the American consumer, the economy, or our long-term energy security.

I have long advocated a more balanced approach to solving our energy problems. Any serious solution to our energy crisis must involve increasing efficiency, expanding our conservation efforts, and committing to renewable forms of energy. Unfortunately, however, the sole focus of S. 3711 is oil and natural gas exploration in the Gulf of Mexico. Contrary to what supporters of the bill contend, this legislation does nothing in the short term to rein in the soaring fuel and energy prices because of the lag time it will take to extract the allowed oil and gas. Further, this bill redirects some of the revenues from Outer Continental Shelf, OCS, drilling from the Federal Treasury to just four States.

For more than 25 years, most of the coastal areas of the country have been under either a Presidential moratorium on OCS drilling due to expire in 2012 or a congressional moratorium enacted annually through the appropriations process. Under this bill, for the first time, one State—Florida—is given statutory protection from offshore drilling through 2022. No similar statutory protection exists for the Atlantic or Pacific coasts.

In fact, there are some Members of Congress who would like their States to be able to opt out of any future moratorium. While this provision is not included in S. 3711, it is included in the House-passed bill that likely will be conferenced with S. 3711. If we adopt a fractured system and allow drilling in adjacent States, I am concerned that our fragile coastal ecosystems and economies could be threatened by pollution associated with drilling and unforseen incidents due to the drilling activity, weather, and possible terrorist attacks. Let us remember that our coastal waters flow freely and what happens in the waters off one state may have serious repercussions up and down the coast.

I deeply regret that in considering the Gulf of Mexico Energy Security Act we were not able to debate meaningful bipartisan amendments to address many of the serious energy concerns facing our Nation. It is my fear that in the dwindling days of this session we will not again have the opportunity to revisit these critically important issues and consumers and businesses will continue to struggle to meet their energy needs. Mr. President, the Gulf of Mexico Energy Security Act truly represents a missed opportunity.

Mr. OBAMA. Mr. President, every one of us in Congress has heard from our constituents about the high cost of gas. A gallon is now $3 or more in most parts of the country, and there is every

reason to believe that figure will continue to climb throughout the rest of the summer.

Americans are asking their Members of Congress to help lower some of these costs. And we should do that. But let us not kid ourselves. This is a problem that was decades in the making, and short-term political solutions—whether it is a tax rebate or more legislation to stop price gouging—aren't going to be the complete answer.

To be sure, most of these proposals would do no harm, and many would provide Americans some temporary relief at the pump. But in the long term, we can't rely solely on quick fixes designed to placate an anxious public.

We need solutions designed to permanently lessen our dependence on foreign oil. Unfortunately, both Congress and the White House have been unwilling to take the politically difficult steps necessary to confront one of the most pressing economic and national security challenges of the 21st century.

A perfect example is the bill before us. It does do some good things: it marginally increases the supply of oil, and it provides a financial boost to Gulf Coast States that could use the help.

But fundamentally, the bill only focuses on part of the problem—our inadequate supply of oil. Unfortunately, increasing supply can't be our only answer. Even if we opened up every square inch of this country for drilling, America only has 3 percent of the world's oil reserves. With our own Energy Department telling us that our demand for oil will jump 40 percent over the next 20 years and countries such as China and India adding millions of cars to their roads, this means that if we truly hope to solve this problem, we must focus on reducing demand.

Members on both sides of the aisle have suggested some innovative ways to do this. Senator LUGAR and I introduced the America Fuels Act to increase the production of homegrown biofuels. And Senator BUNNING and I have worked on a bill to produce liquid fuels from coal.

Unfortunately, we are not going to have a debate this week on how to reduce the demand for oil, because we weren't allowed to add any amendments to this bill that would focus on that problem. Because contrary to the judgment of every credible person who has examined our Nation's energy woes, the Republican leadership in the Senate believes we can solve our energy problems by just drilling more. That is not only dishonest; it is a disservice to our constituents who want us to work together to solve this crisis.

I would like to spend a few minutes today discussing two of the proposals that should have been part of this energy debate—two proposals that could have made this bill worthwhile.

First, we need to start producing cars that use less oil. Thirty-three years ago, this Nation faced an energy crisis that affected every American. In the shadow of a war against Israel, the Arab nations of OPEC chose to embargo shipments of crude oil to the West. The shocks were felt in national economies worldwide. Washington lawmakers responded by creating daylight savings time and a national speed limit. A new Department of Energy and a Strategic Petroleum Reserve was established. And Congress enacted Corporate Average Fuel Economy—or CAFE—standards, the first-ever requirements to reduce petroleum consumption in the vehicles we drive.

As a result, the gas mileage of cars doubled from 14 miles per gallon in 1976 to 27.5 mpg for cars in 1985. Today, CAFE saves us about 3 million barrels of oil per day, making it among the most successful energy-saving measures ever adopted. But that decade's worth of fuel consumption improvements ended more than 20 years ago, because CAFE standards are the same today as they were in 1985 27.5 mpg for cars.

To address this problem, I have joined with Senator LUGAR and a bipartisan coalition of senators to propose the Fuel Economy Reform Act, which we have also filed as an amendment to the OCS bill.

This amendment would establish regular, continual, and incremental progress in fuel economy, but still preserve the expertise and flexibility of the National Highway Traffic Safety Administration—or NHTSA—to determine how to meet those targets.

Under this proposal, CAFE standards would increase by 4 percent every year unless NHTSA can justify a deviation in that rate by proving that the increase is either technologically unachievable, would materially reduce the safety of automobiles, or is not cost effective. For too long, the presumption has been that the public would have to prove to the auto industry why it should raise fuel economy standards. This proposal would flip that presumption by asking the auto industry to prove why it can't raise those standards.

Under this system, if the 4 percent annualized improvement occurs for 10 years, we would save 1.3 million barrels of oil per day—an astounding 20 billion gallons of gasoline per year. If gasoline is just $2.50 per gallon, consumers would save $50 billion at the pump in 2018. By 2018, we would be cutting global warming pollution by 220 million metric tons of carbon-dioxide-equivalent gases.

And yet, auto executives are right when they say that transitioning to more fuel-efficient automobiles would be costly at a time of sagging profits and stiff competition, and that's precisely why the Federal Government shouldn't let the industry face these challenges on their own.

The Fuel Economy Act provides tax incentives to retool parts and assembly plants. But we should do more than that. We need to help the Big Three automakers with one of their largest expenses, namely, retiree health care costs, which ran almost $6.7 billion just last year. For GM, these health care costs represent $1,500 of the price of every GM car that is made, which is more than what they pay for the steel.

To that end, I also have filed an amendment to this bill based on the Health Care for Hybrids Act that I introduced last year. That proposal would set up a voluntary program in which automakers could choose to receive Federal financial assistance towards their retiree health care costs. In return, the automakers would be required to reinvest these savings into developing fuel-efficient vehicles.

With the American consumer demanding more hybrid vehicles—and that demand currently being filled by foreign automakers—this proposal could jumpstart the Big Three to commercialize new technology. More American hybrid cars also ensure that there is competition in this growing market, and would help keep car prices affordable.

If we had adopted these two proposals decades ago, when the call for energy independence was first issued in this country, today we wouldn't be nearly as beholden to the whims of oil-rich dictators and surging gas prices. And if we don't take these steps now, we will someday look back on today's $3 per gallon gasoline as the good old days. At that point, no amount of drilling on the Outer Continental Shelf will solve our problems.

We could have taken these commonsense steps now to reduce the demand for oil. We have the need, we have the technology, we have the resources—but with this bill, we refused to find the political will to get it done. We still owe it to the American public to find that will.

Unfortunately, this bill sends the wrong message. Instead of making tough political decisions about how to reduce our insatiable demand for oil, this bill continues to lull the American people into thinking that we can drill our way out of our energy problems. We can't, and for that reason, I plan to vote against this bill.

Ms. SNOWE. Mr. President, yesterday, while the Senate was voting for cloture on S. 3711, a bill that could ultimately lead to exploration on the Outer Continental Shelf of the Georges Bank in the North Atlantic Ocean, the Maine lobster industry gathered on a picturesque fishing pier in Maine to launch the ''Certified Maine Lobster'' initiative that could bring an added value to the State's $300 million lobster industry. My State accounts for 80 percent of lobster landings and is known for its lobster boats, lobster shacks, lobster buoys and lobster dinners along its scenic coastline. As a matter of fact, the Maine Lobstermen Association was formed to fight OCS drilling off the coast of Maine.

It is because of its very pristine value that fisheries and tourism are important economic engines for the State

and I cannot stand by and let these natural resources be compromised through exploration and drilling. Last year, Maine lobstermen hauled in more than 60 million pounds for a boat price of $296 million.

While supporters of, S. 3711, the Gulf of Mexico Energy Security Act of 2006, say that this bill is only about the Gulf of Mexico, while at the same time stating that the bill is the first step toward opening up more areas to production. One supporter was even quoted as saying, ''The goal is to maximize over time the coastal production of America from a venue of stagnation.'' This does not sound like the bill pertains only to the Gulf of Mexico, as its supporters have stated and this has rightfully alarmed the people of my State, many who make their living directly or indirectly from the sea. Scientists, economists, and fishermen have worked for 20 to 30 years to restore the magnificent fish runs off the New England coast. To them, lifting the moratorium and allowing oil and gas drilling on the 185-mile-long broad, shallow and productive fishing ground of Georges Bank that stretches from Nova Scotia to Cape Cod is unconscionable.

As chairman of the Senate Commerce Subcommittee on Fisheries and the Coast Guard, the prospect of drilling in the Gulf of Maine and Georges Bank and risking New England's fisheries is unacceptable to me as well. I, along with Senator MENENDEZ, wanted to offer a simple amendment to ensure that drilling within 200 miles of the coast of Maine and other coastal States would continue to be prohibited until 2022—the same protection as is given the State of Florida in this bill.

However, without following the usual amendment process, there can be no assurances that Maine's coast will be protected when this legislation is approved by a conference or that the Joint Ocean Commission's recommendation to convert current OCS revenues for ocean fisheries research will occur, and without those assurances, I have not supported moving forward.

I am extremely disappointed that the decision was made to prevent amendments during debate that ignores the need to address conservation. We were told it would take a week to get through amendments that would have been offered. Well, this bill was brought up 1 week ago, and, instead of having true and fair debates on conservation amendments this past week and up or down votes, we have spent it on moving to cloture and getting to final passage.

I believe that considering the leasing of additional OCS waters for oil and gas drilling should only be done with utmost caution and deliberation, and at the same time, I believe that our national energy policy should seriously focus resources on the development of renewable energy and an expansion of energy efficiencies as part of a national energy policy.

I have filed an amendment to this bill that is also my stand alone bill, S. 3628, the EXTEND Energy Efficiency Incentives Act of 2006, that would extend the EPAct 2005 energy efficiency tax incentives until 2010—they currently expire at the end of next year having been shortened by the House in conference. Experts have calculated that, if fully implemented, the EXTEND Act will, by 2010, save 7 trillion cubic feet, Tcf, of natural gas while the Gulf of Mexico drilling bill before us would extract 5.8 Tcf by 2010. We simply cannot continue to drill ourselves out of this problem, and threaten our natural resources—we can do it with bold ideas that save much more than we can get from drilling.

A reliance on only fossil fuels retards progress in developing a sustainable and comprehensive 21st century energy policy. Furthermore, the recent fluctuation of the world oil and natural gas markets indicates that this commodity is not a reliable long-term energy source. There are uncertainties involved with fossil fuels that threatens the energy security of the United States and it is important that our nation recognize the situation and develop a diverse, sustainable and progressive energy plan through a market basket of fossil fuels, renewable energy and energy efficiencies.

Senator FEINSTEIN and I were not allowed to offer our 10 in 10 bill as an amendment to this bill to require U.S. automakers to increase their average CAFE standards by 10 miles per gallon in 10 years. The bill would save 2.5 million barrels of oil per day by 2025, the same amount of oil we currently import from the Persian Gulf; and 420 million metric tons of carbon dioxide emissions by 2025, the equivalent of taking 90 million cars—or 75 million cars and light trucks—off the road in one year. Again, we can save rather than drill.

Exxon Mobil, the world's largest traded oil company, just reported a 36 percent gain in 2nd earnings. Exxon has prospered because of the high gasoline prices bolstered by the demand for supply. Increasing CAFE standards will decrease demand, lower prices and begin to put some of this money in the pockets of consumers rather than the large oil companies, who have increased output and taken advantage of the increase in oil prices, which remain over $70 a barrel.

The small increase from the latest NHTSA rule for CAFE standards for SUVs does little to save gasoline and only gives lipservice to an issue that deserves more serious consideration. Even a modest increase of only five miles per gallon in the fuel efficiency of our domestic automotive fleet would save approximately 23 billion gallons of gasoline each year and reduce oil imports by 14 percent.

This percentage is more than the 11 percent Venezuela provides for U.S. oil imports. The GAO reports that the U.S. is inadequately prepared to face the possibility of President Hugo Chavez' threat to cut off its oil imports to the U.S. The GAO reports that this disruption would cause an increase of $11 per barrel. So we are allowing Chavez to put us over a diplomatic oil barrel, so to speak. Why are we taking this risk with the trust of the American people and the economy when there are options that can be put in place to make us independent of Venezuela's oil—and political maneuvering?

Currently, the combined fleet average for all automobiles, SUVs, light trucks and passenger cars, is approximately 25 miles per gallon—that is down from the peak of 26.2 miles per gallon in 1987. The Feinstein-Snowe-Inouye-Chafee 10 in 10 bill would increase that combined fleet average to 35 miles per gallon by Model Year 2017—or ten mpgs 10 years from today.

Also, according to the 2002 National Academy of Sciences Report on CAFE, adequate lead time can bring about substantive increases in fuel economy standards. The NAS concluded that automakers can meet higher CAFE standards with existing technologies. We have the technologies today to increase our fuel economy standards. We have hybrids, more efficient engine technology, improved transmission technology, and composite materials that reduce the weight of the vehicle will all increase fuel economy standards without sacrificing safety.

I fear that the Senate conferees will come back from a conference with many of the provisions in the House bill, the Deep Ocean Resources Act, H.R 4761, a bill that replaces the moratorium that currently protects most of the nation's coastline from oil and natural gas drilling and develops a leasing system that would provide the option for states to allow drilling within 50 miles of their coastlines and allow drilling throughout the OCS beyond 100 miles. Currently, the moratorium protects the coastal area up to 200 miles out.

In passing this OCS drilling only bill today, the Senate has created lost opportunities that could have addressed how much we could save—along with how much we can drill. This is what the consumers want to hear—that we are addressing every avenue possible to keep money in their pockets the next time they go to the gas pump or pay their electricity bill or purchase heating oil for the coming winter. The Senate has let the consumers down once again. And, the bill does nothing to protect Maine's tourist and fishing economies and its 3,500 miles of coastline.

Mr. FEINGOLD. Mr. President, once again, this body has missed a chance to pass responsible, effective legislation responding to the very real and very pressing energy needs of this country. While there may be pieces of S. 3711 that have merit, I did not support cloture and I will not vote in favor of the final bill.

I voted to allow the Senate to consider S. 3711 in the hope that we might

have a serious discussion of the bill, including debating and voting on amendments to improve it. While the bill only addresses one part of our energy needs, it could have provided an opportunity for the Senate to finally address a broad range of energy issues. Unfortunately, Senators were prevented from offering amendments, so there was no opportunity to address, for example, efficiency, conservation, renewable fuels, or even global warming. The result is another missed opportunity to pass the comprehensive energy legislation that our constituents are looking for.

In addition to opposing the flawed process for consideration of S. 3711, I have grave concerns about the fiscal implications of the legislation. This bill will redirect billions of dollars in Federal revenues to just four States. While I agree that we have a responsibility to ensure that Federal dollars are going to important activities like protecting and restoring coastal wetlands, I do not believe that doing so requires creation of a new entitlement for a handful of States. If enacted, S. 3711 will have massive long-term and negative consequences. For example, in 2017, the loss to the taxpayers of the country is estimated to be over $590 million a year, jumping to over $1.2 billion per year in 2022. Adding it all up, you get a total likely loss of over $170 billion over 60 years. I am not prepared to support such a massive drain on the Federal Treasury for the benefit of a few States and I urge my colleagues to oppose S. 3711.

Mrs. CLINTON. Mr. President, I believe that as part of a balanced energy policy, we need to expand domestic oil and gas production where it has local support and can do so in an environmentally sound way. I think the bill before the Senate meets that test, and that is why I am voting for it. However, I want to make it clear that New Yorkers do not support drilling off Long Island, or in the Finger Lakes, or in the Great Lakes, and I will vehemently oppose any bill that would open any of these areas up for drilling. With that in mind, I am concemed about conferencing the Senate bill with the House bill, but I have been assured by Senator REID that he will oppose efforts to expand drilling beyond the areas included in the Senate bill. In addition, I am disappointed that Senator FRIST chose to block all amendments to this bill. Expanding domestic supplies is only a partial solution to our energy problems. It is even more important that we take steps to increase energy efficiency and to expand production of renewable energy. I filed amendments to this bill to accomplish those goals, but was not afforded the opportunity to offer them. I will continue to urge Senator FRIST to schedule time to consider these and other bills that offer a more comprehensive long-term solution to our Nation's energy problems.

Mr. BIDEN. Mr. President, I am in opposition to the bill before us that opens up new areas in the Gulf of Mexico to oil and gas drilling. I don't dispute that the oil and natural gas that may be harvested as a result of this legislation could be useful, and I would support drilling from some new sources—if the value of doing so is not outweighed by the risks to our environment and economies. But it is not a solution to our energy problems.

Here we are, yet again, with a so-called ''energy'' plan that only offers one plan for our energy security crisis: drilling. That is not much of a plan. That is not going to free our foreign policy. That is not going to lower prices at the pump.

We consume a quarter of the oil in the world, but we have less than 2 percent of the world's reserves—that 2 percent includes the areas under debate today. If we tapped all the reserves in Alaska, the Gulf of Mexico and off the Pacific and Atlantic coasts, we would increase output by 2 million barrels a day by 2020. Yet our consumption is expected to rise to 25 million and world consumption to 110 million, so the impact on price and energy security would be minimal. Drops in the bucket.

We need a real energy policy, a real path toward energy security. For instance, we can make the biggest difference and have the most immediate impact by reducing oil consumption where we use it most: the transportation sector. That's why I have proposed four steps to begin the transition to alternative fuels and make us more energy secure: (1) 100 percent of cars running on alternative fuels; (2) 50 percent of major gas stations selling it; (3) 25 percent farm-grown fuel; (4) 1 mile per gallon more fuel efficient each year.

And if we are going to drill in new areas, we need to make sure we do it right, and not bypass the appropriately careful process and environmental reviews that are required by the Outer Continental Shelf Lands Act. The leadership put this bill before the Senate and said: ''take it or leave it.'' This bill could have been much better, and I fear that the bill that will come back from the House will be much worse.

Mr. REED. Mr. President, today, the Senate will vote on final passage of S. 3711, the Gulf of Mexico Energy Security Act. I will be voting against passage because I believe this bill is poor energy policy, irresponsible fiscal policy, and faulty environmental policy.

The Gulf of Mexico Energy Security Act is a misnomer. The bill will not offer energy security to the United States. The United States consumes 25 percent of the world's energy and yet we have less than 3 percent of the world's oil supplies. While I agree that we must increase the domestic supply of oil and natural gas, this cannot be our Nation's only approach. Yet it is the only approach offered in S. 3711, and it is the only approach that the administration and Republican leadership continue to propose as our Nation's energy solution. Our Nation's energy security depends on reducing our dependency on fossil fuels through increased energy efficiency, greater investment in renewable energy, and development of alternative fuels to replace oil. But this bill does nothing to increase fuel efficiency standards for automobiles, create a national renewable energy standard for electricity, or promote energy efficiency or renewable energy. In fact, Federal investment in energy efficiency and renewable energy continues to decline. It is imperative for our Nation's energy and economic security that an energy policy that increases supply must be married to meaningful investments in energy efficiency and renewable energy. This is the energy policy that our Nation deserves, but it is not the one before us today.

S. 3711 is also not sound fiscal policy. This legislation would mandate that almost 38 percent of revenue from Federal resources generated by new leases in the Gulf of Mexico be given to four States—Alabama, Louisiana, Mississippi, and Texas. These are revenues that currently would be provided to the U.S. Treasury for the benefit of the Nation as a whole. Reducing revenue to the Treasury means that we, as a nation, will have fewer resources available in the future to respond to a call for help should there be another devastating natural disaster or terrorism attack. Our Nation faces a deficit of $8.4 trillion due to this administration's poor fiscal management and irresponsible tax policies. Large Federal budget deficits going forward are bad for the economy. They reduce national saving, which depresses future standards of living. Reducing Federal receipts and increasing the budget deficit at the same time as the baby boom generation retires will put increased strains on the Federal budget and makes no sense. This bill, if passed, will cost the Federal Treasury billions of dollars. I am not alone in my opposition to this legislation; taxpayer advocates share my concerns over its fiscal impact.

In the early 1950s, Congress considered the allocation of revenues between the Federal Government and States resulting from drilling in our Nation's waters. During the debate last week on S. 3711, I quoted from a speech that Senator Truman gave at the National Convention Banquet of the Americans for Democratic Action on May 17, 1952. President Truman stated in this speech, ''The minerals that lie under the sea off the coasts of this country belong to the Federal Government''—— that is, to all the people of this country. The ownership has been affirmed and reaffirmed in the Supreme Court of the United States. Those rights may be worth as much as somewhere between $40 billion and $100 billion.

If we back down on our determination to hold these rights for all the people, we will act to rob them of this great national asset. That is just what the oil lobby wants. They want us to

turn the vast treasure over to a handful of States, where the powerful private oil interests hope to exploit it to suit themselves.

Twice President Truman vetoed quitclaim legislation passed by Congress to turn these resources over to the coastal States. In his May 29, 1952, veto statement, President Truman said ''[T]he Congress should provide for the disposition of the revenues obtained from oil and gas leases on the undersea lands. S.J. Res. 20, as introduced by Senators O'Mahoney and Anderson, would have granted the adjacent coastal States 37½ percent of the revenues from submerged lands of the marginal sea. I would have not object to such a provision, which is similar to existing provisions under which the State receive 37½ percent of the revenues from the Federal Government's oil-producing public lands within their borders.'' In his veto statement, it is clear that President Truman did not support giving coastal States revenue from the Outer Continental Shelf.

In the end, the coastal States received much more generous compensation than the provision offered by Senators O'Mahoney and Anderson and President Truman. When President Eisenhower signed the Submerged Lands Act, the coastal States were given title to and ownership of the lands beneath the territorial seas and the right to manage the natural resources within the States' boundaries. This law gave the States 100 percent of the revenue from coastal drilling in State waters. Importantly, the law affirmed the Federal Government's ownership in lands seaward of the State boundaries. Revenues from Outer Continental Shelf drilling belong to the American people in all 50 States. The legislation that the Senate is considering today violates this pact with the American people, and denies the Federal Treasury and American people of essential revenue to address the needs of our Nation it violates. It also is contrary to our national motto, E pluribus unum, from many one. Revenues from Federal resources should, and must, benefit all Americans.

Lastly, I believe this bill is not responsible environmental policy. The bill threatens our coastal ecosystems with the risk of pollution and oilspills which will harm the economies and families that rely on these resources. Unfortunately, the Senate is likely to pass this bill. This will pave the way for the Senate bill to be conferenced with H.R. 4761, the Deep Ocean Energy Resources Act. This legislation would lift the moratorium on offshore drilling for all of our coastlines the Atlantic, Pacific, Gulf of Mexico, and Alaska—and, it would allow drilling for oil and gas in coastal national parks and marine sanctuaries. This would put our coastal communities at risk to oilspills, onshore damage of sensitive coastal habitat, and air and water pollution.

Oil is extremely toxic and our current cleanup methods are incapable of removing more than a small fraction of the oil spilled into our marine waters. Offshore drilling platforms and pipelines spilled 1.8 million gallons of oil in U.S. waters from 1990 to 1999, for an average of 500 gallons a day, which causes irreversible harm.

Narragansett Bay and our coast support vital commercial fisheries, tourism important to our economy, and an abundance of wildlife. Our economy and environment are vulnerable to oilspills. My State remembers the devastating effects that the North Cape oil-spill had in southern Rhode Island. Oil spread throughout a large area of Block Island Sound, including Trustom Pond National Wildlife Refuge, resulting in the closure of a 250-square mile area of the sound for fishing. There were hundreds of oiled birds in the weeks following the spill and large numbers of dead lobsters, surf clams, and sea stars were found on area beaches. There was also the World Prodigy oilspill off Newport, RI, which spread over 123 square miles, killing marine life and closing beaches and fishing grounds throughout Narragansett Bay. The spill hit during a peak spawning period. Eggs and larvae of fish and shellfish lobsters, quahogs, tautog, and others—were exposed to the oil as they floated at the surface.

Before opening new lands to development and denying the American people of a great asset and Federal revenues, we need to take meaningful action to reduce our consumption and increase renewable energy supplies. The only way to achieve greater energy independence is to reduce our consumption of fossil fuels overall. This is the energy policy that our Nation deserves, and this is the policy I will continue to fight for. I urge the Senate to reject S. 3711, and instead, pursue the vehicles and rule choices and the clean EDGE legislation that will set America on a true road to energy independence.

Mr. JOHNSON. Mr. President, I am pleased to join my colleagues today in support of legislation that expands access to domestically produced oil and natural gas by opening new areas for exploration in the Gulf of Mexico.

Earlier this spring, the Senate Energy and Natural Resources Committee took action on a similar bill introduced by Senators BINGAMAN and DOMENICI. That bill provided the framework for today's action by garnering an important, early consensus on the need to bring on-line additional gas and oil reserves. As a member of the Senate Energy and Natural Resources Committee, I supported moving that earlier version through the Energy Committee with the goal of lowering energy input costs for agriculture producers, and manufacturers.

This bill strikes an appropriate balance by focusing on Outer Continental Shelf lands located in relative close proximity to the existing infrastructure of natural gas gathering and distribution lines necessary to deliver oil and gas to consumers. When compared to a competing version passed by the House of Representatives that throws long-standing environmental provisions and drilling moratoriums out the window, the Senate bill is a reasoned and responsible bill. I do, however, share the concerns of many other Senators that the final legislation cannot include many of the damaging provisions included in the House of Representatives-passed bill. I will do my best to convince my colleagues in the coming weeks that the best, quickest path toward bringing more than 6 trillion cubic feet of natural gas to market is through a conference report that maintains the key aspects of the Senate bill.

I also want to let my colleagues know that I am determined to ensure that a final bill include additional funds for the Land and Water Conservation Fund, as well as wildlife habitat funding through the Pittman-Robertson Wildlife Restoration Account. I introduced an amendment cosponsored by Senator LINCOLN that seeks to use a portion of the royalties, rents, and bonus bids from Lease Sale 181 South after 2017 for this important purpose. Should Congress make the determination to direct a portion of the royalties from these Outer Continental Shelf lands for the restoration of lands from the Gulf of Mexico producing States, then those revenues should be sufficient to increase the amount dedicated from these leases to the 46 other States of this Nation.

Again, I rise in support of S. 3711 and will vote in favor of this legislation.

Mr. BYRD. Mr. President, during this hot, sultry, high-gas-price summer, I urge the American people to take a minute to observe the U.S. Senate. Take just a few minutes from the daily challenges of coping with the kids, driving them from camp to soccer grounds, going to church, worrying about how to cobble together enough money to manage even a brief family outing, and watching nightly news coverage of the Middle East imploding to focus, just briefly, on what is happening, or rather not happening, on this Senate floor.

Instead of working to pass necessary legislation like the 11 remaining appropriations bills, which are now jammed up and waiting for movement like the cars in a typical rush hour on the Washington beltway, we are engaged in yet another leadership-driven message dance. These fandangoes feature bills which are meant to drive home political points to the unsuspecting American voter.

The latest entry in this catalog of message bills is S. 3711, the Gulf of Mexico Energy bill, a bill cobbled together by the majority and then presented to the full Senate to vote on without opportunity for amendments.

To anyone in these United States who is tempted to swallow the line that this sham bill now on the Senate floor is a solution to high petroleum and natural gas prices, I say think

again. Desperate politicians eager to invent a vote which can serve as the 30-second add solution to the hot-button issue of high energy prices are out to hoodwink the public again, this time with this very bad idea.

Well, this Senator is very weary of message bills that lie to the public. Here is the plain truth about the U.S. supply of oil and the world supply of oil. We are running out, and we will reach that peak in oil in the not-too-distant future. U.S. production peaked 30 years ago. That is why the U.S. imports two thirds of the oil it consumes, and that consumption is about 20 million barrels per day. As far as U.S. supplies go, if the United States were, for some reason, suddenly dependent on only our own supply, we would hit empty very soon. That is the cold, hard truth. There isn't much oil left to pump in these United States, and pumping it will not make one iota of difference in the price of gasoline, because oil is a global commodity and is bought and sold on the international market.

After the oil is gone, the fuel of choice is another finite source natural gas. Who leads the race in that new energy game? None other than nations such as Russia and Iran, because they are the top two global natural gas reserve holders. If that makes you sleep well at night or suggests to you the emergence of lower energy prices, I would have to say I beg to disagree.

The only course of action which will lead to lower, more reliable, more secure energy and energy prices is a strong national commitment to investing in greater energy efficiency and developing alternate energy sources—and the sooner we get started the better.

The President likes to say that the solution to high gas prices is to build more refineries. I do not disagree that it would be useful to build more refineries because we have not built any since the 1970s. However that is not a short-term solution, nor is it a simplistic, long-term solution to high gas prices. It takes too long to build refineries for refineries to be a short-term solution. And we are running out of oil, so refineries cannot be a long-term solution.

The solution, of course, is the development of a variety of alternative energy sources. Crude oil currently costs something like $74 per barrel, and that price will certainly go up. Nuclear power plants can be hazardous, especially in this age of terrorism. Clean coal liquefaction technologies are promising because the good ole U.S. of A. is by far the global leader in proven coal supplies. Remember that half of all U.S. electric power comes from coal. But, there has been no real robust commitment to clean coal technologies, industrial gasification, and coal liquefaction by this administration.

Yet this bill—this message bill—this bumper sticker solution to American distress over high gas prices is a pathetic attempt to foist a fake promise upon the people, which the American people ought not swallow. It will do little or nothing to bring down gas prices or natural gas costs. It is also just very bad legislation. Let me tell you why.

This proposed offshore drilling in Florida waters is not worth the environmental risk. The total amount of oil which could be extracted from this new drilling will equal around 55 days of American consumption at current usage rates. Consider also the time it will take to develop this region—to deploy the rigs, pump, refine, and transport these products, and anyone who cogitates for just 30 seconds will clearly see that this drilling will do nothing to bring down gas prices in the near term.

Furthermore, the generous revenue sharing plan aimed at buying the votes of coastal State Senators could well have an impact on our future Federal funding needs. The robust payments to just four Gulf-producing States which will not be offset by the oil and gas generated by this new offshore drilling could cause holes in the Federal treasury which would impact programs that would benefit States like West Virginia.

This bill is a bad deal for State and 45 other States, which can offer alternative fuels to blunt our dependence on oil. We are not allowed to consider amendments to this bill. A yes vote for this bill does nothing to help coal, ethanol, solar, and wind technologies because it propagates the myth of continued dependence on oil and gas. A yes vote lies to the American public, because it says Joe Citizen can continue economically drive a gas powered automobile if only we drill a few more holes in the fragile gulf coast shoreline.

A yes vote on this bill says to the American public, don't bother to increase energy efficiency or produce alternative fuels. It says don't push the powers that be to stop gauging and start producing transportation that does not depend on a dwindling supply of scarce and ever increasingly expensive oil.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The time until 5 p.m. is equally divided. The minority side currently has 53 minutes, and the majority side has 25 minutes.

Mr. LEAHY. Mr. President, if somebody comes, I will be willing to enter into a different consent agreement, if somebody comes seeking the floor on the other side, but I ask unanimous consent to speak for up to 10 minutes as in morning business but with the time to be running as it normally would.

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

(The remarks of Mr. LEAHY are printed in today's RECORD under "Morning Business.")

Mr. LEAHY. 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. DAYTON. 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. DAYTON. Mr. President, I rise today to speak on an amendment I would have offered to the energy legislation that is before us. It should be my right as a Senator to offer such an amendment. It should be the right of any Senator to offer an amendment to legislation pending before the Senate.

Unfortunately, because of parliamentary maneuvering by the majority leader, Senators, including myself, will not be able to offer our amendments to this offshore drilling legislation. In the Senate vernacular, "the tree has been filled" with such gimmicks as changing the bill's effective date and then changing it back again. Those gimmicks restrict this legislation to being nothing more than a special interest boondoggle for the oil and natural gas industries, and for four Gulf States that would, for the first time, get a direct cut of that bonanza.

It is one thing to limit debate on a measure, as the Senate has chosen to do in this instance, and even though I voted against cloture, I can understand the desire of over 60 colleagues to proceed; but to prevent additional amendments related to our country's domestic energy production and consumption is uncalled for and unwise.

It makes a mockery of the Republican leader's promise on May 1 of this year, 3 months ago, that the Senate would vote this year on comprehensive energy legislation. His exact words were:

> We [the Republican leadership] have presented a strong package that will give consumers relief at the pump and help bring down the high cost of gas. I'm hopeful that we will vote on this package in the coming days.

As we all know, the remaining days in this Congress are coming and going. In fact, they are almost gone. If the Senate were going to take up the Republican energy package or a Democratic energy package or, best of all, an American energy package, this would seem to be our chance to do so. Instead, we get a special interest boondoggle, and we are not even allowed to offer amendments that could make it the comprehensive energy bill the Republican leader promised us.

This bill's authors have entitled it the Gulf of Mexico Energy Security Act of 2006, but that title says our future energy security is more of the same—more of the same energy sources at ever higher prices, with ever greater profits to the major oil and gas companies, and, for the first time, with 37.5 percent of the public revenues going to

only four Gulf States. Under this legislation, 50 percent of the public revenues would go into the Federal Treasury, 12.5 percent would go to all of the States under the LAWCON program. As I said before, 37.5 percent would go directly to the four States—Louisiana, Texas, Alabama, and Mississippi.

This virtually unprecedented arrangement is a great deal for those four States. No wonder their eight Senators strongly support it. I have to begrudgingly congratulate the Senators from Louisiana, Texas, Alabama, and Mississippi. They have done an excellent job in writing this legislation to benefit their States. So I certainly understand their support for this brand of revenuesharing.

What I don't understand is why the other 92 of us would agree to it. The offshore waters of the Gulf Coast belong to all Americans, as do the Atlantic and Pacific Oceans, the Great Lakes, and other national resources. This is a terrible precedent—to allow a few States to benefit at the expense of the rest simply because of their proximity to a national resource—not their ownership of it, just the proximity to it. If Congress opens this door, watch for the stampede of parochial claims for a cut of every other Federal natural resource.

Also sadly lacking from this bill is any kind of windfall profits tax on the major oil companies that are its principal beneficiaries. It is appalling that, at a time when Americans are paying $3 or more a gallon for gasoline and the oil giants such as ExxonMobil are enjoying record high profits, there is no attempt in this bill to recapture any of those profits for the American people or for the public purposes that would benefit them.

This legislation opens a public resource, gift wraps most of its value, and hand delivers billions and billions of those dollars to special corporate interests at the expense of the American citizens in 46 States. How the elected representatives of those 46 States could allow this to happen is astonishing. I hope the residents of those States will demand some answers. Those citizens should also ask why nothing in this so-called Energy Security Act provides any energy security at all. At best, it will provide a relatively small additional supply of oil and natural gas for a relatively few years starting, at best, several years from now, supplies for which consumers will likely pay even higher prices than they are today.

Someone once said the definition of insanity is to keep doing the same thing and hope for a different result. If so, this continuation of a national energy strategy is insane. We cannot produce our way to energy self-sufficiency when consumers have no alternatives to those traditional energy sources. This bill does nothing to provide Americans with any of those energy alternatives—not today, tomorrow, or 10 years from now. None of us in the Senate are being given the opportunity to offer any of those alternatives to this bill.

Mr. President, I have introduced legislation that would encourage the additional production and use of biofuels, specifically ethanol and biodiesel. My amendment to this bill would help give more Americans a choice every time they fill up their fuel tanks between gasoline or diesel and lower cost alternatives, such as E–85, comprised of 85 percent ethanol, biodiesel made out of soybeans, and other agricultural commodities, and even out of animal renderings.

These energy sources are not buried under miles of water or ocean floor located miles and miles away. They are right in our agricultural States. They are renewable every year. They are cleaner burning than traditional fossil-based fuels and they provide additional boosts to farmers in rural communities around the Nation, where local economies depend upon a healthy agricultural economy. They boost the market prices in the marketplace for those commodities, meaning they lower taxpayer subsidies. It is a win-win-win for all Americans; yet we are not allowed to offer these additional kinds of incentives and expansion of these and other energy fuels, conservation, and other ways that we can truly enhance our energy security.

For those reasons, I oppose this legislation and, most of all, I oppose the tactics used in this bill to prevent it from becoming what it should be, what the American people need and certainly deserve, which is comprehensive energy legislation that will provide real energy security for our country, lower cost energy supplies now and for years to come.

I yield the floor.

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. MCCONNELL. 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. MCCONNELL. Mr. President, I wish to take a moment to congratulate the Senate in advance of a vote at 5 o'clock which is going to demonstrate the Senate at its best—a bipartisan accomplishment of extraordinary importance, particularly to the area of the country that the occupant of the chair represents. I know Senator VITTER has for many years wanted to achieve something related to the gulf coast deepwater exploration issue that would benefit his State. We are on the verge of having that remarkable success.

Particular kudos to Senator DOMENICI, the chairman of the Energy Committee, who was absolutely indispensable in pulling together the various elements that did come together for this bipartisan accomplishment; Senator MEL MARTINEZ of Florida, who protected the coastline of his State while still helping to lead the way in a direction that allowed this compromise to go forward; Senator LANDRIEU for delivering a significant number of Democrats who were, of course, needed in order to make this a bipartisan proposal; and to all of the Gulf Coast States as well as all the other Senators whose States will indeed benefit from the Land and Water Conservation Fund.

As I said, this is the Senate at its finest. I congratulate all those who have been integral parts of bringing about this important bipartisan achievement.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Ms. LANDRIEU. Mr. President, this truly is going to be quite a vote in just a few minutes as the Senate has decided to have a vote at 5 o'clock on the Gulf of Mexico Energy Independence Act.

Mr. President, you have been particularly helpful in putting this bill together, along with other gulf coast Senators.

I wanted to come to the floor to thank so many people who have helped to make this bill possible. It was many months in the working, many, many negotiations and meetings that went on to produce a bill that is not only going to be of extraordinary help to the great State of Louisiana and to all the Gulf Coast States as we try to restore our coastline, restore our marshlands, stop the erosion, and build the levees and the floodgates that are so imperative and critical to the protection of our people, our communities, large and small, but it is also a bill that is so important for this Nation as we seek to increase the supply of oil and gas produced in this country so we don't have to rely on oil and gas coming in from unfriendly and unstable places.

It took a tremendous amount of work for this bill to be put together. I begin by thanking particularly Senator DOMENICI who, as the chairman of the Committee on Energy and Natural Resources for many years, has served as ranking member for some of those years, has led on the issue of energy in almost every aspect, trying to help us increase supply, diversify supply, and come together on conservation measures that are important for the Nation.

I also thank Senator HARRY REID, the Democratic leader. Without his support, we would not have been able to get the Democratic votes necessary to join in a bipartisan spirit to provide revenuesharing for the Gulf Coast States, to establish for the first time a real conservation royalty for the Land and Water Conservation Fund, and in a great way contribute to the reduction

of the deficit by encouraging production where we can get new production, therefore generating more revenues for the Nation. Senator HARRY REID is from Nevada, a State that has produced great natural resources for the country. He understands the balance in this policy.

I thank Senator BILL FRIST and Senator MITCH MCCONNELL. Senator DOMENICI is in the Senate now. He is scheduled to speak, so I will wrap up. I thank Senator BILL FRIST and Senator MITCH MCCONNELL for helping to pull the Senate together to keep us working on this good, balanced compromise.

I thank the Senators from the gulf coast, of course, including the Presiding Officer, the Senator from Louisiana, as well as Senator LOTT, Senator SHELBY, Senator SESSIONS, Senator COCHRAN, Senator HUTCHISON, and Senator CORNYN. None of this would have been possible without the gulf coast Senators coming together and agreeing how to share the money, how to proceed. I thank the Senators from Florida, Senator MARTINEZ and Senator NELSON, as well.

There is a list of staffers I will have printed in the RECORD, starting with my own staff, Janet Woodka, legislative director; Jason Matthews; Tom Michels; Elizabeth Craddock; and Ron Faucheaux; a list of staffers representing all the Senators who were instrumental in the passing of this bill. I thank them very much, particularly Frank Macciorola with Senator DOMENICI and the Senate Energy and Natural Resources Committee who led this effort with Bruce Evans. It would not have been possible without the help of Libby Jarvis from Senator FRIST's office.

The staff have put in the long hours and I thank them for all of their hard work. That staff includes: Chris Miller, Senator REID; Frank Macciorola, Senator DOMENICI, Senate Energy Committee; Bruce Evans, Senator DOMENICI, Senate Energy Committee; Libby Jarvis, Senator FRIST; Kyle Simmons and Malloy McDaniel, Senator MCCONNELL; Jim Sartucii and Annie Estrada, Senator LOTT; Garrett Graves, Senator VITTER; Ryan Welch, Senator SHELBY; Marie Thomas, Senator COCHRAN; Jamie Moore, Senator HUTCHISON; Spencer Chambers, Senator CORNYN; Dan Shapiro and Bridget Walsh, Senator BILL NELSON; Brydon Ross, Senator MARTINEZ; Stephen Boyd, Senator SESSIONS.

I also thank all of my staff—they have all worked hard over the years—and in particular, my energy team: Tom Michels, Elizabeth Craddock, Janet Woodka, Jason Matthews, and Ron Faucheaux.

Any my former staff-who have laid the groundwork and built this issue up over the past 10 years to get us to where we are today—most notably Jason Schendle, who has been a tremendous resource and advocate, Kathleen Strottman, Dionne Thomas, and Neil Naraine.

Finally, I thank Senator J. Bennett Johnston, whose seat I now occupy and my great friend, Senator John Breaux.

I see Senator DOMENICI in the Senate. I thank him for his extraordinary leadership in helping the Nation break through on new drilling for the first time in many decades.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I thank the distinguished Senator from Louisiana for her kind remarks and for her great support in this effort.

The junior Senator from Louisiana, who is the Presiding Officer, I thank now for the support and dedicated commitment to what we are doing. It is not only for the State of Louisiana, but for all the coastal States surrounding Louisiana. It is very important for the United States. I commend the Senator for his participation.

I would like to thank a Senator who was vital. He was courageous. He stepped forward, as Senators from Florida have not been used to doing. That was Senator MEL MARTINEZ, who came forward and said: I would like to work with you. And he ended up striking a balance for his people of Florida and for America. And he, along with the others we have mentioned, got us going.

It has been a pleasure taking this job on and to end up tonight, 10 minutes before the vote, with the full appreciation on the part of scores of Senators that we are about to do something very positive, very important. For a change, very few Senators will still have to say no. Most of the time it is hard to get 60 votes for cloture. Many times it is hard to get that 51 needed for a simple majority.

Over the weeks, and finally over the days, the point has come across to the bipartisan Senators in this Senate, this bill is welcome news for the consumers of the United States, for homeowners, families, people who work in all kinds of manufacturing businesses, chemical businesses, plastic businesses, all kinds of activities related to natural gas. Of course, there is oil involved, too, but that is secondary to the natural gas which is also involved.

It has finally dawned on everyone here, we own a piece of property. It has USA stamped all over it. It is off the coast of Florida, off the coast of Louisiana, Mississippi, Alabama, out there in the gulf. There are roughly 6 trillion cubic feet of natural gas owned by us, much of which is ready to be drilled, much of which can be drilled during the next decade. There is enough gas for 6 million houses for 15 years, to quantify it. That does not mean that is where it is going. It will be added to the availability of the supply and 1.250 billion barrels of oil. It has finally dawned on everyone. Now we will get their vote. That is all on our property. We have been sitting idly by, year after year, saying no, no, no, because we want a moratorium to protect something that needed no protection, the shoreline of Florida. I don't mean that literally. I mean we can drill on this property as provided in this bill with no damage yet, after we have sat here year after year saying no.

It does not happen very often, I say to my distinguished assistant Republican leader, but at the very time and day that we are voting, the best evidence you can get is right on the streets, in the homes, and on the television news for the American people to hear, see, and, incidentally, feel: We have had these enormous heat waves and the use of natural gas has jumped so much. That creates a scarcity; that creates an increase in price. Yesterday, the day before this vote, the price increased 11 percent in 1 day. Right now, it is $8.05 per million Btus. That price is four times higher than it was 6 years ago. That is incredible, but it is true.

Fellow Senators, when you vote tonight to add 1.2 million barrels, if this went to the President and got signed, we instantly add it to the ready reserves of America for crude oil waiting to be drilled and put into the system. Members would be voting to instantly add to our ready reserves of natural gas which we could start getting on the market in the not too distant future, almost 6 trillion cubic feet.

We have a crisis right in front of our nose and we have a partial cure right in front of our nose, but this time we decided we would go ahead and do it, not continue to say no and to worry ourselves to death over what could happen. This could happen, that could happen, do we need it, should we do it. That is what has happened in the United States recently when we are trying to make energy decisions. We do not want to recognize that there is a bit of a risk, but you have to take a bit of a risk for a big benefit. In this case, it is a very minimum risk and a very big benefit.

I am particularly pleased in this bill we are reinvesting in our environment. For decades, our coastal States have produced much of the oil and gas which the Nation consumes. They no longer sit back and go along with leasing without compensation needed for their infrastructure, the coastal environment. It is so critical to our domestic energy survival. We have changed direction and said ''share it with them.'' That is a good idea, a new precedent which we need not be embarrassed about.

We also have said we want to share some of this wealth with the Land and Water Conservation Fund, a very good national program. We have not done that before. That, too, is good precedent, good ground to break, and sets us on a good path.

For those who worry, again, about that and about sharing with the States, I regret if that concerns them so much they will not vote for this bill. I am very sorry about that. In this case, the benefits so outweigh the risks of changing policy or changing direction

that we should have a stampede, not a vote, when it comes time to count.

I am not going to do justice to all those who helped me by mentioning them all because I will not get to it. That is probably my mistake. I thank my friend and colleague from the State of Louisiana who is here in the Senate. She started working with me early as a member of the committee. Obviously, Senator VITTER, also, from Louisiana, an early participant. I thank him greatly for his efforts, as well as all the coastal State Senators. I also thank the distinguished leaders on our side who encouraged and urged passing. In fact, I would say about my good friend from Kentucky, I think he thought more about my proceeding to get this done than I did a few weeks ago. He kept saying it was a great day, get along with it, PETE, let's do it. So we are doing it.

This is a good bill. It took a little effort. It took a little time. Nonetheless, compared with other bills around here these days, it is not going to go to the graveyard. It is not going to die because Senators were able to talk the Senate into voting again to delay or kill a bill. They have not been able to do that on this bill. We are grateful.

The American people ought to know that even with the hurdle of 60 votes which was required because of filibuster threats on this bill, we prevailed. We have learned also that when we vote tonight, I think we only need 51 votes for a change. That is a very good sign. Finally, we are at a point where a 51-vote majority would win. We thought it was that way all the time, but it wasn't. Finally, after all the hurdles, we will have many more than that, but this is going to pass.

For those who are watching, we are at a point where that old-fashioned majority would be enough. We learned about the majority in school. It has been thrown out the window because there is so much politicking going on. Every vote is 60 votes around here. In the next few years we will have a few more of those, Mr. Leader, with the tax bill, and it will be 60 votes because someone is screaming filibuster.

I used to think filibusters were great when I first came to the Senate. Then I almost changed and said: Throw them away. I don't know where I am now. I do know I am for using part of the Budget Act to get around filibusters.

Mr. FRIST. Are you filibustering me right now?

Mr. DOMENICI. I am through. It will be a nice evening. I am going to go back and sit down. Thank you, Senator FRIST, for helping me. I want you to thank me for letting you have a happy day for a change.

I yield the floor.

The PRESIDING OFFICER (Mr. ALEXANDER). The majority leader is recognized.

Mr. FRIST. Mr. President, I do thank my distinguished colleague, who about 2 months ago said, we can do this, we can do it for the American people. It was at a time where it looked as though this Senate could not come together to address one of the more fundamental issues that the taxpayer, the American consumer, sees every day; that is, the price of gas, the price of consumer products that go up because of the natural gas required to make that product.

We have addressed it in a bipartisan way: Senator DOMENICI, Senator LANDRIEU, Senator MARTINEZ, Senator VITTER—the Gulf State Senators—my distinguished colleague, the assistant majority leader, who was there every second of the way, through meeting after meeting, as we worked through the many, many details in what was really pioneering work in many ways, opening up the deep sea energy exploration, with the sharing of revenues coming in and what the appropriate amount should be. So I do thank all of them.

I have to come back to Senator DOMENICI and him just looking them in the eye and saying: It can get done. I know elections are coming, and I know there is partisanship, people want to slow the place down, but we are going to do it. To have it done means a lot.

''The increase in energy prices is clearly making the economy worse off. . . .'' If oil prices continue to rise, there will be ''significant consequences'' for the economy. That was the testimony delivered by Federal Reserve Bank Chairman Ben Bernanke earlier this month before the House Committee on Financial Services.

When I look at the evidence, I cannot help but agree. Right now, Americans are paying, on average, $3 per gallon for regular unleaded gasoline. Right now, 60 percent of the oil we consume comes from overseas, from foreign countries. Right now, we are on track to a future where the demand for petroleum more than doubles our supply here at home—more than doubles our domestic supply. And right now, the price of natural gas for American consumers and industries, as of this morning, is $8.05 per million Btu, and that is six times as much as the price in countries competing for American jobs.

What do all these numbers mean? We hear the numbers a lot on the floor. What it translates into for that average consumer, that typical consumer, is higher cooling bills for their homes, higher heating bills in other seasons, higher prices for products made with natural gas, and higher prices for farm produce.

They mean manufacturing jobs lost in America. When U.S. companies have to pay more for the energy they need, it makes it harder for them to compete in the global marketplace, and it results in jobs being lost to overseas, facilities being shipped overseas. The National Association of Manufacturers estimates that more than 3.1 million high-wage manufacturing jobs have been lost just in the last 6 years, largely as a result of high energy prices. Of more than 120 world-scale chemical plants under construction across the globe, only one is being built here at home.

The high cost of natural gas is hurting farmers. Over the last 3 days, over the weekend, I spent a lot of time with farmers, actually, in North Carolina, in Tennessee, and in Iowa, and the No. 1 issue from the farmers was the high price of fertilizer because of the natural gas to make that fertilizer.

It is hurting the forest and paper products industry. Mr. President, 267 mills have closed and 189,000 jobs have been lost since this runup in natural gas prices over the last 6 years.

You put all those numbers together, and they point to a clear conclusion. It is the exact same conclusion of Ben Bernanke, Chairman Bernanke: America is dangerously dependent on foreign sources of energy, and it is hurting our economy. It hurts our consumers.

Last year, Congress began to address this problem, under the leadership of PETE DOMENICI, once again, by passing a comprehensive energy bill. I do not think anybody realized at the time how comprehensive that bill was, how important, how timely that bill was. Again and again it had been obstructed from the other side of the aisle, but under his leadership we passed it.

What has happened just in the last 12 months? Because of that Energy bill, 27 new ethanol plants have broken ground, and 150 more are in the works. Because of that Energy bill, the amount of ethanol and biodiesel we use in our gasoline will more than double over the next 6 years, and that will save 80,000 barrels a day. Because of the Energy bill we passed, 401 new E–85 pumps have been installed. Because of that Energy bill we passed a year ago, the nuclear industry is planning to build 25 new reactors in the United States, and that is enough to boost 15 million households with power with that clean, emission-free energy. Because of that Energy bill, 120 clean-coal facilities are in the planning stages—enough to replace 2 million barrels of oil a day by the year 2025. And because of the Energy bill—as I was flying across the country, I looked out and saw those windmills out there—wind power, solar power, and hydrogen fuel cells all got a shot in the arm.

The Energy bill we passed a year ago was only part of the solution. The bill we will pass here shortly is that next critical step. And there will be other steps, as so many of my colleagues who have said ''I have a great idea'' have demonstrated. But the bill we have today will reduce our dependence on foreign oil and natural gas by opening 8 million acres in the gulf for domestic exploration. The area opened under this bill is estimated to contain 1.26 billion barrels of oil and over 5.8 trillion cubic feet of natural gas. As has been said, that is roughly the same amount of oil as the proven reserves of Wyoming and Oklahoma combined, and more than six times our current imports of liquefied natural gas each year.

This bill will substantially reduce our dependence on foreign sources of oil and gas. It increases our energy independence. It strengthens our national security. And it helps to reduce the cost of living for every American consumer. It will have a direct impact on the prices consumers pay at the pump and on their power bills each month.

Mr. President, now more than ever America needs American energy. That is what the bill before us does. It brings more American energy to American consumers.

Let me just close once again in thanking Chairman DOMENICI, Senator MARTINEZ, Senator LANDRIEU, Senator VITTER—all the Senators from the gulf coast—and, as I said earlier, especially the assistant majority leader, Senator MCCONNELL, for his leadership.

I know this bill will receive broad bipartisan support. And when we begin that vote here shortly, it will move us one step closer to lowering energy prices for all Americans.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENTS NOS. 4713 AND 4714, WITHDRAWN

The PRESIDING OFFICER. Under the previous order, the amendments are withdrawn.

The question is on the engrossment and third reading of the bill.

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

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Kentucky (Mr. BUNNING).

Further, if present and voting, the Senator from Kentucky (Mr. BUNNING) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Montana (Mr. BAUCUS), the Senator from Massachusetts (Mr. KERRY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

I further announce that if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''no.''

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

The result was announced—yeas 71, nays 25, as follows:

[Rollcall Vote No. 219 Leg.]

YEAS—71

Alexander	Burns	Coburn
Allard	Burr	Cochran
Allen	Carper	Coleman
Bennett	Chafee	Collins
Bond	Chambliss	Conrad
Brownback	Clinton	Cornyn
Craig	Isakson	Rockefeller
Crapo	Johnson	Salazar
DeMint	Kohl	Santorum
DeWine	Kyl	Schumer
Dole	Landrieu	Sessions
Domenici	Levin	Shelby
Dorgan	Lincoln	Smith
Ensign	Lott	Specter
Enzi	Lugar	Stabenow
Frist	Martinez	Stevens
Graham	McCain	Sununu
Grassley	McConnell	Talent
Gregg	Murkowski	Thomas
Hagel	Nelson (FL)	Thune
Hatch	Nelson (NE)	Vitter
Hutchison	Pryor	Voinovich
Inhofe	Reid	Warner
Inouye	Roberts	

NAYS—25

Akaka	Durbin	Mikulski
Bayh	Feingold	Murray
Biden	Feinstein	Obama
Bingaman	Harkin	Reed
Boxer	Jeffords	Sarbanes
Byrd	Kennedy	Snowe
Cantwell	Lautenberg	Wyden
Dayton	Leahy	
Dodd	Menendez	

NOT VOTING—4

Baucus	Kerry
Bunning	Lieberman

The bill (S. 3711) was passed, as follows:

S. 3711

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 ''Gulf of Mexico Energy Security Act of 2006''.

SEC. 2. DEFINITIONS.

In this Act:

(1) 181 AREA.—The term ''181 Area'' means the area identified in map 15, page 58, of the Proposed Final Outer Continental Shelf Oil and Gas Leasing Program for 1997–2002, dated August 1996, of the Minerals Management Service, available in the Office of the Director of the Minerals Management Service, excluding the area offered in OCS Lease Sale 181, held on December 5, 2001.

(2) 181 SOUTH AREA.—The term ''181 South Area'' means any area—

(A) located—

(i) south of the 181 Area;

(ii) west of the Military Mission Line; and

(iii) in the Central Planning Area;

(B) excluded from the Proposed Final Outer Continental Shelf Oil and Gas Leasing Program for 1997–2002, dated August 1996, of the Minerals Management Service; and

(C) included in the areas considered for oil and gas leasing, as identified in map 8, page 37 of the document entitled ''Draft Proposed Program Outer Continental Shelf Oil and Gas Leasing Program 2007–2012'', dated February 2006.

(3) BONUS OR ROYALTY CREDIT.—The term ''bonus or royalty credit'' means a legal instrument or other written documentation, or an entry in an account managed by the Secretary, that may be used in lieu of any other monetary payment for—

(A) a bonus bid for a lease on the outer Continental Shelf; or

(B) a royalty due on oil or gas production from any lease located on the outer Continental Shelf.

(4) CENTRAL PLANNING AREA.—The term ''Central Planning Area'' means the Central Gulf of Mexico Planning Area of the outer Continental Shelf, as designated in the document entitled ''Draft Proposed Program Outer Continental Shelf Oil and Gas Leasing Program 2007–2012'', dated February 2006.

(5) EASTERN PLANNING AREA.—The term ''Eastern Planning Area'' means the Eastern Gulf of Mexico Planning Area of the outer Continental Shelf, as designated in the document entitled ''Draft Proposed Program Outer Continental Shelf Oil and Gas Leasing Program 2007–2012'', dated February 2006.

(6) 2002–2007 PLANNING AREA.—The term ''2002–2007 planning area'' means any area—

(A) located in—

(i) the Eastern Planning Area, as designated in the Proposed Final Outer Continental Shelf Oil and Gas Leasing Program 2002–2007, dated April 2002, of the Minerals Management Service;

(ii) the Central Planning Area, as designated in the Proposed Final Outer Continental Shelf Oil and Gas Leasing Program 2002–2007, dated April 2002, of the Minerals Management Service; or

(iii) the Western Planning Area, as designated in the Proposed Final Outer Continental Shelf Oil and Gas Leasing Program 2002–2007, dated April 2002, of the Minerals Management Service; and

(B) not located in—

(i) an area in which no funds may be expended to conduct offshore preleasing, leasing, and related activities under sections 104 through 106 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Public Law 109–54; 119 Stat. 521) (as in effect on August 2, 2005);

(ii) an area withdrawn from leasing under the ''Memorandum on Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition'', from 34 Weekly Comp. Pres. Doc. 1111, dated June 12, 1998; or

(iii) the 181 Area or 181 South Area.

(7) GULF PRODUCING STATE.—The term ''Gulf producing State'' means each of the States of Alabama, Louisiana, Mississippi, and Texas.

(8) MILITARY MISSION LINE.—The term ''Military Mission Line'' means the north-south line at 86°41′ W. longitude.

(9) QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—

(A) IN GENERAL.—The term ''qualified outer Continental Shelf revenues'' means—

(i) in the case of each of fiscal years 2007 through 2016, all rentals, royalties, bonus bids, and other sums due and payable to the United States from leases entered into on or after the date of enactment of this Act for—

(I) areas in the 181 Area located in the Eastern Planning Area; and

(II) the 181 South Area; and

(ii) in the case of fiscal year 2017 and each fiscal year thereafter, all rentals, royalties, bonus bids, and other sums due and payable to the United States received on or after October 1, 2016, from leases entered into on or after the date of enactment of this Act for—

(I) the 181 Area;

(II) the 181 South Area; and

(III) the 2002–2007 planning area.

(B) EXCLUSIONS.—The term ''qualified outer Continental Shelf revenues'' does not include—

(i) revenues from the forfeiture of a bond or other surety securing obligations other than royalties, civil penalties, or royalties taken by the Secretary in-kind and not sold; or

(ii) revenues generated from leases subject to section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)).

(10) COASTAL POLITICAL SUBDIVISION.—The term ''coastal political subdivision'' means a political subdivision of a Gulf producing State any part of which political subdivision is—

(A) within the coastal zone (as defined in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453)) of the Gulf producing State as of the date of enactment of this Act; and

(B) not more than 200 nautical miles from the geographic center of any leased tract.

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

SEC. 3. OFFSHORE OIL AND GAS LEASING IN 181 AREA AND 181 SOUTH AREA OF GULF OF MEXICO.

(a) 181 AREA LEASE SALE.—Except as provided in section 4, the Secretary shall offer the 181 Area for oil and gas leasing pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) as soon as practicable, but not later than 1 year, after the date of enactment of this Act.

(b) 181 SOUTH AREA LEASE SALE.—The Secretary shall offer the 181 South Area for oil and gas leasing pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) as soon as practicable after the date of enactment of this Act.

(c) LEASING PROGRAM.—The 181 Area and 181 South Area shall be offered for lease under this section notwithstanding the omission of the 181 Area or the 181 South Area from any outer Continental Shelf leasing program under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344).

(d) CONFORMING AMENDMENT.—Section 105 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Public Law 109–54; 119 Stat. 522) is amended by inserting ''(other than the 181 South Area (as defined in section 2 of the Gulf of Mexico Energy Security Act of 2006))'' after ''lands located outside Sale 181''.

SEC. 4. MORATORIUM ON OIL AND GAS LEASING IN CERTAIN AREAS OF GULF OF MEXICO.

(a) IN GENERAL.—Effective during the period beginning on the date of enactment of this Act and ending on June 30, 2022, the Secretary shall not offer for leasing, preleasing, or any related activity—

(1) any area east of the Military Mission Line in the Gulf of Mexico;

(2) any area in the Eastern Planning Area that is within 125 miles of the coastline of the State of Florida; or

(3) any area in the Central Planning Area that is—

(A) within—

(i) the 181 Area; and

(ii) 100 miles of the coastline of the State of Florida; or

(B)(i) outside the 181 Area;

(ii) east of the western edge of the Pensacola Official Protraction Diagram (UTM X coordinate 1,393,920 (NAD 27 feet)); and

(iii) within 100 miles of the coastline of the State of Florida.

(b) MILITARY MISSION LINE.—Notwithstanding subsection (a), the United States reserves the right to designate by and through the Secretary of Defense, with the approval of the President, national defense areas on the outer Continental Shelf pursuant to section 12(d) of the Outer Continental Shelf Lands Act (43 U.S.C. 1341(d)).

(c) EXCHANGE OF CERTAIN LEASES.—

(1) IN GENERAL.—The Secretary shall permit any person that, as of the date of enactment of this Act, has entered into an oil or gas lease with the Secretary in any area described in paragraph (2) or (3) of subsection (a) to exchange the lease for a bonus or royalty credit that may only be used in the Gulf of Mexico.

(2) VALUATION OF EXISTING LEASE.—The amount of the bonus or royalty credit for a lease to be exchanged shall be equal to—

(A) the amount of the bonus bid; and

(B) any rental paid for the lease as of the date the lessee notifies the Secretary of the decision to exchange the lease.

(3) REVENUE DISTRIBUTION.—No bonus or royalty credit may be used under this subsection in lieu of any payment due under, or to acquire any interest in, a lease subject to the revenue distribution provisions of section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)).

(4) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall promulgate regulations that shall provide a process for—

(A) notification to the Secretary of a decision to exchange an eligible lease;

(B) issuance of bonus or royalty credits in exchange for relinquishment of the existing lease;

(C) transfer of the bonus or royalty credit to any other person; and

(D) determining the proper allocation of bonus or royalty credits to each lease interest owner.

SEC. 5. DISPOSITION OF QUALIFIED OUTER CONTINENTAL SHELF REVENUES FROM 181 AREA, 181 SOUTH AREA, AND 2002–2007 PLANNING AREAS OF GULF OF MEXICO.

(a) IN GENERAL.—Notwithstanding section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) and subject to the other provisions of this section, for each applicable fiscal year, the Secretary of the Treasury shall deposit—

(1) 50 percent of qualified outer Continental Shelf revenues in the general fund of the Treasury; and

(2) 50 percent of qualified outer Continental Shelf revenues in a special account in the Treasury from which the Secretary shall disburse—

(A) 75 percent to Gulf producing States in accordance with subsection (b); and

(B) 25 percent to provide financial assistance to States in accordance with section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8), which shall be considered income to the Land and Water Conservation Fund for purposes of section 2 of that Act (16 U.S.C. 460*l*–5).

(b) ALLOCATION AMONG GULF PRODUCING STATES AND COASTAL POLITICAL SUBDIVISIONS.—

(1) ALLOCATION AMONG GULF PRODUCING STATES FOR FISCAL YEARS 2007 THROUGH 2016.—

(A) IN GENERAL.—Subject to subparagraph (B), effective for each of fiscal years 2007 through 2016, the amount made available under subsection (a)(2)(A) shall be allocated to each Gulf producing State in amounts (based on a formula established by the Secretary by regulation) that are inversely proportional to the respective distances between the point on the coastline of each Gulf producing State that is closest to the geographic center of the applicable leased tract and the geographic center of the leased tract.

(B) MINIMUM ALLOCATION.—The amount allocated to a Gulf producing State each fiscal year under subparagraph (A) shall be at least 10 percent of the amounts available under subsection (a)(2)(A).

(2) ALLOCATION AMONG GULF PRODUCING STATES FOR FISCAL YEAR 2017 AND THEREAFTER.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), effective for fiscal year 2017 and each fiscal year thereafter—

(i) the amount made available under subsection (a)(2)(A) from any lease entered into within the 181 Area or the 181 South Area shall be allocated to each Gulf producing State in amounts (based on a formula established by the Secretary by regulation) that are inversely proportional to the respective distances between the point on the coastline of each Gulf producing State that is closest to the geographic center of the applicable leased tract and the geographic center of the leased tract; and

(ii) the amount made available under subsection (a)(2)(A) from any lease entered into within the 2002–2007 planning area shall be allocated to each Gulf producing State in amounts that are inversely proportional to the respective distances between the point on the coastline of each Gulf producing State that is closest to the geographic center of each historical lease site and the geographic center of the historical lease site, as determined by the Secretary.

(B) MINIMUM ALLOCATION.—The amount allocated to a Gulf producing State each fiscal year under subparagraph (A) shall be at least 10 percent of the amounts available under subsection (a)(2)(A).

(C) HISTORICAL LEASE SITES.—

(i) IN GENERAL.—Subject to clause (ii), for purposes of subparagraph (A)(ii), the historical lease sites in the 2002–2007 planning area shall include all leases entered into by the Secretary for an area in the Gulf of Mexico during the period beginning on October 1, 1982 (or an earlier date if practicable, as determined by the Secretary), and ending on December 31, 2015.

(ii) ADJUSTMENT.—Effective January 1, 2022, and every 5 years thereafter, the ending date described in clause (i) shall be extended for an additional 5 calendar years.

(3) PAYMENTS TO COASTAL POLITICAL SUBDIVISIONS.—

(A) IN GENERAL.—The Secretary shall pay 20 percent of the allocable share of each Gulf producing State, as determined under paragraphs (1) and (2), to the coastal political subdivisions of the Gulf producing State.

(B) ALLOCATION.—The amount paid by the Secretary to coastal political subdivisions shall be allocated to each coastal political subdivision in accordance with subparagraphs (B), (C), and (E) of section 31(b)(4) of the Outer Continental Shelf Lands Act (43 U.S.C. 1356a(b)(4)).

(c) TIMING.—The amounts required to be deposited under paragraph (2) of subsection (a) for the applicable fiscal year shall be made available in accordance with that paragraph during the fiscal year immediately following the applicable fiscal year.

(d) AUTHORIZED USES.—

(1) IN GENERAL.—Subject to paragraph (2), each Gulf producing State and coastal political subdivision shall use all amounts received under subsection (b) in accordance with all applicable Federal and State laws, only for 1 or more of the following purposes:

(A) Projects and activities for the purposes of coastal protection, including conservation, coastal restoration, hurricane protection, and infrastructure directly affected by coastal wetland losses.

(B) Mitigation of damage to fish, wildlife, or natural resources.

(C) Implementation of a federally-approved marine, coastal, or comprehensive conservation management plan.

(D) Mitigation of the impact of outer Continental Shelf activities through the funding of onshore infrastructure projects.

(E) Planning assistance and the administrative costs of complying with this section.

(2) LIMITATION.—Not more than 3 percent of amounts received by a Gulf producing State or coastal political subdivision under subsection (b) may be used for the purposes described in paragraph (1)(E).

(e) ADMINISTRATION.—Amounts made available under subsection (a)(2) shall—

(1) be made available, without further appropriation, in accordance with this section;

(2) remain available until expended; and

(3) be in addition to any amounts appropriated under—

(A) the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.);

(B) the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4 et seq.); or

(C) any other provision of law.

(f) LIMITATIONS ON AMOUNT OF DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—

(1) IN GENERAL.—Subject to paragraph (2), the total amount of qualified outer Continental Shelf revenues made available under subsection (a)(2) shall not exceed $500,000,000 for each of fiscal years 2016 through 2055.

(2) EXPENDITURES.—For the purpose of paragraph (1), for each of fiscal years 2016 through 2055, expenditures under subsection (a)(2) and shall be net of receipts from that fiscal year from any area in the 181 Area in the Eastern Planning Area and the 181 South Area.

(3) PRO RATA REDUCTIONS.—If paragraph (1) limits the amount of qualified outer Continental Shelf revenue that would be paid under subparagraphs (A) and (B) of subsection (a)(2)—

(A) the Secretary shall reduce the amount of qualified outer Continental Shelf revenue provided to each recipient on a pro rata basis; and

(B) any remainder of the qualified outer Continental Shelf revenues shall revert to the general fund of the Treasury.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

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

• Mr. KERRY. Mr. President, I was unfortunately not present to vote on final passage of S. 3711, the Gulf of Mexico Energy Security Act of 2006. I would like the RECORD to reflect that had I been present, I would have voted no on both the July 31 vote on the motion to invoke cloture as well as today's vote on final passage of the bill.

This legislation not only fails to address our energy problems, it raids the Federal Treasury and threatens our coastal economies and ecosystems. Opening more of our coastlines to drilling is clearly not the answer to our energy problems, especially given that 80 percent of offshore oil and gas resources are already open to drilling, and oil companies currently hold more than 4,000 untapped leases in the Gulf of Mexico.

Instead of despoiling our shores and perpetuating our dependence on oil, I believe Congress should pursue more environmentally friendly solutions, including investments in efficiency, biofuels, and increased use of renewable energy such as wind and solar power.

Unfortunately, rather than using American ingenuity to advance a new energy future that benefits both the economy and the environment, S. 3711 continues to promote failed policies of the past. It opens 8 million acres of Florida's gulf coast waters to offshore drilling rigs, including more than 6 million acres that are currently protected by the bipartisan moratorium on offshore drilling that has been in place for 25 years. S. 3711 also diverts tens of billions of dollars in offshore drilling revenues from the Federal Treasury and gives the money to just four States.

Furthermore, passing S. 3711 paves the way for a conference with H.R. 4761, the even more harmful House-passed bill that lifts the moratorium on all offshore drilling, including my home State, Massachusetts.

For our coasts, our environment, and our economy, I oppose S. 3711, and instead support real solutions to our energy problems.•

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 532, H.R. 5631. I further ask that the committee-reported substitute be agreed to as original text for the purpose of further amendment, with no points of order waived by virtue of this agreement. I further ask that consideration of the bill be for debate only during today's session.

Further, I ask that it not be in order to file a cloture motion on this bill prior to the adjournment for August. This is the DOD appropriations bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5631) making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2007, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $29,080,473,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $23,186,011,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $9,246,696,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $22,940,686,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,304,247,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,760,676,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $535,438,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent

duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,329,278,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $5,258,080,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $2,369,255,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $11,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $23,980,180,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $6,129,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $30,779,084,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $3,739,862,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $30,053,427,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $19,919,175,000: Provided, That not more than $25,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: Provided further, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: Provided further, That of the funds provided under this heading, not less than $27,037,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: Provided further, That $4,000,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: Provided further, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,158,278,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,275,764,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $208,811,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,624,300,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $4,655,565,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $5,008,392,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $11,721,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $413,794,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $304,409,000, to remain available until transferred: Provided, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $423,871,000, to remain available until transferred: Provided, That the Secretary of the Air Force shall, upon determining that such funds

are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $18,431,000, to remain available until transferred: Provided, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $282,790,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 2557, and 2561 of title 10, United States Code), $63,204,000, to remain available until September 30, 2008.

FORMER SOVIET UNION THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, $372,128,000, to remain available until September 30, 2009: Provided, That of the amounts provided under this heading, $15,000,000 shall be available only to support the dismantling and disposal of nuclear submarines, submarine reactor components, and security enhancements for transport and storage of nuclear warheads in the Russian Far East.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $3,354,729,000, to remain available for obligation until September 30, 2009.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,266,967,000, to remain available for obligation until September 30, 2009.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $2,092,297,000, to remain available for obligation until September 30, 2009.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,948,489,000, to remain available for obligation until September 30, 2009.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; and the purchase of 3 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $7,724,878,000, to remain available for obligation until September 30, 2009.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $10,135,249,000, to remain available for obligation until September 30, 2009.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $2,558,020,000, to remain available for obligation until September 30, 2009.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $799,943,000, to remain available for obligation until September 30, 2009.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program (AP), $784,143,000;

NSSN, $1,775,472,000;

NSSN (AP), $676,582,000;

CVN Refuelings, $954,495,000;
CVN Refuelings (AP), $117,139,000;
SSBN Submarine Refuelings, $189,022,000;
SSBN Submarine Refuelings (AP), $37,154,000;
DD(X), $2,568,111,000;
DDG–51 Destroyer, $355,849,000;
LCS, $300,670,000;
LPD–17 (AP), $297,492,000;
LHA–R, $1,135,917,000;
T-AGS Oceanographic Survey Ship, $117,000,000;
LCAC Landing Craft Air Cushion, $110,692,000;
Prior year shipbuilding costs, $557,849,000;
Service Craft, $45,245,000; and
For outfitting, post delivery, conversions, and first destination transportation, $370,643,000.

In all: $10,393,475,000, to remain available for obligation until September 30, 2011: Provided, That additional obligations may be incurred after September 30, 2011, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: Provided further, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: Provided further, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only, and the purchase of 10 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $4,731,831,000, to remain available for obligation until September 30, 2009.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $1,151,318,000, to remain available for obligation until September 30, 2009.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $11,096,406,000, to remain available for obligation until September 30, 2009.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $3,975,407,000, to remain available for obligation until September 30, 2009.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,046,802,000, to remain available for obligation until September 30, 2009.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only, and the purchase of 2 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $15,510,286,000, to remain available for obligation until September 30, 2009.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only, and the purchase of 5 vehicles required for physical security of personnel, notwithstanding prior limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $2,763,071,000, to remain available for obligation until September 30, 2009.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces, $340,000,000, to remain available for obligation until September 30, 2009: Provided, That the Chiefs of the Reserve and National Guard components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective Reserve or National Guard component.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $68,884,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $11,245,040,000, to remain available for obligation until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $17,048,238,000, to remain available for obligation until September 30, 2008: Provided, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces: Provided further, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $23,974,081,000, to remain available for obligation until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $20,543,393,000, to remain available for obligation until September 30, 2008.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $187,520,000, to remain available for obligation until September 30, 2008.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,345,998,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the

National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $616,932,000, to remain available until expended: Provided, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (that is; engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: Provided further, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: Provided further, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

PENTAGON RESERVATION MAINTENANCE REVOLVING FUND

For the Pentagon Reservation Maintenance Revolving Fund, $18,500,000, to remain available until September 30, 2011.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law, $21,409,863,000, of which $20,544,605,000 shall be for Operation and maintenance, and of which up to $10,887,784,000 may be available for contracts entered into under the TRICARE program; of which $397,355,000, to remain available for obligation until September 30, 2009, shall be for Procurement; and of which $467,903,000, to remain available for obligation until September 30, 2008, shall be for Research, development, test and evaluation.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, ARMY

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions, to include construction of facilities, in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,277,304,000, of which $1,046,290,000 shall be for Operation and maintenance; $231,014,000 shall be for Research, development, test and evaluation, of which $215,944,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program, to remain available until September 30, 2008; and no less than $111,283,000 may be for the Chemical Stockpile Emergency Preparedness Program, of which $41,074,000 shall be for activities on military installations and of which $70,209,000, to remain available until September 30, 2008, shall be to assist State and local governments.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for Operation and maintenance; for Procurement; and for Research, development, test and evaluation, $978,212,000: Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $216,297,000, of which $214,897,000 shall be for Operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which $1,400,000, to remain available until September 30, 2009, shall be for Procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $256,400,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Intelligence Community Management Account, $597,011,000, of which $36,268,000 for the Advanced Research and Development Committee shall remain available until September 30, 2008.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: Provided, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $4,500,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section must be made prior to June 30, 2007: Provided further, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

(TRANSFER OF FUNDS)

SEC. 8006. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: Provided, That transfers may be made between such funds: Provided further, That transfers may be made between working capital funds and the ''Foreign Currency Fluctuations, Defense'' appropriation and the ''Operation and Maintenance'' appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8007. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in session in advance to the congressional defense committees.

SEC. 8008. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: Provided, That no part of

any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: Provided further, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: Provided further, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

C–17 Globemaster;

F–22A;

MH–60R Helicopters;

MH–60R Helicopter mission equipment; and

V–22 Osprey.

SEC. 8009. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8010. (a) During fiscal year 2007, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2008 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2008 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2008.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8011. None of the funds appropriated in this or any other Act may be used to initiate a new installation overseas without 30-day advance notification to the Committees on Appropriations.

SEC. 8012. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8013. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: Provided, That this subsection shall not apply to those members who have reenlisted with this option prior to October 1, 1987: Provided further, That this subsection applies only to active components of the Army.

SEC. 8014. (a) LIMITATION ON CONVERSION TO CONTRACTOR PERFORMANCE.—None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by more than 10 Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b) EXCEPTIONS.—

(1) The Department of Defense, without regard to subsection (a) of this section or subsections (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (41 U.S.C. 47);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) TREATMENT OF CONVERSION.—The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: Provided, That for the purpose of this section manufactured will include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): Provided further, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols.

SEC. 8018. None of the funds appropriated by this Act available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) or TRICARE shall be available for the reimbursement of any health care provider for inpatient mental health service for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: Provided, That this limitation does not apply in the case of inpatient mental health services provided under the program for persons with disabilities under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital

care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 8019. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8020. In addition to the funds provided elsewhere in this Act, $8,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: Provided further, That notwithstanding section 430 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part by any subcontractor or supplier defined in section 1544 of title 25, United States Code or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code: Provided further, That, during the current fiscal year and hereafter, businesses certified as 8(a) by the Small Business Administration pursuant to section 8(a)(15) of Public Law 85–536, as amended, shall have the same status as other program participants under section 602 of Public Law 100–656, 102 Stat. 3825 (Business Opportunity Development Reform Act of 1988) for purposes of contracting with agencies of the Department of Defense.

SEC. 8021. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A–76 if the study being performed exceeds a period of 24 months after initiation of such study with respect to a single function activity or 30 months after initiation of such study for a multi-function activity.

SEC. 8022. Funds appropriated by this Act for the American Forces Information Service shall not be used for any national or international political or psychological activities.

SEC. 8023. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8024. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: Provided, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8025. (a) Of the funds made available in this Act, not less than $35,975,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $25,087,000 shall be available from ''Operation and Maintenance, Air Force'' to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) $10,193,000 shall be available from ''Aircraft Procurement, Air Force''; and

(3) $695,000 shall be available from ''Other Procurement, Air Force'' for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8026. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other non-profit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: Provided, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2007 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2007, not more than 5,517 staff years of technical effort (staff years) may be funded for defense FFRDCs: Provided, That of the specific amount referred to previously in this subsection, not more than 1,050 staff years may be funded for the defense studies and analysis FFRDCs: Provided further, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2008 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by $53,200,000.

SEC. 8027. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: Provided further, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8028. For the purposes of this Act, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives. In addition, for any matter pertaining to basic allowance for housing, facilities sustainment, restoration and modernization, environmental restoration and the Defense Health Program, ''congressional defense committees'' also means the Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives.

SEC. 8029. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: Provided, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A–0976 shall not apply to competitions conducted under this section.

SEC. 8030. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2007. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term ''Buy American Act'' means title III of the Act entitled ''An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes'', approved March 3, 1933 (41 U.S.C. 10a et seq.).

SEC. 8031. Notwithstanding any other provision of law, funds available during the current fiscal year and hereafter for ''Drug Interdiction

and Counter-Drug Activities, Defense'' may be obligated for the Young Marines program.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8032. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–09510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8033. (a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of North Dakota, South Dakota, Montana, and Minnesota relocatable military housing units located at Grand Forks Air Force Base and Minot Air Force Base that are excess to the needs of the Air Force.

(b) PROCESSING OF REQUESTS.—The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of North Dakota, South Dakota, Montana, and Minnesota.

(c) RESOLUTION OF HOUSING UNIT CONFLICTS.—The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) INDIAN TRIBE DEFINED.—In this section, the term ''Indian tribe'' means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–09454; 108 Stat. 4792; 25 U.S.C. 479a–091).

SEC. 8034. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8035. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2008 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2008 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2008 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8036. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2008: Provided, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: Provided further, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2008.

SEC. 8037. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8038. Of the funds appropriated to the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'', not less than $10,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8039. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term ''Buy American Act'' means title III of the Act entitled ''An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes'', approved March 3, 1933 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality-competitive, and available in a timely fashion.

SEC. 8040. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: Provided, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8041. (a) Except as provided in subsection (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program; or

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats.

SEC. 8042. The Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, may use funds made available in this Act under the heading ''Operation and Maintenance, Defense-Wide'' to make grants and supplement other Federal funds in accordance with the guidance provided in the report of the Committee on Appropriations of the Senate accompanying this Act, and the projects specified in such guidance shall be considered to be authorized by law.

(RESCISSIONS)

SEC. 8043. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

''Other Procurement, Army, 2006/2008'', $20,000,000;

''Aircraft Procurement, Navy, 2006/2008'', $40,700,000;

''Shipbuilding and Conversion, Navy, 2006/2010'', $220,000,000;

''Aircraft Procurement, Air Force, 2006/2008'', $141,100,000;

''Missile Procurement, Air Force, 2006/2008'', $100,000,000;

''Other Procurement, Air Force, 2006/2008'', $125,000,000;

''Research, Development, Test and Evaluation, Navy, 2006/2007'', $27,282,000;

''Research, Development, Test and Evaluation, Air Force, 2006/2007'', $92,800,000;

''Research, Development, Test and Evaluation, Defense-Wide, 2006/2007'', $100,000,000;

''Aircraft Procurement, Air Force, 2005/2007'', $107,200,000; and

''Shipbuilding and Conversion Navy, 2005/2009'', $11,245,000.

SEC. 8044. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, the Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8045. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of North Korea unless specifically appropriated for that purpose.

SEC. 8046. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies

and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8047. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: Provided, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8048. Notwithstanding any other provision of law, that not more than 35 percent of funds provided in this Act for environmental remediation may be obligated under indefinite delivery/indefinite quantity contracts with a total contract value of $130,000,000 or higher.

SEC. 8049. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8050. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: Provided, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That this restriction shall not apply to the purchase of ''commercial items'', as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8051. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8052. Notwithstanding any other provision of law, each contract awarded by the Department of Defense during the current fiscal year and hereafter for construction or service performed in whole or in part in a State (as defined in section 381(d) of title 10, United States Code) which is not contiguous with another State and has an unemployment rate in excess of the national average rate of unemployment as determined by the Secretary of Labor, shall include a provision requiring the contractor to employ, for the purpose of performing that portion of the contract in such State that is not contiguous with another State, individuals who are residents of such State and who, in the case of any craft or trade, possess or would be able to acquire promptly the necessary skills: Provided, That the Secretary of Defense may waive the requirements of this section, on a case-by-case basis, in the interest of national security.

SEC. 8053. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: Provided, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8054. (a) LIMITATION ON TRANSFER OF DEFENSE ARTICLES AND SERVICES.—Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on International Relations of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) COVERED ACTIVITIES.—This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) REQUIRED NOTICE.—A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8055. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8056. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8057. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–09510, as amended (31 U.S.C. 1551 note): Provided, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: Provided further, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8058. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8059. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: Provided, That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: Provided further, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8060. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: Provided, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided further, That this restriction does not apply to programs funded within the National Intelligence Program: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8061. Notwithstanding any other provision of law, funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to American Samoa, and funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to the Indian Health Service when it is in conjunction with a civil-military project.

SEC. 8062. None of the funds made available in this Act may be used to approve or license the

sale of the F–0922A advanced tactical fighter to any foreign government.

SEC. 8063. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–0965) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8064. (a) PROHIBITION.—None of the funds made available by this Act may be used to support any training program involving a unit of the security forces of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) MONITORING.—The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) WAIVER.—The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) REPORT.—Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8065. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop, lease or procure the T-AKE class of ships unless the main propulsion diesel engines and propulsors are manufactured in the United States by a domestically operated entity: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8066. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8067. Notwithstanding any other provision of law, funds appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any new start advanced concept technology demonstration project may only be obligated 30 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8068. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8069. During the current fiscal year, refunds attributable to the use of the Government travel card, refunds attributable to the use of the Government Purchase Card and refunds attributable to official Government travel arranged by Government Contracted Travel Management Centers may be credited to operation and maintenance, and research, development, test and evaluation accounts of the Department of Defense which are current when the refunds are received.

SEC. 8070. (a) REGISTERING FINANCIAL MANAGEMENT INFORMATION TECHNOLOGY SYSTEMS WITH DOD CHIEF INFORMATION OFFICER.—None of the funds appropriated in this Act may be used for a mission critical or mission essential financial management information technology system (including a system funded by the defense working capital fund) that is not registered with the Chief Information Officer of the Department of Defense. A system shall be considered to be registered with that officer upon the furnishing to that officer of notice of the system, together with such information concerning the system as the Secretary of Defense may prescribe. A financial management information technology system shall be considered a mission critical or mission essential information technology system as defined by the Under Secretary of Defense (Comptroller).

(b) CERTIFICATIONS AS TO COMPLIANCE WITH FINANCIAL MANAGEMENT MODERNIZATION PLAN.—

(1) During the current fiscal year, a financial management automated information system, a mixed information system supporting financial and non-financial systems, or a system improvement of more than $1,000,000 may not receive Milestone A approval, Milestone B approval, or full rate production, or their equivalent, within the Department of Defense until the Under Secretary of Defense (Comptroller) certifies, with respect to that milestone, that the system is being developed and managed in accordance with the Department's Financial Management Modernization Plan. The Under Secretary of Defense (Comptroller) may require additional certifications, as appropriate, with respect to any such system.

(2) The Chief Information Officer shall provide the congressional defense committees timely notification of certifications under paragraph (1).

(c) CERTIFICATIONS AS TO COMPLIANCE WITH CLINGER-COHEN ACT.—

(1) During the current fiscal year, a major automated information system may not receive Milestone A approval, Milestone B approval, or full rate production approval, or their equivalent, within the Department of Defense until the Chief Information Officer certifies, with respect to that milestone, that the system is being developed in accordance with the Clinger-Cohen Act of 1996 (40 U.S.C. 1401 et seq.). The Chief Information Officer may require additional certifications, as appropriate, with respect to any such system.

(2) The Chief Information Officer shall provide the congressional defense committees timely notification of certifications under paragraph (1). Each such notification shall include a statement confirming that the following steps have been taken with respect to the system:

(A) Business process reengineering.

(B) An analysis of alternatives.

(C) An economic analysis that includes a calculation of the return on investment.

(D) Performance measures.

(E) An information assurance strategy consistent with the Department's Global Information Grid.

(d) DEFINITIONS.—For purposes of this section:

(1) The term ''Chief Information Officer'' means the senior official of the Department of Defense designated by the Secretary of Defense pursuant to section 3506 of title 44, United States Code.

(2) The term ''information technology system'' has the meaning given the term ''information technology'' in section 5002 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401).

SEC. 8071. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: Provided, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8072. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32 may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8073. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary-tracer (API–09T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8074. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any

other youth, social, or fraternal non-profit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8075. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: Provided, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: Provided further, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: Provided further, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8076. Funds available to the Department of Defense for the Global Positioning System during the current fiscal year may be used to fund civil requirements associated with the satellite and ground control segments of such system's modernization program.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8077. Of the amounts appropriated in this Act under the heading ''Operation and Maintenance, Army'', $78,300,000 shall remain available until expended: Provided, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: Provided further, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: Provided further, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: Provided further, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8078. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–09208; 110 Stat. 3009–09111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2007.

SEC. 8079. (a) The Secretary of Defense, in coordination with the Secretary of Health and Human Services, may carry out a program to distribute surplus dental and medical equipment of the Department of Defense, at no cost to the Department of Defense, to Indian Health Service facilities and to federally-qualified health centers (within the meaning of section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

(b) In carrying out this provision, the Secretary of Defense shall give the Indian Health Service a property disposal priority equal to the priority given to the Department of Defense and its twelve special screening programs in distribution of surplus dental and medical supplies and equipment.

SEC. 8080. Amounts appropriated in title II of this Act are hereby reduced by $92,000,000 to reflect savings attributable to efficiencies and management improvements in the funding of miscellaneous or other contracts in the military departments, as follows:

(1) From ''Operation and Maintenance, Army'', $5,000,000.

(2) From ''Operation and Maintenance, Air Force'', $87,000,000.

SEC. 8081. The total amount appropriated or otherwise made available in this Act is hereby reduced by $71,000,000 to limit excessive growth in the procurement of advisory and assistance services, to be distributed as follows:

''Operation and Maintenance, Army'', $32,000,000.

''Operation and Maintenance, Navy'', $34,000,000.

''Operation and Maintenance, Marine Corps'', $5,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8082. Of the amounts appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'', $152,494,000 shall be made available for the Arrow missile defense program: Provided, That of this amount, $63,000,000 shall be available for the purpose of producing Arrow missile components in the United States and Arrow missile components and missiles in Israel to meet Israel's defense requirements, consistent with each nation's laws, regulations and procedures, and $25,000,000 shall be available for the purpose of the initiation of a joint feasibility study designated the Short Range Ballistic Missile Defense (SRBMD) initiative: Provided further, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: Provided further, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8083. Of the amounts appropriated in this Act under the heading ''Shipbuilding and Conversion, Navy'', $557,849,000 shall be available until September 30, 2007, to fund prior year shipbuilding cost increases: Provided, That upon enactment of this Act, the Secretary of the Navy shall transfer such funds to the following appropriations in the amounts specified: Provided further, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred:

To:

Under the heading ''Shipbuilding and Conversion, Navy, 1999/2007'':

New SSN, $25,000,000;

Under the heading ''Shipbuilding and Conversion, Navy, 2000/2007'':

LPD–0917 Amphibious Transport Dock Ship Program, $66,049,000;

Under the heading ''Shipbuilding and Conversion, Navy, 2001/2007'':

New SSN, $41,000,000;

Carrier Replacement Program, $338,400,000;

Under the heading ''Shipbuilding and Conversion, Navy, 2002/2007'':

New SSN, $43,000,000;

Under the heading ''Shipbuilding and Conversion, Navy, 2003/2007'':

New SSN, $22,000,000; and

Under the heading ''Shipbuilding and Conversion, Navy, 2005/2009'':

LPD–0917 Amphibious Transport Dock Ship Program, $22,400,000.

SEC. 8084. The Secretary of the Navy may settle, or compromise, and pay any and all admiralty claims under section 7622 of title 10, United States Code arising out of the collision involving the U.S.S. GREENEVILLE and the EHIME MARU, in any amount and without regard to the monetary limitations in subsections (a) and (b) of that section: Provided, That such payments shall be made from funds available to the Department of the Navy for operation and maintenance.

SEC. 8085. Notwithstanding any other provision of law or regulation, the Secretary of Defense may exercise the provisions of section 7403(g) of title 38, United States Code for occupations listed in section 7403(a)(2) of title 38, United States Code as well as the following:

Pharmacists, Audiologists, and Dental Hygienists.

(A) The requirements of section 7403(g)(1)(A) of title 38, United States Code shall apply.

(B) The limitations of section 7403(g)(1)(B) of title 38, United States Code shall not apply.

SEC. 8086. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2007 until the enactment of the Intelligence Authorization Act for fiscal year 2007.

SEC. 8087. None of the funds in this Act may be used to initiate a new start program without prior written notification to the Office of Secretary of Defense and the congressional defense committees.

SEC. 8088. FINANCING AND FIELDING OF KEY ARMY CAPABILITIES.—The Department of Defense and the Department of the Army shall make future budgetary and programming plans to fully finance the Non-Line of Sight Future Force cannon and resupply vehicle program (NLOS–09C) in order to field this system in fiscal year 2010, consistent with the broader plan to field the Future Combat System (FCS) in fiscal year 2010: Provided, That if the Army is precluded from fielding the FCS program by fiscal year 2010, then the Army shall develop the NLOS–09C independent of the broader FCS development timeline to achieve fielding by fiscal year 2010. In addition the Army will deliver eight (8) combat operational pre-production NLOS–09C systems by the end of calendar year 2008. These systems shall be in addition to those systems necessary for developmental and operational testing: Provided further, That the Army shall ensure that budgetary and programmatic plans will provide for no fewer than seven (7) Stryker Brigade Combat Teams.

SEC. 8089. Up to $2,000,000 of the funds appropriated under the heading ''Operation and Maintenance, Navy'' in this Act for the Pacific Missile Range Facility may be made available to contract for the repair, maintenance, and operation of adjacent off-base water, drainage, and flood control systems, electrical upgrade to support additional missions critical to base operations, and support for a range footprint expansion to further guard against encroachment.

SEC. 8090. The budget of the President for fiscal year 2008 submitted to the Congress pursuant to section 1105 of title 31, United States Code shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: Provided, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: Provided further, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: Provided further, That these documents shall include budget exhibits OP–095 and OP–0932 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8091. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8092. Of the amounts provided in title II of this Act under the heading ''Operation and Maintenance, Defense-Wide'', $20,000,000 is available for the Regional Defense Counter-terrorism Fellowship Program, to fund the education and training of foreign military officers, ministry of defense civilians, and other foreign security officials, to include United States military officers and civilian officials whose participation directly contributes to the education and training of these foreign students.

SEC. 8093. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–09130 Weather Reconnaissance mission below the levels funded in this Act: Provided, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8094. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: Provided, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8095. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command administrative and operational control of U.S. Navy forces assigned to the Pacific fleet: Provided, That the command and control relationships which existed on October 1, 2004, shall remain in force unless changes are specifically authorized in a subsequent Act.

SEC. 8096. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(TRANSFER OF FUNDS)

SEC. 8097. The Secretary of Defense may transfer funds from any currently available Department of the Navy appropriation to any available Navy shipbuilding and conversion appropriation for the purpose of funding shipbuilding cost increases for any ship construction program, to be merged with and to be available for the same purposes and for the same time period as the appropriation to which transferred: Provided, That all transfers under this section shall be subject to the notification requirements applicable to transfers under section 8005 of this Act.

SEC. 8098. (a) The total amount appropriated or otherwise made available in title II of this Act is hereby reduced by $85,000,000 to limit excessive growth in the travel and transportation of persons.

(b) The Secretary of Defense shall allocate this reduction proportionately to each budget activity, activity group, subactivity group, and each program, project, and activity within each applicable appropriation account.

SEC. 8099. In addition to funds made available elsewhere in this Act, $5,500,000 is hereby appropriated and shall remain available until expended to provide assistance, by grant or otherwise (such as, but not limited to, the provision of funds for repairs, maintenance, construction, and/or for the purchase of information technology, text books, teaching resources), to public schools that have unusually high concentrations of special needs military dependents enrolled: Provided, That in selecting school systems to receive such assistance, special consideration shall be given to school systems in States that are considered overseas assignments, and all schools within these school systems shall be eligible for assistance: Provided further, That up to 2 percent of the total appropriated funds under this section shall be available to support the administration and execution of the funds or program and/or events that promote the purpose of this appropriation (e.g. payment of travel and per diem of school teachers attending conferences or a meeting that promotes the purpose of this appropriation and/or consultant fees for on-site training of teachers, staff, or Joint Venture Education Forum (JVEF) Committee members): Provided further, That up to $2,000,000 shall be available for the Department of Defense to establish a non-profit trust fund to assist in the public-private funding of public school repair and maintenance projects, or provide directly to non-profit organizations who in return will use these monies to provide assistance in the form of repair, maintenance, or renovation to public school systems that have high concentrations of special needs military dependents and are located in States that are considered overseas assignments: Provided further, That to the extent a Federal agency provides this assistance, by contract, grant, or otherwise, it may accept and expend non-Federal funds in combination with these Federal funds to provide assistance for the authorized purpose, if the non-Federal entity requests such assistance and the non-Federal funds are provided on a reimbursable basis.

SEC. 8100. The Secretary of the Air Force is authorized, using funds available under the heading ''Operation and Maintenance, Air Force'', to complete a phased repair project, which repairs may include upgrades and additions, to the infrastructure of the operational ranges managed by the Air Force in Alaska: Provided, That the total cost of such phased projects shall not exceed $50,000,000.

SEC. 8101. For purposes of section 612 of title 41, United States Code, any subdivision of appropriations made under the heading ''Shipbuilding and Conversion, Navy'' that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in the current fiscal year or any prior fiscal year.

SEC. 8102. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the Extended Range Multi-Purpose (ERMP) Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8103. Of the funds provided in this Act, $10,000,000 shall be available for the operations and development of training and technology for the Joint Interagency Training Center-East and the affiliated Center for National Response at the Memorial Tunnel and for providing homeland defense/security and traditional warfighting training to the Department of Defense, other Federal agency, and State and local first responder personnel at the Joint Interagency Training Center-East.

SEC. 8104. The authority to conduct a cooperative program in the proviso in title II of Public Law 102–09368 under the heading ''Research, Development, Test and Evaluation, Defense Agencies'' (106 Stat. 1121) shall be extended through September 30, 2008.

SEC. 8105. Up to $10,000,000 of the funds appropriated under the heading, ''Operation and Maintenance, Navy'' may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: Provided, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: Provided further, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8106. The Secretary of Defense may present promotional materials, including a United States flag, to any member of an Active or Reserve component under the Secretary's jurisdiction who, as determined by the Secretary, participates in Operation Enduring Freedom or Operation Iraqi Freedom, along with other recognition items in conjunction with any weeklong national observation and day of national celebration, if established by Presidential proclamation, for any such members returning from such operations.

SEC. 8107. Notwithstanding any other provision of this Act, to reflect savings from revised economic assumptions the total amount appropriated in title II of this Act is hereby reduced by $520,300,000, the total amount appropriated in title III of this Act is hereby reduced by $331,600,000, the total amount appropriated in title IV of this Act is hereby reduced by $317,000,000, the total amount appropriated in title V of this Act is hereby reduced by $9,700,000, and the total amount appropriated in title VI of this Act is hereby reduced by $93,700,000: Provided, That the Secretary of Defense shall allocate this reduction proportionally to each budget activity, activity group, subactivity group, and each program, project, and activity, within each appropriation account.

SEC. 8108. (a) LIMITATION ON RETIREMENT PENDING REPORT ON BOMBER FORCE STRUCTURE.—No funds appropriated for the Department of Defense may be obligated or expended for retiring or dismantling any of the 93 B–0952H bomber aircraft in service in the Air Force as of June 1, 2006, until 30 days after the Secretary of the Air Force transmits to the congressional defense committees a report on the bomber force structure of the Air Force meeting the requirements of subsection (b).

(b) ELEMENTS.—The report under subsection (a) shall set forth the following:

(1) The plan of the Air Force for the modernization of the B–0952H bomber aircraft fleet.

(2) The plans of the Air Force for the modernization of the balance of the bomber force structure.

(3) The amount and type of bombers in the bomber force structure that is appropriate to meet the requirements of the national security strategy of the United States.

(4) An analysis and justification of the cost and projected savings of any reductions to the B–0952H bomber fleet as a result of the retirement or dismantlement of the B–0952H bomber aircraft covered by the report.

(5) The current assessments for the useful life of each of the bomber aircraft in the Air Force inventory under the Aircraft Structural Integrity Program, any flight restrictions against each of the bomber aircraft in the Air Force inventory, and an analysis of any funding required for modifications designed to correct a problem that threatens grounding all or a portion of that aircraft fleet.

(6) The date by which any new bomber aircraft must reach initial operational capability and the capabilities of the bomber force structure that would be replaced or superseded by any new bomber aircraft.

(7) An assessment of the likelihood that the development of a new bomber aircraft will meet the current schedule of reaching initial operational capability by 2018.

(8) An assessment of the risk to national security of retiring a substantial portion of our bomber fleet, including a consideration of the additional risk if the development of a new bomber aircraft does not meet the current schedule of reaching initial operational capability by 2018.

(c) PREPARATION OF REPORT.—A report under this section shall be prepared and submitted by the Institute of Defense Analysis to the Secretary of the Air Force for transmittal by the Secretary in accordance with subsection (a).

(d) FORM.—The report under subsection (a) shall be in unclassified form, but may include a classified annex.

TITLE IX

ADDITIONAL APPROPRIATIONS

CHAPTER 1

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $5,054,502,000.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $114,500,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $142,320,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $129,000,000.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $90,910,000.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $15,420,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $214,100,000.

CHAPTER 2

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $24,037,232,000.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Navy'', $1,284,172,000: Provided, That up to $90,000,000 shall be transferred to the Coast Guard ''Operating Expenses'' account.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $1,809,466,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $1,940,553,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $2,383,189,000 of which up to $760,000,000, to remain available until expended, may be used for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical, military, and other support provided, or to be provided, to United States military operations, notwithstanding any other provision of law: Provided, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: Provided further, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $211,600,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $8,036,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $65,000,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $204,000,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $200,000,000.

IRAQ FREEDOM FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Iraq Freedom Fund'', $50,000,000, to remain available for transfer until September 30, 2008, only to support operations in Iraq or Afghanistan: Provided, That the Secretary of Defense may transfer the funds provided herein to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and working capital funds: Provided further, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation or fund to which transferred: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

AFGHANISTAN SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Afghanistan Security Forces Fund'', $1,200,000,000, to remain available until September 30, 2008: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Office of Security Cooperation—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: Provided further, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than five days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

IRAQ SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Iraq Security Forces Fund'', $1,400,000,000, to remain available until September 30, 2008: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Multi-National Security Transition Command—Iraq, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: Provided further, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than five days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Joint Improvised Explosive Device Defeat Fund'', $1,500,000,000, to remain available until September 30, 2009: Provided, That such funds shall be available to the Secretary of

Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: Provided further, That within 60 days of the enactment of this Act, a plan for the intended management and use of the Fund is provided to the congressional defense committees: Provided further, That the Secretary of Defense shall submit a report not later than 30 days after the end of each fiscal quarter to the congressional defense committees providing assessments of the evolving threats, individual service requirements to counter the threats, the current strategy for predeployment training of members of the Armed Forces on improvised explosive devices, and details on the execution of this Fund: Provided further, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon determination that all or part of the funds so transferred from this appropriation are not necessary for the purpose provided herein, such amounts may be transferred back to this appropriation: Provided further, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

CHAPTER 3

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $556,000,000, to remain available until September 30, 2009.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $1,048,280,000, to remain available until September 30, 2009.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $1,817,527,000, to remain available until September 30, 2009.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $153,700,000, to remain available until September 30, 2009.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $99,930,000, to remain available until September 30, 2009.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $276,500,000, to remain available until September 30, 2009.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $1,281,068,000, to remain available until September 30, 2009.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $720,100,000, to remain available until September 30, 2009.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $25,400,000, to remain available until September 30, 2009.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $1,220,293,000, to remain available until September 30, 2009.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $56,255,000, to remain available until September 30, 2009.

CHAPTER 4

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $110,000,000, to remain available until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $33,064,000, to remain available until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $155,144,000, to remain available until September 30, 2008.

CHAPTER 5

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $373,474,000.

CHAPTER 6

RELATED AGENCIES

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For an additional amount for ''Intelligence Community Management Account'', $19,265,000, to remain available until September 30, 2008.

GENERAL PROVISIONS, THIS TITLE

SEC. 9001. Appropriations provided in this title are available for obligation until September 30, 2007, unless otherwise so provided in this title.

SEC. 9002. Notwithstanding any other provision of law or of this Act, funds made available in this title are in addition to amounts provided elsewhere in this Act.

(TRANSFER OF FUNDS)

SEC. 9003. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer between appropriations up to $2,500,000,000 of the funds made available to the Department of Defense in this title: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: Provided further, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of this Act.

SEC. 9004. Funds appropriated in this title, or made available by the transfer of funds in or pursuant to this title, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 9005. None of the funds provided in this title may be used to finance programs or activities denied by Congress in fiscal years 2006 or 2007 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

SEC. 9006. (a) From funds made available in this title to the Department of Defense, not to exceed $500,000,000 may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program, for the purpose of enabling military commanders in Iraq to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility by carrying out programs that will immediately assist the Iraqi people, and to fund a similar program to assist the people of Afghanistan.

(b) QUARTERLY REPORTS.—Not later than 15 days after the end of each fiscal year quarter (beginning with the first quarter of fiscal year 2007), the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes of the programs under subsection (a).

SEC. 9007. Amounts provided in this title for operations in Iraq and Afghanistan may be used by the Department of Defense for the purchase of up to 20 heavy and light armored vehicles for force protection purposes, notwithstanding price or other limitations specified elsewhere in this Act, or any other provision of law: Provided, That the Secretary of Defense shall submit a report in writing no later than 30 days after the end of each fiscal quarter notifying the congressional defense committees of any purchase described in this section, including the cost, purposes, and quantities of vehicles purchased.

SEC. 9008. During the current fiscal year, funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan: Provided, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9009. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, and executed in direct support of the Global War on Terrorism only in Iraq and Afghanistan, may be obligated at the time a construction contract is awarded: Provided, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9010. (a) Not later than 60 days after the date of the enactment of this Act and every 90 days thereafter through the end of fiscal year 2007, the Secretary of Defense shall set forth in a report to Congress a comprehensive set of performance indicators and measures for progress toward military and political stability in Iraq.

(b) The report shall include performance standards and goals for security, economic, and security force training objectives in Iraq together with a notional timetable for achieving these goals.

(c) In specific, the report requires, at a minimum, the following:

(1) With respect to stability and security in Iraq, the following:

(A) Key measures of political stability, including the important political milestones that must be achieved over the next several years.

(B) The primary indicators of a stable security environment in Iraq, such as number of engagements per day, numbers of trained Iraqi forces, and trends relating to numbers and types of ethnic and religious-based hostile encounters.

(C) An assessment of the estimated strength of the insurgency in Iraq and the extent to which it is composed of non-Iraqi fighters.

(D) A description of all militias operating in Iraq, including the number, size, equipment strength, military effectiveness, sources of support, legal status, and efforts to disarm or reintegrate each militia.

(E) Key indicators of economic activity that should be considered the most important for determining the prospects of stability in Iraq, including—

(i) unemployment levels;

(ii) electricity, water, and oil production rates; and

(iii) hunger and poverty levels.

(F) The criteria the Administration will use to determine when it is safe to begin withdrawing United States forces from Iraq.

(2) With respect to the training and performance of security forces in Iraq, the following:

(A) The training provided Iraqi military and other Ministry of Defense forces and the equipment used by such forces.

(B) Key criteria for assessing the capabilities and readiness of the Iraqi military and other Ministry of Defense forces, goals for achieving certain capability and readiness levels (as well as for recruiting, training, and equipping these forces), and the milestones and notional timetable for achieving these goals.

(C) The operational readiness status of the Iraqi military forces, including the type, number, size, and organizational structure of Iraqi battalions that are—

(i) capable of conducting counterinsurgency operations independently;

(ii) capable of conducting counterinsurgency operations with the support of United States or coalition forces; or

(iii) not ready to conduct counterinsurgency operations.

(D) The rates of absenteeism in the Iraqi military forces and the extent to which insurgents have infiltrated such forces.

(E) The training provided Iraqi police and other Ministry of Interior forces and the equipment used by such forces.

(F) Key criteria for assessing the capabilities and readiness of the Iraqi police and other Ministry of Interior forces, goals for achieving certain capability and readiness levels (as well as for recruiting, training, and equipping), and the milestones and notional timetable for achieving these goals, including—

(i) the number of police recruits that have received classroom training and the duration of such instruction;

(ii) the number of veteran police officers who have received classroom instruction and the duration of such instruction;

(iii) the number of police candidates screened by the Iraqi Police Screening Service, the number of candidates derived from other entry procedures, and the success rates of those groups of candidates;

(iv) the number of Iraqi police forces who have received field training by international police trainers and the duration of such instruction; and

(v) attrition rates and measures of absenteeism and infiltration by insurgents.

(G) The estimated total number of Iraqi battalions needed for the Iraqi security forces to perform duties now being undertaken by coalition forces, including defending the borders of Iraq and providing adequate levels of law and order throughout Iraq.

(H) The effectiveness of the Iraqi military and police officer cadres and the chain of command.

(I) The number of United States and coalition advisors needed to support the Iraqi security forces and associated ministries.

(J) An assessment, in a classified annex if necessary, of United States military requirements, including planned force rotations, through the end of calendar year 2007.

SEC. 9011. Amounts provided in chapters 1 and 2 of this title are designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by H. Res. 818 (109th Congress) and are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109–09234: Provided, That the amounts provided in chapters 3, 4, 5, and 6 of this title are available immediately upon enactment of this Act.

This Act may be cited as the ''Department of Defense Appropriations Act, 2007''.

Mr. STEVENS. Mr. President, Senator INOUYE and I are pleased to present this Defense appropriations bill for fiscal year 2007 to the Senate. This bill reflects the bipartisan approach that my cochairman, Senator INOUYE, and I have maintained regarding the issue of the Department of Defense as cochairmen of the Subcommittee on Defense for the Appropriations Committee. It has been a pleasure for us to work together and with the other members of the committee in the process.

This bill was reported out of the full Appropriations Committee 2 weeks ago by a unanimous vote. We hope to finish this bill this week so we can proceed to conference early in September. Our goal is to get the bill to the President before the end of the fiscal year. This bill can be worked on by the staffs in the August recess, and with the House, and we will be able to proceed as early as possible in September if we can finish the work this week.

It is our hope that we can finish the bill and have it be sent to conference before we leave for the August recess. The Army, Navy, Air Force, and Marines need these funds at the beginning of the fiscal year, not 3 or 4 months after the beginning of the fiscal year. We should do everything possible to ensure that Congress completes action on this bill in a timely fashion.

As we debate this bill today, there are hundreds of thousands of men and women in uniform forward deployed and serving our country in over 120 countries throughout the world and throughout the United States. Their bravery and dedication to our country are extraordinary, and their sacrifices don't go unnoticed.

Each year, the Department of Defense faces the critical challenge of balancing the costs of maintaining high levels of readiness, being ready to respond to the call wherever and whenever it is necessary. This also means adequately investing in transformation to be ready to meet the threats of tomorrow.

The bill Senator INOUYE and I present today offers a prudent balance among these challenges. It recommends $453.5 billion in new discretionary authority for the Department of Defense, which includes $50 billion in additional appropriations to fund operations related to the global war to contain violent extremists. This bill is $9 billion under the President's budget request, consistent with the subcommittee's 302(b) allocation.

In order to reach that figure, we had to cut key defense readiness and modernization programs. We closely reviewed program execution and focused on unjustified growth and program delays. We have received many requests from Members that we could not address this year for lack of funds.

The bill is $13 billion under the national defense authorization bill recently passed by the Senate. That means that just because a program or project was authorized, it doesn't mean funding was available in this bill. It wasn't possible under the allocations we have received.

Given our restraints, the bill doesn't provide much in the way of medical research outside of the budget. We primarily focus on the limited medical resources in the bill toward the treatment of conditions directly impacting our military today rather than longer term research.

I remain concerned about the migration of funds from defense requirements to nondefense medical research, and how we sustain such funding in a declining budget environment.

This measure is consistent with both the objectives of the administration and the broad recommendations contained in the Senate's national defense authorization bill for fiscal year 2007.

We have sought to recommend a balanced bill to the Senate. We believe it addresses key requirements for readiness, quality of life, and transformation of the force.

It honors the commitment we have to our Armed Forces. It helps ensure that they will continue to have first-rate training, modernized equipment, and quality infrastructure.

It provides the much needed funds to continue the global war against terror.

Finally, I thank my great friend and colleague, Senator INOUYE, and his staff, particularly Charlie Houy, for their support and counsel on this bill.

I yield at this time to Senator INOUYE for any statements the cochairman wishes to make.

Mr. REID. Mr. President, may I ask the distinguished ranking member of the subcommittee to allow me to make a brief statement?

Mr. INOUYE. Yes.

TRIBUTE TO PHILLIP BAUCUS

Mr. REID. Mr. President, I received a phone call early this morning from Senator MAX BAUCUS. It was a call that was so troubling. MAX BAUCUS and I are friends. I have such great admiration and respect and affection for him. On this issue that is before the Senate now, he has been such a good person, trying to work through the matter we are going to vote on this Friday. He called to indicate that he would not be here this week. He asked me not to say anything until he made some public statement. I have certainly followed his desire.

Senator BAUCUS comes from a very close-knit family. He has one son. Senator BAUCUS' nephew, Phillip, is also like a son to Senator BAUCUS. He was killed in Iraq on Saturday. He was 28 years old. He died while conducting combat operations in Al Anbar Province.

On behalf of the entire Senate family, I express through the Chair to our dear friend, MAX BAUCUS, our sympathy and condolences.

Senator BAUCUS put out a brief statement saying that Phillip was

an incredible person, a dedicated Marine, a loving son and husband, and a proud Montanan and American. He heroically served the country he loved and he gave it his all. We loved him dearly, and we'll miss him more than words can ever express.

Mr. President, during these difficult times for Senator BAUCUS and the entire Baucus family while dealing with this loss, we send to them our thoughts and our prayers.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, I wish to join my leader in expressing my condolences and my sadness. It is ironic that at this moment we are considering a measure which is something that is very important to him.

Mr. President, I rise to express my strong support for the measure pending before us. The measure includes some $453.5 billion for the Department of Defense. As the chairman stated, it includes $50 billion to help offset the cost of wars in Iraq and Afghanistan for the first several months of fiscal year 2007.

This is a very good bill, and all of my colleagues should thank Chairman STEVENS for his efforts. And believe me, it wasn't easy. Everyone in the Senate knows how difficult it is to write a Defense bill, but this year's challenge was particularly great because the committee's 302 allocation required the Defense Subcommittee to cut $9 billion from the requested amounts. As a result, this bill is $13 billion below the amount the Senate has already approved for Defense authorization this year.

However, it is also true that if supplemental funds are excluded from comparison, the recommended funding is still $15 billion more than was provided in fiscal year 2006.

This is a tough bill but an exceedingly fair one. It provides for the essential requirements of the Department of Defense while holding down the growth in the budget. The committee did a tough review of the real needs of the Defense budget. Funding for programs that were delayed or in which substantial increases were requested was curtailed.

The chairman also made a courageous decision to cut back on the nondefense medical research funding in this bill. In recent years, Senators have been seeking funding for more and more medical programs that have very little direct relations to defense matters. Because of the need of sharply reducing funding, the chairman had to decide to deny funds for many of these programs.

To my colleagues on the Democratic side, Mr. President, I say this is a good bill. It was fashioned in a bipartisan manner and it funds our critical defense needs. I fully support the bill that was unanimously reported out by the committee and recommended to the Senate.

I urge my colleagues to support this measure.

Before I close, I commend the chairman for his courage, for his foresight, and I commend the staff: Ms. Sid Ashworth and Charlie Houy. Without these two people, I don't think we would be where we are at this moment.

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. 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.

AMENDMENT NO. 4751

Mr. STEVENS. Mr. President, I have an amendment I wish to send to the desk. I want to explain it. We have had a series of requests from Members and from portions of the military establishment to add money to this bill due to emergency requirements that were not presented to us at the time we considered the bill in our committee.

This is money for what we call equipment reset. It is the money that meets the requirements for continuing combat operations, primarily in Iraq, but it is for the Department overall. It is additional money, as I said, for the Army and Marine Corps for equipment reset.

We have consulted with the Department and with the OMB about this issue.

The PRESIDING OFFICER. The Senator will suspend. The unanimous consent agreement was for debate only. If you have an amendment, you need unanimous consent. Without objection, the Senator can proceed.

Mr. STEVENS. Mr. President, we had an understanding that we could do amendments cleared on both sides, but no amendments controversial that would require a vote by the Senate. We are proceeding under that understanding. Mr. President, is that the understanding of the Senator from Hawaii?

Mr. INOUYE. If the Senator will yield, that is my understanding, Mr. President.

Mr. STEVENS. Mr. President, I ask unanimous consent that I be able to present this amendment at this time.

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

Mr. STEVENS. Therefore, Mr. President, I send to the desk this amendment to provide additional appropriations, $7.8 billion for the Army and $5.3 billion for the Marine Corps for the reset of equipment due to combat operations and to designate such amounts as emergency requirements.

I ask the amendment be presented.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS] for himself and Mr. INOUYE, proposes an amendment numbered 4751.

The amendment is as follows:

(Purpose: To appropriate as additional appropriations $7,800,000,000 for the Army and $5,300,000,000 for the Marine Corps for the reset of equipment due to continuing combat operations and to designate such amounts as emergency requirements)

At the end of title IX, add the following:

SEC. 9012. (a) ADDITIONAL AMOUNT FOR ARMY AND MARINE CORPS FOR EQUIPMENT RESET.—In addition to amounts provided by other provisions of this title, $7,800,000,000 is provided to the Army, and $5,300,000,000 is provided to the Marine Corps, to fund equipment reset requirements resulting from continuing combat operations.

(b) DESIGNATION AS EMERGENCY REQUIREMENTS.—The amounts provided under subsection (a) are designated as appropriations for contingency operations directly related to the Global War on Terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by H. Con. Res. 818 (109th Congress), and are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109–234.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, this measure has been cleared by both sides. I have studied the measure, and I approve it. I support it.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 4751.

The amendment (No. 4751) was agreed to.

Mr. STEVENS. Mr. President, this means the committee has addressed the total needs that have been presented to us by the Department and by the administration and by many Members to the extent we could afford it. We urge that Members study this bill. We will be prepared, I hope, to come in early tomorrow, and it is my understanding tomorrow we will be able to consider amendments that are filed by Members.

At this time, we have no further amendments to offer on behalf of the committee. We may, as the bill proceeds, in the next 2 days. Again, it is my—and I believe our—fervent hope that we can bring this bill to a close and vote on it before we leave this Friday for the August recess so that it may be worked on during the period of the August recess and presented to the Senate and the House early in September so that the bill can get to the President in ample time for it to be signed and become law prior to the end of this fiscal year.

Mr. President, does the Senator from Hawaii have any further comments?

Mr. INOUYE. No, Mr. President.

Mr. STEVENS. Mr. President, on behalf of both of us, I say the bill is open to amendment. We would be pleased to discuss amendments with any Member. It is my hope the leadership will convene the Senate as early as possible tomorrow morning.

May I inquire of the Chair, it is my understanding the Senator from South

Dakota has a statement to make that is not related to our bill. I think it is in order, if he wishes to do so, while we wait to see if Senators wish to bring amendments to discuss tonight.

Mr. GREGG. Mr. President, as Chairman of the Budget Committee, I regularly comment on Appropriations bills that are brought to this Senate for consideration and present the financial comparisons and budgetary data. Today I am reporting on compliance with the Budget Act in the case of the pending measure, H.R. 5631, the Department of Defense Appropriations Act for fiscal year 2007.

As reported by the Senate Committee on Appropriations, H.R. 5631 provides $456.805 billion in budget authority and $496.082 billion in outlays in fiscal year 2007 for the Department of Defense and related agencies. Of these totals, $251 million in budget authority and $251 million in outlays are for mandatory programs in fiscal year 2007. I will note here that this bill is in compliance with the 2007 302(b) allocations, but there are other budgetary matters worthy of Senators' attention.

The bill provides discretionary budget authority in fiscal year 2007 of $414.500 billion for DOD's regular appropriation. But it also includes $50.0 billion for projected contingency operations overseas. Of that, $42.054 billion is designated as an emergency. The rest—$7.946 billion—is funds remaining in Defense's fiscal year 2006 allocation. We should be very clear on this point: putting those funds in the Defense Appropriations bill has the effect of reversing the across-the-board cut Congress passed at the end of last year.

Mr. President, I ask unanimous consent that a table displaying the Budget Committee estimate of the bill be printed in the RECORD.

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

H.R. 5631, 2007 DEFENSE APPROPRIATIONS SPENDING COMPARISONS—SENATE-REPORTED BILL

[Fiscal Year 2007, $ millions]

	General purpose	Mandatory	Total
Senate-reported bill:			
Budget authority	414,500	251	414,751
Outlays	434,955	251	435,206
Senate 302(b) allocation:			
Budget authority	414,500	251	414,751
Outlays	*	*	*
2006 Enacted:			
Budget authority	393,759	245	394,004
Outlays	406,276	245	406,521
President's request:			
Budget authority	423,554	251	423,805
Outlays	424,302	251	424,553
House-passed bill: [1]			
Budget authority	377,357	251	377,608
Outlays	393,550	251	393,801
Senate reported bill compared to:			
Senate 302(b) allocation:			
Budget authority	0	0	0
Outlays	na	na	na
2006 Enacted:			
Budget authority	20,741	6	20,747
Outlays	28,679	6	28,685
President's request:.			
Budget authority	−9,054	0	−9,054
Outlays	10,653	0	10,653
House-passed bill:			
Budget authority	37,143	0	37,143
Outlays	41,405	0	41,405

[1] House and Senate bills having different jurisdictions.

* There is no outlay allocation in the Senate for 2007 appropriations bills.

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak therein subject to some time limit agreed to by the leadership.

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

The Senator from South Dakota.

Mr. THUNE. Mr. President, my understanding is that we are in morning business.

The PRESIDING OFFICER. That is correct.

Mr. THUNE. Mr. President, I ask unanimous consent to speak for up to 15 minutes in morning business.

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

ISSUES RELATING TO SOUTH DAKOTA

Mr. THUNE. Mr. President, I rise today to address some issues that are pending before the Senate, and I also want to acknowledge what I hope will be action we will take somewhere down the road regarding a situation in South Dakota that we are experiencing this year.

We are experiencing what is, I would say, probably a 100-year drought. We are having extraordinarily high temperatures. We haven't had rain. In fact, the rain accumulations this year in South Dakota are less than the rain in many years throughout the Great Depression back in the 1930s, and it is having a devastating impact on our economy and the farmers and ranchers in South Dakota on which our economy relies.

In fact, if one looks at the small grain crop, the wheat crop in South Dakota was a complete bust, a 100-percent loss in many areas of South Dakota.

The row crops, corn and soybeans, are extremely stressed. Much of that crop will be lost this year as well. Cattle producers are selling their herds, liquidating their herds, creating all kinds of economic issues for my State of South Dakota.

What I hope is that as time goes on, we will have an opportunity to address in some fashion that crisis in South Dakota in the form of an emergency disaster relief package.

There is some money attached, currently, to the agriculture appropriations bill that passed at the committee level of the Senate—it hasn't seen floor action—about $3.9 billion that would apply to 2005. Obviously, 2006 is much worse in many parts of the country and for sure in my State of South Dakota. So I am hopeful we will be able to amend that or perhaps move on to some other legislation. I am looking at introducing a piece of freestanding legislation, too, that would address this situation for 2006.

My point is this is something which is a dire emergency in my State of South Dakota. It literally is burning up out there. We have had temperatures that have shattered State records, in the high hundreds—115, 118—temperatures like that for days and days at a time without any rain. In fact, in many cases, there was very little rain going back all the way to the very first of this year. It is a historic event. As I said, it is probably up to a 100-year type event in terms of the actual weather conditions we are experiencing in South Dakota. I hope we can draw attention to that issue and get the support of our colleagues here in the Senate to address it.

I also wish to speak to an issue which has some bearing on that in a lot of ways—trying to keep people on the family farm, on the ranch, keeping these small businesses active, and allowing the next generation to move in and assume those operations and continue to create jobs and keep the economy going in South Dakota. It is really important.

Many pieces of legislation with which we will be dealing this week bear on this. One, the Energy bill has huge economic consequences to farmers and ranchers and small businesses that have to get their products to the marketplace and rely heavily on transportation, that need the inputs to get the crop planted, and the fertilizer and everything with it—all those costs are going through the ceiling as a result of high energy costs. Increasing energy supplies is critical.

The bill we just moved is important. I have another piece of renewable fuel legislation which I hope we will be able to get agreement on and be able to move across the Senate floor, too, this week and get some relief and move the country in the direction that is expanding the use of renewable fuels and expanding the sources of energy and lessening our dependence on foreign sources of energy.

We will also be voting on a pension bill this week, which is important, but the piece of legislation I want to speak to now is the tax bill which will come before the Senate later this week.

There are several provisions in the bill. One on which I have been working for some time is to provide permanent death tax relief. If we want to keep farmers and ranchers on the farm, continuing to grow and contributing to our economy in this country, we need to do something to address what is a very real issue. If we do not take action, in a few years here the death tax will rise back up to 55 percent, the top rate, and the exemption will drop back to $1 million. Anybody who knows agriculture knows that today, with land values being what they are and the capital costs associated with agriculture, we need to provide some additional relief.

The death tax reform bill which is going to be considered and voted on in the Senate would raise that exemption

over a course of time to $5 million, indexed for inflation, and then for anything over that amount, over $5 million, it would tax it at the capital gains rate, which is 15 percent, and then on amounts above $25 million it would go up to 30 percent. It would also unify the estate and gift tax to simplify planning for people who are having to address, for planning purposes, what happens when it comes time to deal with the issue of the next generation.

I have always maintained that when someone dies, they should not have to see the undertaker and the IRS on the same visit. We need to do something that addresses this issue, that will bring some relief for hard-working farmers and ranchers across this country who are trying to provide a nest egg, something for the next generation to assume those operations and continue to be a part of the business that is an integral part of our economy in this country, not just in South Dakota but across the entire country. You have small businesses, farmers, and ranchers who are adversely impacted tremendously by the death tax. It is high time we did something about that.

There are a lot of people who would argue, and I have heard this argued before by Democrats in the Senate, that this is something which just benefits the rich. The reality is, regarding the death tax today, the people who are actually opposing repealing or reforming the death tax are the superrich. The reason is the superrich are not the ones who are paying the taxes. They use accountants and lawyers to figure out ways around paying the tax. It is those small farm and ranch operations, small businesses, that get stuck with the bill.

There are a lot of reasons we need to permanently deal with this death tax issue, but one of the reasons is the death tax revenues that come into the Federal Government are not all that consequential in terms of the overall budget relative to what it costs to collect and comply. Death tax revenues were $24.8 billion in 2005. They have averaged about 1.3 percent of Federal revenues annually over the past 10 years. The other side will argue that requiring this tax isn't too much to ask from the superwealthy. What they don't consider is all the costs imposed on family farms or small businesses to avoid or reduce their tax burden. Basic estate planning documents can cost up to $50,000. Plans involving limited partnerships can cost up to $250,000. One study concluded that in New York, family-owned businesses can spend an average of $125,000 on estate planning.

At the time of death, tax preparation fees can range from $5,000 to $50,000, according to some estimates. Often, family-owned farms and businesses right on the cusp of the death tax exemption will be required to fill out the IRS paperwork to ensure they do not owe anything. In 2004, there were 62,718 estate tax returns filed, but only 30,276 owed any taxes to the Federal Government. What that means is that 52 percent of the estates filing a return were required to hire a team of accountants, lawyers, and other professionals, only to file a few dozen papers with the IRS but pay no tax. What is the point? According to what one estimate indicates, the amount spent on avoiding the death tax could be approximately equal to the amount of revenue generated.

This is not good policy. The cost of repealing the death tax raised the ire of the Wall Street Journal editorial page, and here is what they said:

> The Joint Committee on Taxation refuses to take any account of the potential economy-wide benefits of repeal: more investment in family businesses, more money spent on creating jobs than on buying life insurance to pay death taxes, and a higher savings rate. Many studies have found these positive effects could be large and would mean much smaller revenue losses from getting rid of the tax.

If you listen again to the rhetoric of those who are opposed to reforming the death tax, I think we have to be careful when we hear that rhetoric as they begin to describe the cost of this tax relief because their record really has not been very good of late.

In 2003, we reduced the capital gains and dividend tax rate as part of the economic stimulus package. At that time, Democrats in the Senate argued it would add to the deficit and burden our budget. In fact, earlier today the Senator from North Dakota, Mr. CONRAD, was in the Chamber talking about how this would adversely impact the long-term budget outlook and how it would impact the deficit. But he said the same things back in 2003 when talking about capital gains and dividend tax relief. He said these tax cuts will worsen the long-term budget outlook, adding to the Nation's projected chronic deficits.

Three years later, we now see the other side of the aisle could not have been more wrong on this issue. The capital gains and dividend rate reductions have paid for themselves many times over in the form of increased Government revenue. May's budget report from the Treasury Department has tax receipts up by about $206 billion, which is a 13-percent increase for the first 9 months of fiscal year 2006. The year before—between 2004 and 2005—there was a $274 billion increase, or 14.6 percent more in Federal revenues for fiscal year 2005 than 2004.

Again, let me emphasize, reducing capital gains and dividends tax rates generated more Government revenue to the Federal Treasury, not less. That sometimes seems counterintuitive to the Democrats, people on the other side.

I would argue as well that some of the people who are doing these estimates have, certainly in this case, been proven wrong. I think the same would be true with respect to reforming the death tax in the way that has been proposed here and that we will have a chance to vote on later this week. But reducing capital gains and dividends taxes spurred economic growth, and it increased Government revenue—not decreased—increased Government revenue by $275 billion between 2004 and 2005, and already in the first 9 months of this year, $206 billion, which is a 13-percent increase over the previous year.

Again, I would say that as it relates to the estimates that have been made in the past and the rhetoric and many of the prognostications that have come from the other side, it clearly has been a very different outcome, a very different result, a very different record when it comes to revenues coming into the Federal Government from reducing capital gains and dividends rates.

Some on the other side are also arguing that only the superrich pay the death tax and that Warren Buffett and the Gates family are the ones who are really going to benefit from this. Warren Buffett and the Gates family have both been vocal in their support of keeping the death tax. As I said earlier, the reason is they are not the ones paying it. They have armies of accountants and lawyers to figure out ways to get around it. Don't let yourself think their estates will be subject to the tax. There are lots of folks who will make sure they never have to see the 55 percent of the value of their estates being taxed. In fact, Warren Buffett and Bill Gates have both figured out ways to shelter their net worth in charitable foundations. That is obviously their right, and we appreciate and are grateful for their generosity. But if the superrich support keeping the death tax but have figured out ways to avoid it, who actually is paying the tax? The smaller, family-owned farms and businesses are the ones that pay it because they didn't spend the money preparing to avoid it. That is why agriculture and big industry support repealing this very onerous tax.

If you look at the folks who are in favor of getting rid of this tax, it is not the superrich that the other side argues would benefit from repealing the tax or at least reforming it in the fashion that has been proposed. It is the organizations that represent the small, family-owned businesses and farmers and ranchers in this country. The list of those who support repealing the Federal death tax includes the Farm Bureau Federation, the National Cattleman's Beef Association, National Pork Producers Council, the National Federation of Independent Business, National Association of Home Builders, Large Equipment Distributors Association, Beer Wholesalers Association, National Tax Limitation Committee, National Wholesalers and Distributors Association, National Taxpayers Union, Forest Landowners Association, American Family Business Institute, National Grocers Association, U.S. Chamber of Commerce, National Association of Manufacturers, American Tool Manufacturers Association. In my State, South Dakota, Petroleum and Propane Marketers Association, South Dakota

Association of Convenience Stores, the National Restaurant Association, American International Automobile Dealers Association, Family Research Council, the Black Chamber of Commerce—the list goes on and on.

My point simply is that as we engage in this debate this week, the arguments are going to be made, as they have been already, and the issue framed in a way by the Democrats that, again, this is somehow something which will benefit the superrich. As I noted, the superrich are the ones coming out to say we don't need to repeal this. The reason they say that is because they are not going to be paying it because they have at their disposal the lawyers and accountants and professionals who can figure out a way to keep them from having to pay it. The people who get stuck paying the death tax in this country are the small farms, the ranch operations, the small businesses, the people who are just trying to put together a little bit of equity, a little bit of assets that they can then pass on to the next generation and keep that family business growing and prospering.

It just seems to me that as a matter of principle, death should not be a taxable event. We should not be taxing people throughout their entire lifetime on everything they earn, on everything they acquire, on everything they buy, and then when death rolls around say: We are going to take 50 percent of everything you have acquired during the course of your lifetime and give it to the Federal Government. And as I said, much of the cost associated with either collecting or complying with the death tax actually negates, I believe, the positive revenue benefit that comes into the Federal Treasury to start with.

As I said earlier, I think you will find when this happens—and I hope it does happen because I hope we get the votes to pass it later this week—that you will see what happens with the death tax repeal is the same thing that happened when we reduced capital gains and dividend tax rates, and that is you will see more expansion, more investment, and actually more Federal revenues coming into the Treasury, which has been the record with the capital gains and dividend tax reductions.

I might again repeat, because I think it is worth noting and because it is an important part of the debate and the other side maybe will come over here and talk about how this will add to the deficit, how much this is going to cost the Government in terms of lost revenue, how it is going to only benefit the superwealthy. Let's remember again who is paying the tax, and let's also remember again when we reduced capital gains and dividend tax rates, we got more Government revenue and not less.

Let's move forward. Let's do something that has been on the agenda here for a very long time. Failure to act on the part of this Congress means that in the year 2010 going into 2011, these rates start kicking back in. We provided some temporary relief in previous tax bills. But if we don't take action to permanently address this issue, then people who pass on in the year 2010 and beyond that rate are going to be paying on everything they pass on to their next generation; 55 percent is going to be taken by the Federal Government.

It is an issue that needs to be addressed. It has been acted on in the House—not once but on multiple occasions. In fact, the House voted last week on this total package which includes the death tax repeal. It also includes extension of some other tax relief measures and an increase in the minimum wage. The vote coming out of the House was a fairly big bipartisan vote, with 34 Democrats in the House of Representatives voting with the majority of Republicans in the House to send it over to the Senate. We are faced right now with this vote on Friday on whether we are going to do something that will address once and for all this situation that the death tax creates for estates, for businesses, family farms and ranch operations going forward, whether we are going to address these other tax issues which also expire.

I might add that in my State of South Dakota, there is one on this list that is extremely important to the people I represent, and that is the State and local sales tax reduction. We are not an income tax State. We don't have a personal or corporate income tax. We do have a sales tax. For a long time, people who paid State income tax got to deduct that on their Federal tax return. People who had sales tax and used the sales tax as basis for taxation were not able to take the same benefit. We changed that in 2003. That is set to expire. If we don't do something to extend that tax relief, then people in my State of South Dakota and other States across this country who use the sales tax as their primary source of raising revenue to fund State governments are going to lose this deduction. That again creates an inequity between States that use the sales tax and those States that use the income tax to fund their governments.

There are other things on this list as well—college tuition deduction, work opportunity tax credit, welfare to work tax credit, timber capital gains that are also on the list of taxes, tax revenue that would be extended, teachers' classroom expenses deduction, something a lot of teachers across this country have benefited from.

My point very simply is these are all things included in this package. This is our one opportunity to get this vote. I think there are those on the other side who are hopeful they can take this down and then they will figure out a way to split these things off. But I think it is fair to say we have this one opportunity. We get one shot. We get one shot at providing some permanent death tax relief by extending these death tax relief measures that are set to expire, and we get one shot at an increase in the minimum wage.

I think if you look at this body and the way it works, there is a sort of sense of finding a consensus. It has been a long-time priority for our colleagues on the Democratic side to get an increase in the minimum wage. There is a phased increase in the minimum wage in this bill.

There has been a long-term priority for those of us on this side to be able to provide some death tax relief for farmers and ranchers and small businesses in this country. This bill accomplishes that.

It is not a total repeal. As I said, I think it is a very modest approach. It goes to $5 million for an individual and $10 million for a couple, basically if you have a spouse, and it also uses after that amount the capital gains tax rate as a level of taxation up to $25 million at which point it would be a 30-percent rate.

So it is not a complete repeal. You are still going to capture the superrich who are going to pay the 30-percent rate because most of their estate assets are going to be well over the $25 million threshold or limit.

So this is a moderate, modest approach. It represents what this institution is about; that is, trying to bring both sides together, trying to figure out where that middle ground is and form a consensus around these issues. The minimum wage, as I said, is phased in. The estate tax death tax relief is phased in. It doesn't happen overnight. It is phased in to get up to the $5 million unified credit, or the exemption. And then these other tax extenders are something I think most Members here in the Senate on both sides at one time or another have supported and voted for. I would argue it is very important to many of their constituencies.

Again, if you are a State such as my State of South Dakota that relies on State sales tax as your primary source of revenue to fund State government, extending the deductibility of that is a matter of fairness for those States that have income tax and, therefore, are able to deduct the State income taxes they pay.

Again, it has been voted on in the House by a big bipartisan vote coming out of the House.

This is an opportunity, I think, for this Senate to come together on a set of priorities which reflect, I think, the agendas of both sides.

As he said, the minimum wage increase is something that the Democrats have been advocating for some time. I voted for a minimum wage increase in the past coupled with small business tax relief.

The estate tax—or death tax—relief is something our side has been actively working on for years. As a Member of the House, we voted numerous times on this and now as a Member of the Senate I will have that same opportunity.

Of course, the extension of the other forms of tax relief are in this bill. We

get one shot. I hope Members on both sides will recognize what an incredible opportunity we have right now to address this whole range of issues that have been languishing here for a long time, and do something that will be meaningful in terms of continuing to give our entrepreneurs in this country, small businesses, farm and ranch operations the opportunity to grow, to continue to build wealth, to create jobs, and to keep the economy strong. That is what this particular bill and what it contains is all about.

Again, my hope is that at the end of the day we will see a good, strong, bipartisan vote in the Senate as we saw in the House of Representatives, and be able to send this on to the President where he can sign it into law and we can demonstrate to the people of this country that we are addressing the issues they care deeply about and, most importantly, I say to them the issue of the economy, and dealing with energy costs today with an energy bill, dealing with the death tax, dealing with the minimum wage, dealing with these other forms of tax relief are all things that have been on the agenda for some time.

I believe we have an opportunity to get this done. I hope we can.

I appreciate the work of my colleagues who have labored so diligently to get this far in the process, to get it on the floor for a vote. I hope when Friday rolls around and we have this vote that we will have the 60 votes necessary to move forward and to get this done once and for all.

I yield the floor.

HONORING OUR ARMED FORCES

ARMY CORPORAL NATHANIEL S. BAUGHMAN

Mr. BAYH. Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from Idaville. Nathaniel S. Baughman, 23 years old, was killed on July 17th by rocket-propelled grenades while on duty in Bayji, Iraq. Nate risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Baughman enlisted in the Army National Guard last spring and shortly after was deployed to Iraq. He was on his last mission when he was killed and was due to return home to Indiana in a few weeks. Baughman was remembered by his mother, Jill Baughman, who told a local news outlet, ''He was a good dad, a great father. He was a hard worker who believed in what he was doing. We're proud of what he did for us, very proud of him.'' Nate was a 2001 graduate of Twin Lakes High School. He was married 2 years ago and had a son, Hunter, 4.

Nate was killed while serving his country in Operation Iraqi Freedom. He was assigned to 1st Battalion, 187th Infantry Regiment, 3rd Brigade Combat Team, 101st Airborne Division out of Fort Campbell, KY. This brave soldier leaves behind his parents, Robert and Jill Baughman and Andy Skorup; twin brother Nick Skorup and brothers Ben, Joseph and Christopher Baughman; his wife Erin; son Hunter and Hunter's mother Amanda Conrad.

Today, I join Nate's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Nate, a memory that will burn brightly during these continuing days of conflict and grief.

Nate was known for his dedication to his family and his love of country. Today and always, Nate will be remembered by family members, friends and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Nate's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: ''We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.'' This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Nate's actions will live on far longer that any record of these words.

It is my sad duty to enter the name of Nathaniel S. Baughman in the official record of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Nate's can find comfort in the words of the prophet Isaiah who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Nate.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On July 29, 2006, in San Diego, CA, three men were beaten at the end of a gay pride festival. As the three men were returning home, a group of men attacked them with baseball bats and knives. During the attack, the assailant yelled anti-gay insults at the victims. One of the victims remains hospitalized with a fractured skull while another victim suffered from multiple stab wounds. Police are investigating this as a hate crime.

I believe that the government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

CRISIS IN LEBANON

Mr. LEAHY. Mr. President, since July 12th we have watched with growing horror as hundreds of Hezbollah rockets have landed deeper and deeper inside Israel, indiscriminately killing and injuring civilians, and Israeli bombs, missiles and artillery shells have destroyed much of the civilian infrastructure in areas of Beirut and southern Lebanon.

Some 550 Lebanese have died, the vast majority of them civilians, and an estimated 866,000 one in five Lebanese citizens have fled their homes and are either displaced in Lebanon, living in schools and public buildings, or as refugees in Syria. Fifty Israelis have died, and in Haifa and other towns in the north many families are living in terror in basements or shelters.

Meanwhile, three Israeli soldiers remain as hostages and their families remain in anguish hostages held in violation of the Geneva Conventions and every other international norm. In another sense, Hezbollah and its supporters Syria and Iran are holding the entire population of Lebanon hostage.

Of the 26,000 American citizens who were living in or visiting Lebanon when this crisis began, more than 12,000 have been evacuated, and the exodus continues. The cost to the U.S. Government of this air and sea lift is expected to be at least $46 million.

The evacuation took too long to get started, and the delay and confusion caused a lot of frustration and anxiety among Americans in Lebanon as well as their families back home.

As after Hurricane Katrina, I hope the administration has learned something from this experience. At the same time, I want to commend the State Department employees and U.S. military personnel who worked around the clock to help Americans who were trapped in Lebanon find a way out.

The unprovoked, indiscriminate and utterly inexcusable kidnapping of Israeli soldiers and rocket attacks by Hezbollah should be universally condemned. Those who ordered it should be brought to justice. It has ignited a conflict that Hezbollah cannot win but which could engulf the region if a way

is not found to stop the spiral of violence from widening.

It is clear that a buffer zone patrolled by an international force is urgently needed along the Israeli-Lebanese border to prevent these kinds of violent incursions against Israel and its people, and that Hezbollah must be disarmed in order for Lebanon to finally finally—break free of Syria's harsh grip.

While hundreds of Hezbollah's missiles continue to rain down on Israel, Israel's military response has also caused the deaths of hundreds of civilians in Lebanon, including four United Nations observers. One of the latest tragedies is the destruction by an Israeli missile of an apartment building in Qana that resulted in 57 Lebanese deaths including 34 children, children who were not terrorists.

Secretary Rice's whirlwind visits to the region have been welcome but they have produced few tangible results. This type of crisis diplomacy rarely achieves lasting solutions. She is also occupied with a widening civil war in Iraq, resurgent Taliban violence in Afghanistan, an increasingly recalcitrant and aggressive regime in North Korea, a worsening humanitarian crisis in Darfur with no end in sight, the specter of a nuclear-weapons-capable Iran in the world's future, and other pressing problems. She is simply unable to focus the sustained, high-level attention on the Middle East crisis that is needed.

I and others like my friend from Nebraska, Senator HAGEL, have urged President Bush to appoint a special envoy with the stature and the authority to work on a continual basis to help broker an immediate cease-fire and long term solutions to Israel's conflicts with Hamas and Hezbollah someone who wakes up every single day with the challenge, the portfolio and especially the authority to help resolve this conflict. I renew this call for such an envoy again today.

Some U.S. officials have questioned the possibility of a cease-fire with a terrorist organization like Hezbollah. That is a valid question, but cease-fires have been achieved with other terrorist groups, and while imperfect the results have been sharp reductions in violence.

A cease-fire is needed immediately in Lebanon, to be followed with similar urgency by the deployment of an international peacekeeping force on the border. Too many innocent people are dying innocent people—in both countries. A peacekeeping force is necessary to prevent further loss of Lebanese and Israeli lives.

The United States is committed to protecting Israel's security and we support Israel's right of self defense, including going after Hezbollah fighters who often launch their attacks from civilian areas.

But for Israel's sake, for ours and especially especially—for the sake of innocent lives on both sides of these battle lines, it is vitally important to ask whether destroying Lebanon—not Hezbollah, but destroying Lebanon—will make Israel more secure or instead rally Muslims behind Hezbollah and give rise to further hatred and insecurity. I believe that continued bombing of civilian areas in Lebanon will not destroy Hezbollah, but in a perverse way, it may strengthen it.

The fact that these attacks are being carried out with such intensity and are yielding so much death and destruction, with weapons supplied by the United States, and at a time when we are trying to repair our already frayed relations with Muslims around the world, is all the more reason for the United States and the people of Israel to consider and answer this question frankly and honestly. I am concerned, as others have also warned, that a short-term tactical victory—even if possible—could prove to be a hollow victory at great human cost.

We should also reflect on the circumstances that preceded this crisis. For the past 5 years, the Bush administration's approach to the Middle East has been either to ignore it or to parachute in for just enough time for a few handshakes and photographs. There has never been an effective strategy. They have never been willing to expend any political capital. Their policy toward Syria and Iran has been erratic and ineffective. Their relations with the Palestinians have stagnated.

It was clear since the earliest days of this administration that this laxity would define their approach to these tinderbox issues, and the terrible harm of that approach—to our ally Israel, to the Palestinians, and to the prospects for resuming a meaningful peace process in that region is all the more clear today.

I am not among those who believe that the United States pulls all the strings in the Middle East. There are forces there over which we have only limited influence.

But neither do I believe there can be a lasting solution to the Arab-Israeli conflict without the active, creative and sustained engagement of the United States, including direct talks with those with whom we strongly disagree, like Syria and Iran. That has been sorely lacking under this administration, and we are witnessing the price of that neglect in Lebanon and Israel today.

A CALL TO DUTY

Mr. GRASSLEY. Mr. President, I rise today to recognize two acts of selfless courage that exemplify the willingness of Iowans to accept and fulfill their Nation's call to duty. The actions of US Marine Corps Sgt. R.J. Mitchell and Sergeant Major Bradley Kasal have earned each of them the Navy Cross. Awarded for their actions during a November 2004 assault on Fallujah, the Navy Cross is among the highest awards for gallantry our Nation can bestow on those who serve. More than this, they have earned the respect of a nation and the thanks of its people by ensuring that the cause of freedom and its protection not only survives but thrives in the face of every challenge.

Sergeant Mitchell, who grew up near Carson, IA, was awarded the Navy Cross on July 28. Sergeant Major Kasal, originally from Afton, IA received his award May 1 as well as a promotion to sergeant major. During an assault on a house in Fallujah, both Iowans charged to the aid of fellow wounded marines, remaining in the line of fire and continuing to provide leadership to fellow marines until the last injured marine was safely evacuated. Over the course of the engagement, both sustained wounds from enemy fire and shrapnel but continued on in harm's way, saving the lives of several marines as a result of their selfless actions.

I extend my personal gratitude, that of all Iowans, and all Americans, to these brave marines. It is in their selfless acts of courage that the very meaning of honor can be found. The Navy Cross is more than an adornment, it symbolizes the respect and appreciation of the American people. Through these heroic acts in service to their country, Brad Kasal and R.J. Mitchell truly embodied the motto of Iowa, ''Our liberties we prize, and our rights we will maintain.''

THANKING SUMMER INTERNS

BILL BLEWETT

Mr. THUNE. Mr. President, today I rise to thank Bill Blewett, an intern in my Sioux Falls, SD office, for all of the hard work he has done for me, my staff, and the state of South Dakota this summer.

Bill is a graduate of Stevens High School in Rapid City, SD, and Black Hills State University. Currently, he attends the University of South Dakota School of Law. He is a hard worker and has been dedicated to getting the most out of his internship experience.

I give my thanks to Bill and wish him continued success in the years to come.

DAN ENGLISH

Mr. President, today I rise to thank Dan English, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota this summer.

Dan is a graduate of O'Gorman High School in Sioux Falls, SD, and after returning from a year abroad at the London School of Economics will be a senior at the University of Richmond where he is studying economics and political science. He is a hard worker and has been dedicated to getting the most out of his internship experience.

I give my thanks to Dan and wish him continued success in the years to come.

KYLE HOLDT

Mr. President, today I rise to thank Kyle Holdt, an intern in my Washington, DC, office, for all of the hard

work he has done for me, my staff, and the State of South Dakota this summer.

Kyle is a graduate of Cresbarb High School in Crebsarb, SD, and is currently a senior at South Dakota State University where he is majoring in political science. He is a hard worker and has been dedicated to getting the most out of his internship experience.

I give my thanks to Kyle and wish him continued success in the years to come.

ROBIN RYNO

Mr. President, today I rise to thank Robin Ryno, an intern in my Sioux Falls, SD office, for all of the hard work she has done for me, my staff, and the State of South Dakota this summer.

Robin is a graduate of Winner High School in Winner, SD, and is currently attending the University of South Dakota where she is majoring in political science. She is a hard worker and has been dedicated to getting the most out of her internship experience.

I give my thanks to Robin and wish her continued success in the years to come.

REFORMING THE COMMITTEE ON FOREIGN INVESTMENT

• Mr. BUNNING. Mr. President, today I express my interest in continuing to work on reform of the Committee on Foreign Investment in the United States.

National security is our priority, but it is vital that we not let overreaction from the Dubai Ports World controversy result in hasty legislation that will choke off foreign direct investment, or ''in-sourcing,'' which is a key contributor to the U.S. economy. In my own State, 87,000 people, or 6 percent of the entire State workforce, are employed by in-sourcing companies. These are good jobs, most frequently in manufacturing, paying 34 percent higher wages on average.

It is understandable that everyone involved with the CFIUS process today is very cautious. Consequently, there are more CFIUS filings. CFIUS is taking extra measures to ensure that every transaction is strenuously scrutinized. Moreover, CFIUS is frequently requiring security commitments from parties with regard to transactions that they would not have given a second thought before.

Without a doubt, some of this is good—the CFIUS process needs to be thorough. But extreme caution, when mixed with amendments to the Exon-Florio statute proposed by S. 3549, may result in substantial bureaucratic friction and delay for the foreign investments that pose no national security risk.

I am concerned that, in the post-Dubai Ports World environment, overburdened CFIUS agencies could be tempted to regularly seek to extend the initial 30-day review to a 60-day period for reasons unrelated to any issues presented by the transaction under review. This temptation could be even greater given the case-by-case, detailed notifications to Congress that the bill would require CFIUS personnel to provide at every stage of regulatory proceedings. Ultimately, these delays could clog up the CFIUS process, penalize foreign investors, and chill foreign investment, without actually contributing to improved national security.

I also raised this issue during Banking Committee hearings on S. 3549, which passed the Senate last week. Chairman SHELBY pledged to work to address these concerns during markup of the legislation. I look forward to working with him to do so as the bill proceeds to conference.•

ADDITIONAL STATEMENTS

TRIBUTE TO BRIGADIER GENERAL JAMES J. D'AGOSTINO

• Mr. REED. Mr. President, today I recognize the accomplishments of BG James J. D'Agostino, U.S. Air Force, assistant adjutant general for air and deputy commanding general, of the Rhode Island National Guard. General D'Agostino is retiring on August 5, 2006, with over 38 years of active military service in war and peace. I have been pleased to know General D'Agostino for many years.

Brigadier General D'Agostino has served in a variety of field and staff assignments. His military career began in 1967 when he enlisted in the U.S. Army. After completing infantry training, he served with distinction during the Vietnam war in four separate military campaigns. After serving in Vietnam, he was transferred to the Army Reserve and was honorably discharged as a sergeant in 1973.

In 1974, Brigadier General D'Agostino joined the 143rd Civil Engineering Flight of the Rhode Island Air National Guard. Three years later, he graduated from the Air National Guard Academy of Military Science and was commissioned a first lieutenant. Shortly thereafter, he assumed the duties of base civil engineer for the 281st Combat Communications Group in Coventry, RI. Twenty-one years later, in 1999, he was transferred to the U.S. Property and Fiscal Office for Rhode Island as the supervisory logistics management specialist. Within 2 years, Brigadier General D'Agostino was selected to be the fiscal officer for Rhode Island, where he served through September 2005. In October 2005, he transitioned to his current position as the assistant adjutant general for air and deputy commanding general of the Rhode Island National Guard.

You have to cast a very large net to truly capture everything Brigadier General D'Agostino has done to improve the Rhode Island National Guard. I would like to highlight some of his greatest accomplishments. During his 21-year tenure as the only ''one person'' base civil engineering officer in the Air National Guard, he completely rebuilt both the Coventry and North Smithfield Air National Guard stations. He planned and effected a comprehensive program of military construction which has since cut operating and maintenance costs by nearly 50 percent. Additionally, he more than tripled the size of the North Smithfield Air National Guard, station, which provided, for the first time, a realistic environment for unit-wide, in-garrison field training. For his outstanding performance he was recognized as Rhode Island's Federal Professional Employee of the Year in 1997.

In 1998, Brigadier General D'Agostino prepared the critical project book for what was at that time the single largest military construction project in the Rhode Island National Guard, the $16 million C–130J aircraft hanger. Rhode Island's 143rd Airlift Wing was subsequently the first Air Force unit to receive the C–130J and appropriately, they performed superbly as they deployed the first C–130Js during the global war on terrorism in Iraq. Today, that hanger supports the Rhode Island Air National Guard's five C–130J aircraft.

And finally, Brigadier General D'Agostino's has been a critical supporter of energy conservation. While rebuilding Rhode Island's bases, he strictly adhered to using energy efficient air conditioning units, lighting fixtures, and appliances. Additionally, he has implemented various energy conservation programs that further enhance energy efficiency. Between these and other cost saving measures, an estimated reduction of over 50 percent has been achieved in operating and maintenance costs.

While carrying the full load of his professional career, Brigadier General D'Agostino has been affiliated with at least 30 professional and military organizations. He has and continues to serve in many prominent positions, where his work has paralleled his military successes.

Brigadier General D'Agostino, currently serves as the chairman of the board at the Society for Human Advancement through Rehabilitation Engineering Foundation, with which he has been actively involved for over 20 years. The society has enabled hundreds of individuals with disabilities to communicate via custom-made computer systems utilizing voice synthesizers and other specialized equipment.

As a past president of the National Guard Association of Rhode Island, Brigadier General D'Agostino created and still chairs its scholarship awards program, which has awarded almost $40,000 in scholarships. Additionally, he also served for several years as a trustee for the Rhode Island Air National Guard's McGown-Roberts Scholarship Fund, the primary educational fundraising vehicle for Air National Guard personnel. In 2002, the National Guard Association of the United States

awarded him its coveted Meritorious Service Award for his contributions to his State and Nation.

Brigadier General D'Agostino is surrounded by a wonderful family. Together with his wife of almost 30 years, Frances, he has raised two children, Christopher and Alisa, of which they are very proud. He and Frances have been a remarkable example of husband and wife in service to the Air Force, to the Rhode Island National Guard, and to the Nation. Anyone who has enjoyed their friendship, treasures their company and their kindness.

Through Brigadier General D'Agostino's considerable efforts, the men and women of the Rhode Island National Guard have truly world-class facilities in which to accomplish their critical work. His consistent exceptional performance and exemplary character have secured his reputation as one of Rhode Island's most respected military officers.

The Rhode Island National Guard has never been stronger and more connected to the Army and Air Force. Brigadier General D'Agostino has set the groundwork for current and future Rhode Island National Guard facilities. His dedication to excellence and his unsurpassed devotion to duty, honor, and country have marked his distinguished service over 38 years.●

CELEBRATING 50 YEARS OF MARRIAGE

● Mr. THUNE. Mr. President, today I recognize Vert and Doris Voigt and Clayton and Minnie Wittmeier of Avon, SD. The Voigts were married on September 7 while the Wittmeier's were married on August 24, both 50 years ago this year.

The Voigts and Wittmeiers are close neighbors and even closer friends. Both couples were married in the Emmanuel Reformed Church in Springfield, SD, and for many years since have been active in the First Baptist Church in Avon. The Wittmeiers and the Voights have served and continue to serve as a great example of dedication and commitment: both in their marriages and through their friendship.

I would like to offer my congratulations to Vert and Doris Voigt and Clayton and Minnie Wittmeier on their anniversaries and wish them continued happiness in the years to come.●

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.)

MEASURES PLACED ON THE CALENDAR

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

H.R. 5684. An act to implement the United States-Oman Free Trade Agreement.

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–7720. A communication from the Deputy Assistant Secretary, Office of Legislative and Intergovernmental Affairs, Department of Homeland Security, transmitting, a report relative to a bill entitled ''Coast Guard and Maritime Transportation Act of 2006''; to the Committee on Commerce, Science, and Transportation.

EC–7721. A communication from the General Counsel, Department of Commerce, transmitting, a report of draft legislation relative to amending the Communications Act of 1934, received on July 26, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7722. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, the report of a draft bill entitled ''The Western and Central Pacific Fisheries Convention Act'' received on July 16, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7723. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Implement Essential Fish Habitat and Habitat Areas of Particular Concern Conservation Measures'' (RIN0648–AT09) received on July 26, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7724. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Revise Regulations Regarding Tagged Halibut and Tagged Sablefish'' (RIN0648–AR09) received on July 26, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7725. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Specifications and Management Measures; Inseason Adjustments'' (I.D.# 062706B) received on July 26, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7726. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Correction to the Guideline Harvest Level Regulations for the Pacific Halibut Charter Sport Fishery in Waters in and off Alaska'' ((RIN0648–AU30)(I.D.# 101501A)) received on July 26, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7727. A communication from the Attorney Advisor, Maritime Administration, Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Administrator, received on July 26, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7728. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones (including 10 regulations beginning with CGD01–06–042)'' (RIN1625–AA00) received on July 26, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7729. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone (including 10 regulations beginning with CGD09–06–080)'' (RIN1625–AA00) received on July 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7730. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List of unclassified agreements 06–139–06–151); to the Committee on Foreign Relations.

EC–7731. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed retransfer of Major Defense Equipment (MDE) of defense articles or defense services in the amount of $14,000,000 or more to Gabon; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 3661. A bill to amend section 29 of the International Air Transportation Competition Act of 1979 relating to air transportation to and from Love Field, Texas (Rept. No. 109–317).

By Ms. COLLINS, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 4646. A bill to designate the facility of the United States Postal Service located at 7320 Reseda Boulevard in Reseda, California, as the ''Coach John Wooden Post Office Building''.

H.R. 4811. A bill to designate the facility of the United States Postal Service located at 215 West Industrial Park Road in Harrison, Arkansas, as the ''John Paul Hammerschmidt Post Office Building''.

H.R. 4962. A bill to designate the facility of the United States Postal Service located at 100 Pitcher Street in Utica, New York, as the ''Captain George A. Wood Post Office Building''.

H.R. 5104. A bill to designate the facility of the United States Postal Service located at 1750 16th Street South in St. Petersburg, Florida, as the ''Morris W. Milton Post Office''.

H.R. 5107. A bill to designate the facility of the United States Postal Service located at 1400 West Jordan Street in Pensacola, Florida, as the ''Earl D. Hutto Post Office Building''.

H.R. 5169. A bill to designate the facility of the United States Postal Service located at 1310 Highway 64 NW. in Ramsey, Indiana, as the ''Wilfred Edward 'Cousin Willie' Sieg, Sr. Post Office''.

H.R. 5540. A bill to designate the facility of the United States Postal Service located at 217 Southeast 2nd Street in Dimmitt, Texas, as the ''Sergeant Jacob Dan Dones Post Office''.

S. 2555. A bill to designate the facility of the United States Postal Service located at 2633 11th Street in Rock Island, Illinois, as the ''Lane Evans Post Office Building''.

S. 2719. A bill to designate the facility of the United States Postal Service located at 1400 West Jordan Street in Pensacola, Florida, as the ''Earl D. Hutto Post Office Building''.

S. 3613. A bill to designate the facility of the United States Postal Service located at 2951 New York Highway 43 in Averill Park, New York, as the ''Major George Quamo Post Office Building''.

By Mr. LUGAR, from the Committee on Foreign Relations, without amendment:

S. 3722. A bill to authorize the transfer of naval vessels to certain foreign recipients.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. WARNER for the Committee on Armed Services.

Robert L. Wilkie, of North Carolina, to be an Assistant Secretary of Defense.

Frank R. Jimenez, of Florida, to be General Counsel of the Department of the Navy.

Benedict S. Cohen, of the District of Columbia, to be General Counsel of the Department of the Army.

William H. Tobey, of Connecticut, to be Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration.

C. Thomas Yarington, Jr., of Washington, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring May 1, 2011.

Colleen Conway-Welch, of Tennessee, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring May 1, 2011.

Army nomination of Maj. Gen. Kevin T. Campbell to be Lieutenant General.

Army nomination of Lt. Gen. Robert T. Dail to be Lieutenant General.

Marine Corps nomination of Lt. Gen. James T. Conway to be General.

Navy nomination of Capt. Michael H. Mittelman to be Rear Admiral (lower half).

Army nomination of Maj. Gen. Lloyd J. Austin III to be Lieutenant General.

Mr. WARNER. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning with Gary L. Akins and ending with Glenn Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record on July 18, 2006.

Army nomination of David W. Wilson to be Lieutenant Colonel.

Army nomination of Lisa M. Weide to be Lieutenant Colonel.

Army nomination of Kerry K. King to be Major.

Army nomination of Lawrence N. Petz to be Major.

Army nomination of Yolanda Ruizisales to be Colonel.

Army nominations beginning with Paul G. Arbour and ending with James M. Zarlengo, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2006.

Marine Corps nomination of Robert J. Gallagher to be Major.

Navy nomination of Ben M. Smith to be Captain.

Navy nomination of Sidney E. Hall to be Commander.

Navy nomination of Dawn M. Divano to be Lieutenant Commander.

Navy nomination of Michael J. Lavelle to be Lieutenant Commander.

Navy nomination of Gary C. Norman to be Lieutenant Commander.

Navy nominations beginning with Neal D. Agamaite and ending with David C. Kleinberg, which nominations were received by the Senate and appeared in the Congressional Record on July 18, 2006.

Navy nominations beginning with Gregory R. Bart and ending with Gregory J. Smith, which nominations were received by the Senate and appeared in the Congressional Record on July 21, 2006.

Navy nominations beginning with Rickie V. Adside and ending with Michael J. Zerbo, which nominations were received by the Senate and appeared in the Congressional Record on July 21, 2006.

Navy nominations beginning with Anibal L. Acevedo and ending with Theresa M. Wood, which nominations were received by the Senate and appeared in the Congressional Record on July 21, 2006.

Navy nominations beginning with Thomas M. Dailey and ending with Toby C. Swain, which nominations were received by the Senate and appeared in the Congressional Record on July 21, 2006.

Navy nominations beginning with Kevin J. Bartoe and ending with Machelle A. Vieux, which nominations were received by the Senate and appeared in the Congressional Record on July 21, 2006.

Navy nominations beginning with Kevin L. Anderson, Jr. and ending with Thomas B. Webber, which nominations were received by the Senate and appeared in the Congressional Record on July 21, 2006.

Navy nominations beginning with Rebecca L. Bates and ending with Henry X. Young, which nominations were received by the Senate and appeared in the Congressional Record on July 21, 2006.

Navy nominations beginning with Erol Agi and ending with Walter R. Wittke, which nominations were received by the Senate and appeared in the Congressional Record on July 21, 2006.

Navy nominations beginning with Juliann M. Althoff and ending with Michael R. Yochelson, which nominations were received by the Senate and appeared in the Congressional Record on July 21, 2006.

Navy nominations beginning with George A. Quiroa and ending with Joyce C. Ross, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2006.

Navy nominations beginning with Cristal B. Caler and ending with Kimberly J. Schulz, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2006.

Navy nominations beginning with Matthew I. Borbash and ending with Robert W. Witzleb, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2006.

Navy nominations beginning with Larry J. Carpenter and ending with Pauline A. Storum, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2006.

By Mr. LUGAR for the Committee on Foreign Relations.

*Mark R. Dybul, of Florida, to be Coordinator of United States Government Activities to Combat HIV/AIDS Globally, with the rank of Ambassador.

*Henry M. Paulson, Jr., of New York, to be United States Governor of the International Monetary Fund for a term of five years; United States Governor of the International Bank for Reconstruction and Development for a term of five years; United States Governor of the Inter-American Development Bank for a term of five years; United States Governor of the African Development Bank for a term of five years; United States Governor of the Asian Development Bank; United States Governor of the African Development Fund; United States Governor of the European Bank for Reconstruction and Development.

*Christina B. Rocca, of Virginia, for the rank of Ambassador during her tenure of service as U. S. Representative to the Conference on Disarmament.

*Philip S. Goldberg, of Massachusetts, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Bolivia.

Nominee: Philip. S. Goldberg.

Post: Bolivia.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: N/A.
3. Children and spouses: NA.
4. Parents names: Morton and Edna Goldberg (deceased).
5. Grandparents names: Charles and Anna Goldberg (deceased); Hyman and Lillian Cohen (deceased).
6. Brothers and spouses: N/A.
7. Sisters and spouses names: Lisa E. Goldberg (Sister): $210, 06/07/2005, Hillary Rodham Clinton via Friends of Hillary; $500, 10/07/2004, Democratic National Committee; $1,000, 09/03/03, John Edwards via Edwards for Senate. John E. Sexton (Brother-in-law): none.

Donna G. Eskind (sister): none. Jeffrey B. Eskind (Brother-in-Law): $2,000, 02/24/2006, Harold E. Ford Jr. via Harold E. Ford, Jr. for Tennessee; $2,000, 04/28/2005, Massachusetts Republican State Congressional Committee; $1,000, 08/04/2004, Kerry Victory 2004; $1,000, 08/04/2004, John F. Kerry via John Kerry for President Inc.

*Richard W. Graber, of Wisconsin, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Czech Republic.

Nominee: Richard W. Graber.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: $500, 3/14/04, Hoze for Congress; $443, 6/30/04, Hoze for Congress; $300, 1/16/06, Tennessee Rep. Party Fed. Election Account; $2,000, 9/20/04, Michels for U.S. Senate; $500, 5/

16/03, Wisconsin Leadership PAC; $500, 12/30/03, Sensenbrenner Committee; $500, 9/13/04, Dale Schultz For Congress, Inc.; $6,000, 5/10/04, Republican National Committee; $2,000, 10/9/03, Bush-Cheney '04 (Primary) Inc.; $1,000, 3/22/06, Badger Fund; $100, 10/31/04, Sensenbrenner Committee; $100, 10/13/03, Petri for Congress; $100, 10/02, Petri for Congress.

2. Spouse: Alexandria R. Graber: None.

3. Children and spouses names: Scott B. Graber: None; Erik R. Graber: None.

4. Parents names: Lynn C. Graber: None; Richard A. Graber: $25, 4/6/04, DeMint For Senate; $50, 9/22/04, DeMint For Senate; $25, 4/6/04, Republican National Committee; $25, 10/18/04, Republican National Committee; $20, 1/26/05, Republican National Committee; $39, 3/3/05, Republican National Committee; $75, 2/16/04, Bush-Cheney; $30, 8/10/04, Bush-Cheney.

5. Grandparents names: Alfred and Elsie Hurschman (deceased); William and Edna Graber (deceased).

6. Brothers and spouses names:

7. Sisters and spouses names: Heidi Weiland: None; Jeffrey Weiland: None.

*Karen B. Stewart, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Belarus.

Nominee: Karen Brevard Stewart

Post: CoM Belarus

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: $100, 11/24/03, AFSA Legislative Action Fund.

2. Spouse: no spouse.

3. Children and spouses names: no children.

4. Parents names: Selden L. Stewart II (deceased); Brevard N. Stewart (deceased).

5. Grandparents names: Selden L. Stewart (deceased); Nancy H. Stewart (deceased); Roy D. Stubbs (deceased); Georgia S. Stubbs (deceased).

6. Brothers and spouses names: Selden L. Stewart III (deceased); Kathryn H. Stewart, none; David N. Stewart, $30, 12/27/02, Republican National Comm; $25, 3/1/03, Nat'l Republican Senatorial Comm; $25, 10/20/03, Nat'l Republican Congressional Committee; $100, 11/25/03, The Club for Growth; $40, 1/17/04, Nat'l Republican Congressional Committee; $40, 1/17/04, Republican National Comm; $50, 2/24/04, Nat'l Republican Senatorial Comm; $250, 4/17/04, Robinson for Congress (NC); $100, 5/11/04, Club for Growth PAC; $250, 5/29/04, Robinson for Congress; $50, 7/6/04, Brad Smith for Congress (MI); $100, 7/30/04, Robinson for Congress; $200, 9/22/04, Coburn for Senate (OK); $100, 10/29/04, DeMint for Senate (SC); $100, 10/30/04, Coburn for Senate; $100, 11/02/04, John Thune for Senate (SD); $200, 8/12/04, The Club for Growth; $80, 2/1/05, Republican Nat'l Committee; $50, 2/7/05, Nat'l Republican Congressional Committee; $300, 2/14/05, The Club for Growth; $50, 3/1/05, Libertarian Nat'l Committee; $50, 3/14/05, Tom Tancredo for Congress; $25, 5/16/05, Nat'l Republican Senatorial Comm; $300, 6/7/05, Sharon Angle for Congress (NV); $35, 6/20/05, Keith Butler for U.S. Senate (MI); $25, 7/2/05, McHenry for Congress; $250, 10/3/05, Jim Gilchrist for Congress; $300, 11/28/05, Walberg for Congress (MI–7); $100, 11/30/05, Jim Gilchrist for Congress; $100, 12/01/05, Kim Butler for U.S. Senate; $50, 1/18/06, Libertarian Nat'l Committee; $100, 1/18/06, Jim Gilchrist for Congress; $150, 1/19/06, The Club for Growth; $100, 2/13/06, Texans for Cuellar (D–TX–28); $50, 2/13/06, A. Smith for Congress (R–NE–3); $50, 2/13/06, Angle for Congress (R–NV–2); $50, 2/13/06, Laffey U.S. Senate; $50, 2/13/06, Keith Butler for U.S. Senate (MI); $50, 2/15/06, A. Smith for Congress (R–NE–3); $50, 2/15/06, Sali for Congress (R–ID–1); $50, 2/17/06, Mark Kennedy U.S. Senate (MN); $50, 2/17/06, Krinkie for Congress (R–MN–6); $100, 2/22/06, Walberg for Congress (MI–7); Christine L. Stewart, $100, 8/19/03, Howard Dean for America.

7. Sisters and spouses names: (no sisters).

Mr. LUGAR. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Foreign Service nominations beginning with James C. Charlifue and ending with Barbara Matthews, which nominations were received by the Senate and appeared in the Congressional Record on June 16 , 2006.

Foreign Service nominations beginning with M. Suzanne Archuleta and ending with John D. Lavelle, Jr., which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2006.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. SANTORUM (for himself and Mr. MARTINEZ):

S. 3766. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for donations to non-profit scholarship organizations and educational improvement organizations; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. BAUCUS):

S. 3767. A bill to delay the full implementation of the occupational mix adjustment to the wage index under the Medicare inpatient hospital prospective payment system; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. DORGAN, and Mr. HARKIN):

S. 3768. A bill to prohibit the procurement of victim-activated landmines and other weapons that are designed to be victim-activated; to the Committee on Armed Services.

By Mr. ENSIGN (for himself, Mr. NELSON of Florida, Mr. COLEMAN, Mr. LIEBERMAN, Mr. SANTORUM, and Mr. FRIST):

S. 3769. A bill to encourage multilateral cooperation and authorize a program of assistance to facilitate a peaceful transition in Cuba, and for other purposes; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 3770. A bill to require a pilot program on the facilitation of the transition of members of the Armed Forces to receipt of veterans health care benefits upon completion of military service, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HATCH (for himself, Mr. KENNEDY, Mr. DEWINE, Mr. DODD, Mr. BURR, Mr. HARKIN, Mr. BOND, Ms. MIKULSKI, Ms. SNOWE, Mr. JEFFORDS, Mr. TALENT, Mr. BINGAMAN, Ms. COLLINS, Mrs. MURRAY, Mr. CHAFEE, Mr. REED, Mr. SMITH, and Mrs. CLINTON):

S. 3771. A bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act; to the Committee on Health, Education, Labor, and Pensions.

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

S. 3772. A bill to establish wilderness areas, promote conservation, improve public land, and provide for high quality development in White Pine County, Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 556

At the request of Mr. MCCAIN, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 556, a bill to direct the Secretary of the Interior and the Secretary of Agriculture to jointly conduct a study of certain land adjacent to the Walnut Canyon National Monument in the State of Arizona.

S. 707

At the request of Mr. FRIST, his name was added as a cosponsor of S. 707, a bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

S. 1057

At the request of Mr. BURNS, his name was added as a cosponsor of S. 1057, a bill to amend the Indian Health Care Improvement Act to revise and extend that Act.

S. 1313

At the request of Mr. CORNYN, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1313, a bill to protect homes, small businesses, and other private property rights, by limiting the power of eminent domain.

S. 1621

At the request of Ms. COLLINS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1621, a bill to amend the Internal Revenue Code of 1986 to increase the above-the-line deduction for teacher classroom supplies and to expand such deduction to include qualified professional development expenses.

S. 1687

At the request of Ms. MIKULSKI, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1687, a bill to amend the Public Health Service Act to provide waivers relating to grants for preventive health measures with respect to breast and cervical cancers.

S. 1840

At the request of Mr. THUNE, the name of the Senator from Michigan

(Ms. STABENOW) was added as a cosponsor of S. 1840, a bill to amend section 340B of the Public Health Service Act to increase the affordability of inpatient drugs for Medicaid and safety net hospitals.

S. 1930

At the request of Mr. REID, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1930, a bill to expand the research, prevention, and awareness activities of the National Institute of Diabetes and Digestive and Kidney Diseases and the Centers for Disease Control and Prevention with respect to inflammatory bowel disease.

S. 2475

At the request of Mr. SALAZAR, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 2475, a bill to establish the Commission to Study the Potential Creation of a National Museum of the American Latino Community, to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino Community in Washington, DC, and for other purposes.

S. 2491

At the request of Mr. CORNYN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2491, a bill to award a Congressional gold medal to Byron Nelson in recognition of his significant contributions to the game of golf as a player, a teacher, and a commentator.

S. 2590

At the request of Mr. COBURN, the names of the Senator from Ohio (Mr. DEWINE) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 2590, a bill to require full disclosure of all entities and organizations receiving Federal funds.

S. 2750

At the request of Mr. DEMINT, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2750, a bill to improve access to emergency medical services through medical liability reform and additional Medicare payments.

S. 3275

At the request of Mr. ALLEN, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 3275, a bill to amend title 18, United States code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State.

S. 3485

At the request of Mr. DORGAN, the names of the Senator from Nevada (Mr. REID) and the Senator from West Virginia (Mr. BYRD) were added as cosponsors of S. 3485, a bill to amend the Tariff Act of 1930 to prohibit the import, export, and sale of goods made with sweatshop labor, and for other purposes.

S. 3568

At the request of Mr. BENNETT, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 3568, a bill to protect information relating to consumers, to require notice of security breaches, and for other purposes.

S. 3617

At the request of Mr. INHOFE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 3617, a bill to reauthorize the North American Wetlands Conservation Act.

S. 3682

At the request of Mr. ALEXANDER, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 3682, a bill to establish the America's Opportunity Scholarships for Kids Program.

S. 3684

At the request of Mr. ALLEN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 3684, a bill to study and promote the use of energy efficient computer servers in the United States.

S. 3696

At the request of Mr. BROWNBACK, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 3696, a bill to amend the Revised Statutes of the United States to prevent the use of the legal system in a manner that extorts money from State and local governments, and the Federal Government, and inhibits such governments' constitutional actions under the first, tenth, and fourteenth amendments.

S. 3698

At the request of Mr. JEFFORDS, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 3698, a bill to amend the Clean Air Act to reduce emissions of carbon dioxide, and for other purposes.

S. CON. RES. 97

At the request of Mr. GRASSLEY, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. Con. Res. 97, a concurrent resolution expressing the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should provide from renewable resources not less than 25 percent of the total energy consumed in the United States and continue to produce safe, abundant, and affordable food, feed, and fiber.

S. CON. RES. 106

At the request of Mr. JOHNSON, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. Con. Res. 106, a concurrent resolution expressing the sense of Congress regarding high level visits to the United States by democratically elected officials of Taiwan.

S. CON. RES. 113

At the request of Mrs. CLINTON, the names of the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Rhode Island (Mr. REED) and the Senator from Virginia (Mr. ALLEN) were added as cosponsors of S. Con. Res. 113, a concurrent resolution congratulating the Magen David Adom Society in Israel for achieving full membership in the International Red Cross and Red Crescent Movement, and for other purposes.

S. RES. 407

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. Res. 407, a resolution recognizing the African American Spiritual as a national treasure.

S. RES. 531

At the request of Mr. LIEBERMAN, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. Res. 531, a resolution to urge the President to appoint a Presidential Special Envoy for Sudan.

AMENDMENT NO. 4692

At the request of Mr. MENENDEZ, his name was added as a cosponsor of amendment No. 4692 intended to be proposed to S. 3711, a bill to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes.

AMENDMENT NO. 4698

At the request of Mr. MENENDEZ, his name was added as a cosponsor of amendment No. 4698 intended to be proposed to S. 3711, a bill to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes.

AMENDMENT NO. 4727

At the request of Mr. MENENDEZ, his name was added as a cosponsor of amendment No. 4727 intended to be proposed to S. 3711, a bill to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself and Mr. BAUCUS):

S. 3767. A bill to delay the full implementation of the occupational mix adjustment to the wage index under the Medicare inpatient hospital prospective payment system; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, I am pleased to join once again my good friend and colleague Senator BAUCUS to introduce the Wage Index Accuracy Improvement Act.

The Wage Index Accuracy Improvement Act enables the Centers for Medicare & Medicaid Services, CMS, to improve the accuracy of Medicare payments for acute care hospital services.

Under Medicare, acute care hospitals are paid for inpatient services through the hospital inpatient prospective payment system, IPPS. Around 3,500 hospitals received payment through the

IPPS totaling approximately $100 billion in fiscal year 2004.

As you know, hospitals in the United States vary greatly in terms of size, geographic location, types of patients served and staffing. Since a ''one size fits all'' approach to paying hospitals would not fairly compensate hospitals for the inpatient services they provide to Medicare patients, payments under the IPPS are adjusted to take into account these differences.

CMS has been refining one such adjustment, as required by law, and has limited its application until it has been adequately developed. This significant adjustment, the area wage index, is intended to account for differences in prices for labor in different markets.

In order to ensure that the wage index accurately reflects the difference in labor costs among different areas and not a hospital's employment choices, an occupational mix adjustment is also applied to the wage index.

For example, a hospital choosing to employ predominantly registered nurses would have higher labor costs than a hospital employing—less-expensive—licensed practical nurses. Because a hospital's staffing practices are unrelated to area wages, its staff composition should not influence the area wage index.

CMS collected data in 2004 from hospitals for purposes of calculating the occupational mix adjustment; however, because of reasons including the agency's lack of confidence in the data, only 10 percent of the wage index was adjusted for occupational mix in fiscal years 2005 and 2006.

Questions concerning the reliability of these data can be seen in my home State of Iowa. Since the State is largely rural, Iowa hospitals generally employ a less expensive mix of personnel. One would expect the occupational mix adjustment to the wage index to benefit these hospitals; however, the opposite effect has occurred. In fact, it is estimated that the occupational mix adjustment has adversely affected 8 of the 10 geographic locations in Iowa.

CMS originally proposed to continue this limited adjustment for occupational mix in fiscal year 2007, but a Federal appellate court ordered the agency to apply the occupational mix adjustment, based on data collected in 2006, to 100 percent of the wage index effective for fiscal year 2007.

CMS collected these data hurriedly, using only 3 months of data, and will not be able to post the final wage index information until after the fiscal year 2007 inpatient hospital rates are announced. Moreover, since the data collection instrument has changed from the last time CMS collected data, CMS will not have sufficient time to analyze fully the data and determine their accuracy.

Given the lack of opportunity to ensure data accuracy, the uncertainty of how the occupational mix adjustment will affect hospital payments, and the disruption that can occur in moving immediately from a 10-percent adjustment for occupational mix to a 100-percent adjustment, the Medicare Wage Index Improvement Act would limit application of the occupational mix to the current rate for a 2-year period.

This legislation would give CMS the opportunity to look at the data and act accordingly both to apply the occupational mix adjustment to the wage index appropriately and to avoid disruptions.

In the meantime, the Medicare Wage Index Improvement Act would require CMS to evaluate the way in which they collect data for and calculate the occupational mix adjustment and present us with recommendations by January 1, 2008.

I would also like to point out that the changes required under this legislation would be budget neutral because the Social Security Act requires that aggregate payments under this adjustment not be greater or less than payments made without the adjustment.

Mr. President, adjusting inpatient hospital payments under Medicare can have significant effects on a hospital's financial health. These adjustments should therefore be adequately developed to ensure that payments are accurate and not fully implemented until they are ready.

In the case of the wage index adjustment, let's provide CMS the opportunity to get the job done right.

Mr. BAUCUS. Mr. President, today, along with Finance Committee Chairman CHUCK GRASSLEY, I am introducing the Wage Index Accuracy Improvement Act. This bill would help ensure access to quality, affordable health care in rural America. And this bill would improve accuracy, reduce volatility, and ease uncertainty in the way that Medicare pays hospitals.

Medicare pays most hospitals through the inpatient prospective payment system, or IPPS. Under the IPPS, Medicare pays hospitals a standardized amount for each patient discharged. The Government's Centers for Medicare and Medicaid Services, or CMS, adjusts this amount for local wages, with a mechanism known as the area wage index. CMS intends that the area wage index help adjust for the wide variation of prices for labor and supplies across the Nation. After adjusting for wages, CMS then multiplies the standardized amount by the relative weight of the diagnosis—the diagnosis related group or DRG—to determine the total payment to the hospital. CMS further increases payments if the hospital is a teaching hospital, cares for a disproportionate share of low-income patients, or treats an exceptionally costly case.

Rural providers have had concerns about the accuracy of the wage index. Largely in response to these concerns, Congress enacted an important provision as part of the Medicare Modernization Act, or MMA, in 2003. For hospitals with wage indexes below 1.0—that is, hospitals where CMS thinks that local wages are below average—section 403 of the MMA reduced the portion of the standardized amount subject to wages to 62 percent, down from about 70 percent. This provision increased payments to hospitals in low-wage areas by an estimated $5.2 billion over 10 years. And this change was an important step toward ensuring access to quality, affordable health care in rural areas.

Nonetheless, significant problems with the wage index still exist. Some of those problems relate to section 304 of the Benefits Improvement and Protection Act of 2001. In that law, Congress required CMS to collect data on hospitals' occupational mix, in order to remove incentives to employ a relatively more expensive workforce.

For instance, a hospital that employs predominantly higher paid registered nurses would typically have higher labor costs than a facility employing mostly lower paid licensed practical nurses. In an effort to remove the influence of these staffing choices on Medicare hospital payments, section 304 required CMS to adjust the wage index for occupational mix. Congress intended through section 304 to bring greater accuracy to the payment system, leading to fairer reimbursement for hospitals. I am concerned that this provision may well have the opposite effect.

CMS collected data for occupational mix adjustment in 2004. But given concerns over the accuracy of the data, in fiscal years 2005 and 2006, CMS applied only a 10-percent adjustment for occupational mix. CMS proposed the same adjustment—10 percent—for fiscal year 2007.

On April 3, 2006, the Second Circuit Court of Appeals ordered CMS to apply 100-percent of the occupational mix adjustment for fiscal year 2007. The court directed CMS to complete data collection and measurement by September 30, 2006, and then apply the adjustment in full.

Mr. President, if CMS proceeds with a 100 percent occupational mix adjustment, hospital payments will be subject to inaccuracy, uncertainty, and volatility. Congress can prevent these outcomes, by passing the Wage Index Accuracy Improvement Act that we introduce today.

This bill would maintain the current 10 percent occupational mix adjustment for the next 2 fiscal years, giving CMS time to collect accurate data. The bill would require CMS to report on its data collection for the occupational mix adjustment by January 1, 2008. Both of these actions will give hospitals more time—and more information—to better understand the effect of the occupational mix adjustment.

Mr. President, Medicare pays for more than $100 billion of hospital inpatient services every year. This system should be as accurate as possible. This system should not be subject to swings resulting from quickly-collected data, applied at the last minute. I urge my

colleagues to join Chairman GRASSLEY and me in passing this important legislation as soon as possible.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. DORGAN, and Mr. HARKIN):

S. 3768. A bill to prohibit the procurement of victim-activated landmines and other weapons that are designed to be victim-activated; to the Committee on Armed Services.

Mr. SPECTER. Mr. President, today I join Senator LEAHY in introducing the Victim-Activated Landmine Abolition Act of 2006, which will prohibit the procurement of victim-activated landmines. Antipersonnel, victim-activated landmines are small, inexpensive weapons that kill or maim people upon contact. Indiscriminate use has produced many civilian casualties and has resulted in an international effort to control or ban these weapons.

As a member of both the Appropriations Subcommittee on Defense and Foreign Operations, I have supported efforts to create alternatives to victim-activated munitions, to mitigate the associated risks for innocent civilians, and to help those who have been inadvertently harmed. The United States sets an example for the world by remaining a global leader in providing funds for mine clearance, mine risk education, and mine survivor assistance activities. According to the Congressional Research Service, the United States has dedicated an estimated $500 million for demining efforts over the last 10 years. Furthermore, the U.S. Department of Defense, in conjunction with industry partners, has developed technology which permits the deployment of mines that cannot be activated by the victim. This ''man-in-the-loop'' technology will ensure that innocent civilians are not harmed by mines.

On September 18, 1997, diplomats from almost 90 countries met in Oslo, Norway, and adopted the text of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, commonly referred to as the Ottawa Convention or the Mine Ban Treaty. The Mine Ban Treaty went into effect on March 1, 1999, and mandates that countries discontinue the production, stockpile, use or exportation of antipersonnel landmines. It further mandates that countries clear their territory of mines and destroy stockpiles. The Mine Ban Treaty is credited with the reduction in victims and procurement of mines.

Although the U.S. has declined to participate in the treaty, the U.S. continues to lead the world in dollars spent on aid and efforts to help foreign nations demine fields and dispose of thousands of antipersonnel landmines, which is a costly and dangerous undertaking. The U.S. has not used antipersonnel mines since the 1991 Persian Gulf war. Since 1992, the U.S. has prohibited exportation of antipersonnel mines and U.S. production was halted in 1997.

A review of the facts surrounding landmines and the tragic consequences that have resulted from their use has convinced me that the indiscriminate use of these weapons must be stopped. The International Campaign to Ban Landmines estimates that there are more than 80 million landmines in the ground in more than 80 countries and that 15,000–20,000 people are maimed or killed by landmines each year. UNICEF estimates that 30 to 40 percent of mine victims are children under 15 years old. Millions more suffer from the economic and psychological impact of these weapons.

Innocent civilians in foreign countries are not the only victims that suffer the debilitating effects of these weapons. Landmines have injured and killed thousands of U.S. and allied troops in every U.S.-fought conflict since World War II, including those in Iraq and Afghanistan. Although landmines cost as little as $3 to produce, they can cost as much as $1,000 per mine to clear.

The legislation introduced today calls on the United States to continue to set an example for other countries by implementing a ban on the procurement of victim-activated weapons systems. Further, it recognizes that the U.S. has acquired reliable technology that enables all weapons systems to be equipped with man-in-the-loop targeting and triggering capabilities, meaning that the device can be deployed and triggered only in response to an intentional action by a person.

I yield the floor.

Mr. LEAHY. Mr. President, I am today introducing, with my friend from Pennsylvania, Senator SPECTER, and Senators DORGAN and HARKIN, The Victim-Activated Landmine Abolition Act of 2006.

This legislation would prohibit the procurement of victim-activated landmines and other weapons that are designed to be victim-activated. It builds on a long history of leadership by the Congress on the issue of landmines, which indiscriminately kill and maim innocent people, as well as U.S. troops, around the world.

I will have another statement on this subject when we return from the August recess, but I want to make a couple of points today.

First, Senators should know that since 1997 when an international treaty banning the manufacture, use, export and stockpiling of antipersonnel landmines was initialed at Ottawa, 154 nations have signed and 151 have ratified the treaty.

This is an extraordinary achievement, for which Lloyd Axworthy, Canada's Foreign Minister at the time, and the International Campaign to Ban Landmines deserve enormous credit. Unfortunately, the United States is not a signatory to the treaty and at one time even worked against it.

Thanks to the treaty, the manufacture and export of antipersonnel landmines has decreased significantly, and the number of victims has also declined. But mines continue to be a weapon of choice, especially for rebel groups such as the FARC in Colombia and Hezbollah in Lebanon.

Second, the United States has not exported antipersonnel mines since 1992, produced antipersonnel mines since 1997, or used anti personnel mines since 1991. This is not a weapon we need.

Moreover, for the past decade the Department of Defense has been developing alternatives to landmines. The goal has been to replace mines that cannot distinguish between an enemy combatant and a U.S. soldier, an innocent child, a farmer or a refugee.

That program has produced man-in-the-loop technology that is ready to be deployed in a new generation of mines that are not victim-activated.

I have long supported this program and I commend the Department of Defense for its support for the development of this technology. I believe it will provide the U.S. military with the force multiplier and protection afforded by conventional landmines without impeding the mobility of our troops or endangering innocent civilians. It will enable the military to finally stop using or stockpiling victim-activated landmines that have no place in the arsenal of a civilized nation, much less the world's only superpower.

As we see daily in Iraq, Afghanistan, and Lebanon, civilians bear the brunt of wars today. They do not have body armor or armored vehicles. They are routinely caught in the crossfire. At any moment they are at risk of being killed or maimed by a landmine or other improvised explosive that lies in wait until triggered by whoever steps on it or drives over it.

I want to emphasize that the need for this legislation is not because the United States is causing the mine problem. It is not. As I mentioned, we have not used or exported antipersonnel mines for 15 years, despite fighting wars in Afghanistan and Iraq. We are also the largest contributor to humanitarian demining in countries that have been severely affected by mines, and we support programs to assist mine survivors.

But just as a solution to the Middle East conflict depends on the active, sustained engagement and leadership of the United States, so does the problem of landmines.

As was the case with poison gas more than half a century ago, the solution to the mine problem is the stigmatization of these indiscriminate weapons so the political price of using them serves as a deterrent. Will some rebel groups or rogue nations continue to defy the international norm? Undoubtedly. But by setting an example and using our influence we can reduce their numbers significantly to the benefit of our troops and the innocent.

I again want to thank my friend Senator SPECTER, who has supported legislation to ban landmines for more than a decade.

Mr. SPECTER. The 'Victim-activated Landmine Abolition Act of 2006', which I am joining my friend from Vermont, Senator LEAHY, in introducing today would end the procurement of these indiscriminate weapons by the United States. We neither need these weapons not is it in our interest to continue to insist on the right to use them. They cannot distinguish between civilians and combatants, and as long as we stockpile them we cannot credibly urge others to stop using them against our troops. Does my friend from Vermont agree with me that our goal in sponsoring this legislation is to reaffirm United States leadership on this crucial humanitarian issue and to encourage other nations to follow our example?

Mr. LEAHY. That is correct and I thank the senior Senator from Pennsylvania. I have been pleased to have him as a partner over the years on legislation to eliminate these inhumane weapons, and I welcome the opportunity to do so again today. We want to send a message to the world that victim-activated landmines and other weapons designed to be victim-activated are beyond the pale. We have seen what they can do to our troops. We have seen what they do to a child who picks up one of these seemingly harmless objects, only to have it blow off an arm or worse. These weapons do not belong in the arsenals of civilized nations.

Mr. SPECTER. I thank my friend, who has led this campaign for so many years. Landmines and other munitions that are designed to be victim-activated are inherently indiscriminate. In that sense, they are no different from poison gas. They should be abolished and replaced with weapons that have a man-in-the-loop who can distinguish between an enemy combatant and a civilian. The Department of Defense has this technology. It is time for the United States to adopt a policy that is consistent with the force protection needs of our troops and with the moral values of the American people.

By Mr. ENSIGN (for himself, Mr. NELSON of Florida, Mr. COLEMAN, Mr. LIEBERMAN, Mr. SANTORUM, and Mr. FRIST):

S. 3769. A bill to encourage multilateral cooperation and authorize a program of assistance to facilitate a peaceful transition in Cuba, and for other purposes; to the Committee on Foreign Relations.

Mr. ENSIGN. Mr. President, at long last, Fidel Castro's reign of terror over the Cuban people may be coming to an end. Fidel Castro is incapacitated. He has handed over control of the government to his brother, Raul. The Cuban Government wants us to believe that it is a temporary measure—that Castro just needs to recuperate from surgery. But we don't know the truth—we can't know the truth, because lies are the byproduct of tyranny. And tyrannies are notoriously opaque. For all we know, it may be that Fidel already has already spent his last day as Cuba's leader.

I believe that now is the time for the U.S. Government to push for a peaceful transition to democracy in Cuba. It is a travesty that more than a decade after the cold war ended, a brutal communist dictatorship is still oppressing people 90 miles from our border. It would be an even greater travesty if the United States did not do everything in our power to ensure that after Fidel leaves power—one way or another—Cuba becomes free.

Let's join together in support of the Cuban people and in support of freedom, and let's adopt this bill.

We need to send a signal to all the dissidents and political prisoners in Cuba that we have no illusions about the nature of Fidel Castro's regime—that we know of their plight and stand ready to help them. When Ronald Reagan called Russia the ''evil empire,'' it brought hope to the dissidents and political prisoners in the Soviet gulags. They knew that the people and leaders of the United States were united with them. They were not alone.

That is why I am introducing a bill today that authorizes assistance to the OAS for Cuba human rights activities and election reform. It also authorizes a fund to support independent civil society-building efforts. That includes assistance to political prisoners and their families, other dissidents, independent libraries, youth organizations, workers' rights activists, agricultural cooperatives, associations of the self-employed, journalists, economists, and medical doctors. And it creates the ''Fund for a Free Cuba'' to provide assistance to a transition government in Cuba.

This bill is consistent with the recommendations in the July 2006 Commission for Assistance for a Free Cuba report. We need to move this legislation now, when it can have the biggest impact. The people of Cuba are watching and listening. We need to show them that the leaders of the United States are willing to join them in their quest to be free. They need to know that they are not alone.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 3770. A bill to require a pilot program on the facilitation of the transition of members of the Armed Forces to receipt of veterans health care benefits upon completion of military service, and for other purposes; to the Committee on Veterans' Affairs.

Mr. MENENDEZ. Mr. President, since the March 2003 start of the Iraq war, more than 19,157 members of our Nation's Armed Forces have been injured, more than 18,777 of them wounded in action.

Imagine that you are one of those wounded. You are an enlisted marine serving your country in Iraq. Your convoy is attacked by Iraqi gunmen and your transport explodes, killing several of your fellow soldiers and wounding many more. You are seriously wounded, so you're medevaced to Landstuhl Regional Medical Center and then transported to an appropriate medical facility in the U.S. for further stabilization and treatment.

As you begin the long road to recovery in the hospital, you may be approached by a Department of Veterans Affairs, VA, counselor who provides you with information about VA medical benefits and vocational rehabilitation and employment services. You may or may not meet with someone from the VA. But you're not ready to think about those things yet. You just want to get better and rejoin your fellow marines in Iraq.

Several months later, as you convalesce, Department of Defense, DOD, determines that you should be discharged due to the seriousness of your injuries. But, the discharge process won't become official for at least nine months, and you can't access VA services until it does. This leaves you in limbo, caught somewhere between the DOD and VA systems.

You finally return home, still convalescing from your injuries and while there, you finally receive your discharge papers. This development means no more access to the support you received during active duty, including health care. In order to receive medical care, you need to begin enrollment in the VA system to access medical services. Enrollment is a slow and difficult process, and, in your seriously wounded state, you come up against a blizzard of paperwork, Byzantine procedures, and a number of overworked VA caseworkers.

Your family has no idea how to get you into the system quickly and without having to pay more money for interim care until the VA benefits kick in.

As the conflicts in Iraq and Afghanistan grind on, these stories are all too frequent. Many wounded soldiers, service men and women are faced with the prospect of a premature end to their military service and are struggling to reenter civilian life, often with permanent disabilities. And they now have to find their way to the VA. They need help finding their way so they can get the care they deserve. They have served their country and now their country, their military, owes them our best in return.

That is why I am proud to introduce the Veterans Navigator Act, a bill that would expand and enhance the important work done by VSOs and other nongovernmental organizations to guide our Nation's service men and women to and through the VA healthcare system. It would, in fact, acknowledge the work of these organizations by providing $25 million in grants over 5 years to augment their capabilities.

The ''navigator'' concept is not new. It is similar to the Patient Navigator demonstration program I introduced and which was subsequently enacted

into law. There, we also took a successful small-scale program being used at select medical facilities around the country and expanded it by providing grants for a scaled-up demonstration program to serve those with cancer and other chronic diseases, and in particular, to provide support to medically underserved populations.

With the veterans navigator bill, I propose to do something similar, capitalizing on the successes of the Patient navigator concept, to help our troops. The $25 million over 5 years in the bill would allow VSOs and other organizations to apply for grants so that they could hire and train navigators to provide assistance, on an individualized basis, to members of the Armed Forces as they transition from military service to the VA health care system. They would do so in coordination with DOD and the VA. Right now, many VSOs rely principally on donations to perform these services.

At the end of the 5 years, the VA Secretary would submit a report to Congress on the effectiveness of the veterans navigator demonstration program and to recommend whether it should be made permanent.

Often called national service officers or counselors, a navigator is a ''sherpa,'' a guide through the maze of paper and people and specialists and benefits. A navigator is an advocate for those no longer able to go it alone. A navigator is a facilitator, someone who will be with you through the process, to provide the expertise you will need to transition between active duty and veterans status and to get the urgent care you need.

Let me be clear: a navigator does not supplant the role of the DOD or the VA. A navigator is meant to complement the work done by these organizations, particularly at a time when those systems are struggling to meet the needs of the soldiers returning from war and will continue to do so long after the conflicts in Iraq and Afghanistan have ended.

The bill focuses particular attention on four underserved groups in the military community: the seriously injured or wounded soldiers, female soldiers, those suffering from psychological problems like post-traumatic stress disorder, PTSD, and members of the activated National Guard and Reserves.

These underserved groups have not been sufficiently served in existing VA and DOD transition programs and activities. It is these underserved groups who especially need continuity of care as they enter and wind their way through the VA medical system. Part of the reason they have not been adequately cared for is that the nature of the current wars we are fighting, in Iraq, in Afghanistan, are different from previous conflicts we have undertaken.

During the Iraq and Afghanistan campaigns, we have the largest activation of National Guard and reservists since World War II. As of June 1, according to DOD, the United States had 128,789 military personnel deployed in Iraq. Of these, 102,709 were active component personnel and 26,080 were National Guard and Reserves. The recent announcement by President Bush to send additional troops to Baghdad in the face of increasing sectarian violence will likely only mean that those numbers will increase.

The GAO released a report last February citing deficiencies in benefits for these soldiers. The report concluded that National Guard and Reserve soldiers ''are given little help navigating a thicket of regulations and procedures necessary to gain access to military doctors.''

To complicate matters, members of our National Guard who seek medical care must file for an extension of their active duty status in order to continue to access military bases and hospitals.

In its report, GAG also concluded that, and I quote, ''the Army has not consistently provided the infrastructure needed to accommodate the needs of soldiers trying to navigate their way through the' active duty medical extension' ADME—process . . . this has resulted in injured and ill soldiers carrying a disproportionate share of the burden for ensuring that they do not fall off their active duty orders.''

The Veterans Navigator Act would help minimize such occurrences by providing National Guardsmen and Reservists someone to help bring them through the ADME process and to help correct any discrepancies before they cause a delay in accessing VA medical care.

Veterans with psychological problems also need help. In the last several years, we have been hearing a lot more about post-traumatic stress disorder, or PTSD, in veterans and those returning from conflict. A recent GAO report has concluded that almost four out of five service members returning from Iraq and Afghanistan who were found to be at risk for PTSD, were not provided appropriate medical assistance. All of these factors mean that now, more than ever, our Nation's soldiers need help moving between the DOD and VA realms.

According to the chief of psychology at Walter Reed Army Institute of Research, roughly 20 percent of those service men and women returning from Iraq suffer from PTSD. In its recently released report, GAO concluded that roughly 78 percent of those servicemembers at risk for PTSD do not get further evaluation. That means they return to active duty or are discharged without receiving the appropriate care.

It is the nature of this disorder to appear not right after the traumatic event is experienced, but often not until an individual reexperiences an event, has a flashback or is somehow reminded of a battlefield event. That may not happen until after a servicemember has been discharged from service. Once PTSD does emerge, the veteran may not know how to access VA medical assistance, or he or she may not have yet enrolled into the VA medical system.

Again, as in the case of the severely wounded, time is of the essence. PTSD can manifest itself so severely as to incapacitate a soldier, making medical care more urgent. In the case of returning National Guardsmen and Reservists, the problem is made more complex because of the 2 year time limit on filing for VA benefits.

Since 1991, opportunities for women in our Nation's Armed Forces have grown. For the first time, the military is placing women in support units at the front line. This has come partly as the result of more than 10 years of policy changes making 91 percent of the career fields gender neutral.

The Navy and the Air Force have begun to allow female soldiers to fly fighters and bombers. The Army has expanded the role of women in ground-combat operations. Right now, ''women command combat military police companies, fly Apache helicopters, work as tactical intelligence analysts, and serve in artillery units.

This would have been unheard of a decade ago, but it is happening right now. Right now, record numbers of female soldiers are fighting on the front lines and, as a result, more are being seriously wounded or killed. A Baltimore reporter profiling women soldiers' participation in Iraq observed that ''the war in Iraq has been an equal opportunity employer, by killing and injuring a historic number of female soldiers in combat situations.''

Therefore, a VA medical system designed to treat wounded male soldiers must now ensure that female soldiers get the right kind of medical care. They will need help finding that care and getting access to that care. A veteran navigator can help them do that.

Because of the length and size of the deployment, many more soldiers are being seriously wounded. According to the GAO, roughly 30 percent of U.S. soldiers wounded in combat during World War II later died. Today, that number has dropped to 3 percent for those serving in Iraq and Afghanistan due to advances in technology and protective gear.

While this is clearly a positive development, it also means that many of these injured soldiers are returning home with severe disabilities, including traumatic brain injuries and missing limbs that require comprehensive inpatient rehabilitation services.

But, severe injuries often mean a lengthy transition from active duty to veteran status. As my story earlier indicates the physical evaluation of a seriously wounded service member to determine whether he or she can return to active duty can take months to complete. In the interim, the VA has to be able to identify these soldiers so that they can perform early outreach, provided that they have the information to do so.

Despite this, the GAO observed in a March 2005 report that the VA faces ''significant challenges in providing services to seriously injured service members.''

In many cases, VA staff have reported that seriously injured service members are simply not ready to begin thinking about VA benefits or dealing with the VA system during the recovery process. The problem here, as GAO has pointed out, is that the VA has no policy for maintaining contact with these soldiers down the line, once they are discharged. Contact is often conducted on an ad hoc basis. Navigators can also help these seriously wounded soldiers.

VSOs such as the Veterans of Foreign Wars, Disabled American Veterans, Jewish War Veterans and so many others have emphasized the importance of maintaining contact with seriously injured veterans who do not initially apply for VA health care benefits because it may be many months or even years before they are prepared to apply for them.

The veterans navigator can help perform this function. Because this individual or individuals have reached out to the injured service member before his or her discharge, they can, in coordination with the VA caseworkers, remain in contact with them as they recover and prepare to reenter civilian life. The navigator can also help obtain information from DOD on seriously injured soldiers earlier on so that they can help ensure that all service members and veterans benefit from VA health care services at the right time.

At a time when many active duty service people and veterans have fought and often made the ultimate sacrifice for their country, we cannot risk having any soldier fall through the cracks. We cannot take the risk that our female soldiers, who are fighting alongside their male colleagues, may not receive the medical care they need. We cannot risk the lives and health of soldiers with PTSD. We cannot risk the lives and the health of any service member who put their lives at risk for our country.

Not so long ago we celebrated Memorial Day, a day when each and every American honors the service of our Nation's Armed Forces, both past and present and takes a moment to thank them for helping to keep America safe and secure. The very least that we can do is to ensure that all of these brave men and women are able to access the medical benefits to which they are entitled, particularly in their time of greatest need. At some point in each of our lives, we might need a guiding hand to help us find our way. Today, Mr. President, I am proposing to provide that helping hand to our troops in a time of their greatest need. It is the very least that we can do.

By Mr. HATCH (for himself, Mr. KENNEDY, Mr. DEWINE, Mr. DODD, Mr. BURR, Mr. HARKIN, Mr. BOND, Ms. MIKULSKI, Ms. SNOWE, Mr. JEFFORDS, Mr. TALENT, Mr. BINGAMAN, Ms. COLLINS, Mrs. MURRAY, Mr. CHAFEE, Mr. REED, Mr. SMITH, and Mrs. CLINTON):

S. 3771. A bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act; to the Committee on Health, Education, Labor, and Pensions.

Mr. HATCH. Mr. President, today I am introducing the Health Centers Renewal Act with my colleagues, Senators KENNEDY, DEWINE, DODD, BURR, HARKIN, BOND, MIKULSKI, SNOWE, JEFFORDS, TALENT, BINGAMAN, COLLINS, MURRAY, CHAFEE, REED, SMITH, and CLINTON.

The health centers program was established more than 40 years ago and it has been successful in providing access to quality, comprehensive primary health care services throughout the country to a large number of uninsured or underinsured people, including children, parents and the elderly. Health centers are located at sites within medically underserved areas and provide care to those who have limited or no access to health insurance. Health centers are a critical component of our Nation's health care safety net, providing quality health care to over 15 million underserved individuals in the United States.

These health centers include community health centers which are local, not-for profit 501(c) (3) corporations that provide community-oriented primary and preventive health care and are governed by boards of directors that are composed of at least 51 percent health centers users, to ensure that the patients and the community are represented.

In my home State of Utah, community health centers serve 84,578 patients and provided almost 305,000 patient visits in 2005.

As I travel throughout Utah, I hear nothing but positive remarks about the vital work of community health centers. I would like to share some of the comments that I have received from Utahns with my colleagues.

Midtown Community Health Center in Ogden, UT just opened a very impressive new center which will enable patients in that community to receive the latest care for a range of illnesses such as diabetes, hypertension and asthma. These illnesses are costly and often require monthly visits, laboratory tests and expensive medication. One of the patients at Midtown who has diabetes and hypertension, stated that she would not have anywhere to go to monitor her diabetes if Midtown didn't exist. She describes Midtown as a ''Godsend'' and said that without her health care provided by Dr. Gregoire, she would be in serious financial debt and would have to choose between housing and food or health care. '

Another Utah health center has a family that comes into the clinic with a son who is bipolar. The boy's mother called very distraught because they were having problems affording his medicines and his illness had created other concerns within their family. The woman's new husband thought discipline was the solution to the child's mood swings. The community health center referred the boy to its mental health worker, who in addition to providing counseling, was able to get his medication for him at a reduced price. The mother thanked the mental health worker and she said just having someone to talk to who understood the boy's condition was helpful to her and her family.

Bottom line, community centers have made a tremendous difference for Utah's residents with limited or no health insurance. And these examples are not unique to Utah—patients across the country have had similar experiences with community health centers.

Due to the difference that health centers have made in so many lives, Congress has consistently increased funding for them since 2001 in order to meet President Bush's goal to have 1,200 new or expanded centers and an additional 6.1 million patients served by 2006. Currently, the additional funding has provided service to 4 million additional patients and has added new or expanded facilities in well over 750 communities nationwide. By reauthorizing this program, we will allow health centers to provide lowcost health care to many more uninsured and underinsured individuals.

The legislation that we are introducing today will reauthorize the health center program for 5 more years at the fiscal year 2007 funding level of $1.963 billion, which is the administration's fiscal year 2007 budget request for the health centers program.

Utah health centers have made a tremendous difference in the lives of many—66 percent of patients come from Utah's urban areas and 27 percent are from the rural regions in Utah. Ninety-six percent of Utah's health center patients lived below 200 percent of the Federal poverty level and health centers have made a tremendous difference in their lives. In fact, for most, these health centers serve as a vital component of the health care safety net for the medically underserved and uninsured. In rural areas, health centers are often the only health care provider for many miles.

Midtown Community Health Center coordinates a free comprehensive screening clinic for women on an annual basis. In 2006, over 250 women received pap smears, breast examinations, diabetes screening, cholesterol screening and depression screening. Many of the low-income, uninsured women served had not received preventive care in many years. One woman who attended the event had experienced irregular vaginal bleeding for several months. She had tried to find a medical provider but was unsuccessful

due to a lack of health insurance and financial concerns. She came to Midtown Community Health Center with an enlarged uterus, a uterine mass and anemia. A Midtown medical provider arranged for an emergency ultrasound and removal of the tumor within 3 weeks. The patient is improving and being treated by Midtown for anemia and irregular menstrual periods.

A 40-year-old man was working as a contractor when his boss noticed he was losing weight and took him to the hospital. He was diagnosed with tuberculosis and hepatitis C. He did not have health insurance and became homeless. The hospital referred him to Wasatch Homeless Health Care, Inc. where he entered the tuberculosis housing and treatment program.

The Johnsons manage their own business in a small rural Utah town, but somehow health insurance coverage has always been difficult for them to purchase. Without the Wayne Community Health Center in Bicknell, the family could only seek medical care for emergencies.

These stories are just some of real life experiences which illustrate how community health centers make a difference. They save lives. They provide preventive health care. They keep people out of hospitals. Community health centers are worth every cent that the Federal Government invests in them. I am pleased and proud to support them by introducing this legislation today.

I urge my colleagues to support this important legislation which not only provides individuals with important health care services but also ensures that the health centers providing these services will have the necessary support to continue providing health services.

Mr. KENNEDY. Mr. President, it is an honor to join Senator HATCH today in introducing this bill to reauthorize the health centers program. The Health Centers Renewal Act reauthorizes the community health center program through 2011. Its goal is to make sure that people across the Nation can obtain the care they need in their community, regardless of their ability to pay.

What began in the 1960s as a neighborhood health center demonstration project at two sites—Columbia Point in Massachusetts and Mound Bayou in Mississippi—has flourished beyond expectation in the years since then. It has now grown to more than 1,000 community, migrant, and homeless health centers providing care in every State across the Nation. Health centers are the ''medical home'' today for over 15 million patients—patients who are overwhelmingly low-income, uninsured and minorities. Without health centers in their community, most of these patients would have nowhere to turn for the health care they need.

Health centers are truly democratic, and are operated in large part by the patients and communities they serve. We hear a great deal these days about moving toward ''consumer-directed'' health care but in most cases that's a code name for cost-shifting to patients. That's not true of health centers, which are truly consumer-directed. The requirement of a patient-majority for health centers' governing boards makes sure the community has a real voice in the services offered and that the needs of the community are met. This community focus has been essential to the program's success in reducing barriers to good health care and overcoming unfair health disparities.

As the number of uninsured and underinsured persons grows each year, the need for health center services increases. More than 40 percent of health center patients have no health insurance and their ranks are increasing. Another 36 percent have coverage through Medicaid or CHIP, and cuts in these programs affect health centers as well. With the growing number of patients who rely on health centers, we must provide the funds needed to open new centers in areas that are underserved and to provide better funding to existing centers to meet the growing demand.

Health centers fill a large void by providing quality, cost-effective care in medically underserved areas. Most health centers are located in rural areas or economically depressed inner cities, where poverty is high and the need is great. They truly are part of the community, providing not just health care, but good jobs and other programs that benefit the entire community.

Community health centers have proven their value over the past four decades, and this bill will enable them to expand and grow in the years ahead, so that they can continue to provide the quality care that their patients and communities rely on.

Ms. SNOWE. I am pleased to join with my colleagues in the introduction of the Health Centers Renewal Act. Today health centers are a critical part of our health care safety net, serving over 15 million Americans.

Community Health Centers, also known as federally qualified health centers, are the only source of primary and preventive services for many medically underserved. This is especially true for people living in rural areas, where provider shortages couple with high health care delivery costs to make access difficult for many individuals.

The increasing role of health centers truly represents a bipartisan success story. Since 2001, the Congress has provided increased funding for health centers to improve and upgrade existing facilities, as well as to further expand the safety net these centers provide. That has supported the President's goal to provide 1,200 new or expanded centers, and is why today an additional four million Americans are now served by health centers.

In my State of Maine, over 80,000 individuals are served by federally funded health centers. In fact, one in five uninsured, low-income Mainers relies on a health center for their primary care. In rural areas, 1 in 10 of our residents rely on a community health center for care.

Today's health centers look very different from those of the past. They are providing comprehensive primary care, and have been moving forward to adopt new technology and practice models which will ensure care of the highest quality at modest cost. In fact, the Office of Management and Budget has recognized the health centers as one of the top 10 performing programs in the Federal Government.

Community involvement has been key to this success. The requirement that patients and community play a major role in governance has been key to the success of these providers in addressing critical local health needs.

There is much yet that must be done to improve our health care safety net, including reducing the disparities in care and outcomes which plague minority and poor populations. Health centers will play a vital role in meeting those challenges, and that is why I am pleased to support this vital legislation to enable their continued growth and support.

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

S. 3772. A bill to establish wilderness areas, promote conservation, improve public land, and provide for high quality development in White Pine County, Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, today I rise with my good friend Senator ENSIGN to introduce the White Pine County Conservation, Recreation and Development Act of 2006. This bill creates economic opportunity for the people of White Pine County, improves public land management, and protects some of Nevada's most incredible wild lands. It also makes needed changes to the Southern Nevada Public Land Management Act.

The White Pine County Conservation, Recreation and Development Act is the product of many years of work. Ranchers, land managers, conservationists, off-highway vehicle advocates, tribal members, city and county officials, wilderness advocates and many others have contributed to this effort. Meetings and tours focused on a White Pine County land bill have been taking place for more than 5 years.

The result of these many years of dialogue can be found in the sturdy compromise contained in this legislation. Our bill resolves wilderness study areas, provides a reasonable expansion of local tribal lands, authorizes a study and possible designation of an off-highway vehicle trail, provides for competitive Federal land sales, makes common sense transfers of land between Federal agencies, expands State parks, conveys two small tracts of land to the county for economic development, funds an

important landscape scale restoration project in eastern Nevada, and establishes a national heritage route in eastern Nevada and western Utah.

Like similar legislation that we have worked on and passed for Clark County and Lincoln County, we do not expect anyone to endorse every title in this bill. When it comes to the topics of growth, conservation and stewardship in rural Nevada there are many strong and often opposing views. We believe that this legislation offers a solid middle ground and a path forward for the people of White Pine County.

In order to understand why this legislation is necessary, it is important to first put Nevada and White Pine County in context. Unlike most states in our Union, nearly nine out of every ten acres in Nevada are managed by Federal agencies. In White Pine County the number is even higher. Of the 5.7 million acres that make up White Pine County, 94 percent are managed by the Bureau of Land Management, BLM, the Forest Service, the National Park Service and the Fish and Wildlife Service Federal agencies.

This means that local decisions are not always local. Even the simplest land and stewardship decisions can involve multiple Federal land agencies, and the associated rules that come along with each agency. All too frequently, congressional action is needed to bridge the divide. This is a reality in many parts of the West, but in no place is it more true than in Nevada.

Moving beyond the borders of White Pine County, our legislation also makes essential changes to the Southern Nevada Public Land Management Act that was first passed in 1998. This law has served Nevada well over the last 8 years, yet changes are needed to ensure that the legislation is able to meet the many and complex needs of our fast growing State. I will briefly describe each of these amendments, in addition to the other major titles of this legislation.

But before moving on to the specifics of each section of this bill, let me thank my colleagues for their willingness to work with us on this legislation. Senator ENSIGN and I have crafted this bill through a hands-on, ground level process that we think you will appreciate and support. Throughout this effort we have aspired to make well-reasoned, beneficial and necessary changes to land management in Nevada.

The first title in this bill creates a mechanism to increase the amount of privately held land in White Pine County. Currently, 94 percent of the land in the county is managed by Federal agencies. By increasing the total amount of private land in White Pine Country, we create essential opportunities for growth and economic development that will also allow the county to provide greater support to its residents through an expanded tax base.

Our bill calls for up to 45,000 acres of land currently managed by the BLM to be made available for sale in reasonable increments. Each year a portion of the total acreage will be made available for public auction after a joint selection is made by the county and the BLM. This system has worked well in Clark County and Lincoln County, and we believe that it will greatly enhance the ability of White Pine County to help plan and shape the long-term growth of its many communities. As part of the land sale authority, the county may elect to halt the annual disposal of land when and if appropriate.

Like the Southern Nevada Public Land Management Act and the Lincoln County Conservation, Recreation and Development Act, this bill directs the Secretary of Interior to reinvest the proceeds from these land sales into essential Federal, State, and local environmental protection, infrastructure development, and recreational enhancements in the areas and communities where the lands are sold.

These funds also provide an additional revenue source for fulfilling the various mandates of this bill, including an off-highway vehicle trail study, designation of new wilderness areas, and the conveyance of lands into trust for tribal use.

In 1985 when I visited White Pine County to discuss possible wilderness designations in the Schell Creek and Currant Ranges and the north and south ends of the Snake Range, I heard from many local residents who opposed any effort to designate wilderness. Now in 2006, when I hear from the citizens of White Pine County they are most often strongly supportive of wilderness designation, particularly in the areas that they and their families have visited and cherished for generations.

I believe that much of this change can be attributed to the successful management of the Mt. Moriah and Currant Mountain wilderness areas, designated in 1989, where we were able to protect truly wild lands while still allowing hunting, grazing and other historical uses to continue. Equally important, many White Pine County residents have noted that as new waves of people discover the incredible backcountry of the Great Basin, the identification and protection of lands that are untouched by permanent development has become a priority.

Accordingly, in this bill we have identified roughly 545,000 acres for wilderness designation and the release of 67,000 acres of BLM wilderness study areas. We have benefited greatly from the careful suggestions of the White Pine County Commission, the Nevada Department of Wildlife, the Nevada Wilderness Project, hunters, ranchers, miners, Friends of Nevada Wilderness, and other White Pine County residents during this process.

We have worked to make careful decisions on the wilderness boundaries in this bill. Based on feedback from grazers and other users of the Mount Moriah wilderness area, a number of boundary adjustments have been included to remove small pipelines and other encumbrances from the original wilderness area designated in 1989. We have also made careful choices like along the north end of Red Mountain where the wilderness boundary follows the banks of the White River so that a number of primitive campsites between the stream and a nearby road are excluded from the wilderness area.

While this proposal will surely be criticized as too conservative, others will see it as too expansive. Senator ENSIGN and I have both made important compromises to reach the proposal that we are presenting today and we stand by the middle ground that we have reached. We are committed to continue listening to all parties and taking into account their many and divergent needs.

The third title of this bill makes two important transfers of land between Federal agencies that will improve public land management in White Pine County. The first of these changes is a transfer of approximately 645 acres from the BLM to the Fish and Wildlife Service, FWS, to be managed as part of the Ruby Lake National Wildlife Refuge. This land became an inholding within the boundaries of the refuge after the Fish and Wildlife Service purchased the lands surrounding the BLM parcel in 2002. Management of this area by the Ruby Lake National Wildlife Refuge will improve oversight on the land and strengthen the holdings of this popular refuge.

Our legislation also transfers administrative jurisdiction of roughly 117,000 acres from the Forest Service to the BLM. These lands can be easily identified on a map as the donut shaped configuration of Forest Service land currently surrounding Great Basin National Park. Under the present arrangement, the Park Service, the Forest Service and the BLM manage an awkward patchwork of lands. In some areas, land managed by each of the three agencies can be found within a single linear mile. This division of management and labor makes proper stewardship of this area complicated and often times unworkable.

In addition to moving the identified lands to the BLM to improve management efficiency, we also withdraw roughly 50,000 acres of this land from mineral and land laws and require a management plan for the roads and trails through the area. These added protections will not only compliment Great Basin National Park and its mission, but will also ensure that popular hunting areas remain open and accessible. The additional 70,000 acres transferred to the BLM will be designated as the Highland Ridge Wilderness Area.

This title conveys land to expand two existing state parks and one state wildlife management area. The Charcoal Ovens State Park will receive approximately 650 acres of BLM land to expand its current holdings. The land to be conveyed is already managed by the

state through a Recreation and Public Purposes lease for the operation of a camping area and trail system. Cave Lake State Park will also receive a conveyance of land to help improve management of that site, although the exact boundaries of this designation have not yet been finalized. This park is exceptionally popular, receiving nearly 100,000 visitors each year, most of which are from southern Nevada.

In addition to expanding these two State parks, this bill conveys roughly 6,200 acres to the State of Nevada for an expansion of the Steptoe Valley Wildlife Management Area. The State acquired the 3C Ranch in 1999 and now manages it as the Steptoe Valley Wildlife Management Area. The conveyance of BLM land to this popular hunting and bird watching area will maximize management options while also creating a safety buffer between hunters and future residential and commercial development.

Further, our legislation makes two small but important conveyances to provide for the future economic growth of White Pine County. These include up to 200 acres for the expansion of the White Pine County Industrial Park and up to 1,500 acres for the planned expansion of the White Pine County Airport. The county has been working with the Federal Aviation Administration on this airport expansion for a number of years. When completed, it will allow larger jets to land at the airport, further expanding the economic reach of White Pine County. The conveyance also allows for the airport to expand and accommodate additional business tenants. Any funds collected from the lease, sale or conveyance of either the industrial park or airport lands will be directed for public uses.

Building on the designation of the Silver State Off-Highway Vehicle Trail in Lincoln County, this bill authorizes a 3-year study for a possible extension of the trail into and through White Pine County. If the Secretary of Interior, working with local citizens and other stakeholders, is able to identify a route for the trail that would not significantly impact wildlife, natural or cultural resources, an extension of the Silver State Trail will be designated at the conclusion of the study.

Off-highway vehicle use in Nevada has grown exponentially in recent years, and this rise in use has led to the pioneering of hundreds of miles of additional trails and roads across Nevada's frontier. The longer this uncontrolled use continues, the fewer areas we will have in Nevada that are truly wild and untouched. And when these places are gone, we will have lost something that cannot be replaced.

With this in mind, the study authorized by this bill is an effort to recognize that the use of off-highway vehicles is a popular form of recreation that is here to stay. Many people use their off-highway vehicles responsibly and we are creating a process with this legislation that will put advocates for off-highway vehicles, wildlife, grazing and other land users around the same table.

Perhaps no issue addressed by this legislation has been more discussed and debated than the conveyance of BLM land to be held in trust by the United States for the Ely Shoshone Tribe. Currently, the tribe holds 100 acres in two separate parcels within the city limits of Ely. For 3 years meetings have been taking place in White Pine County to discuss possible configurations and areas for a tribal expansion. Local residents and interested parties have expressed strong feelings on all sides of this issue, and our proposal is better as a result of this dialog.

This bill transfers roughly 3,500 acres in four separate parcels into trust for the benefit of the Ely Shoshone Tribe. Over half of this acreage is contained in one parcel to the west of Ward Mountain. This large area is designated exclusively for traditional tribal uses, such as ceremonial celebrations and gatherings and pine nut picking.

The conveyance also includes two parcels to the south of Ely and one approximately 10 miles north of McGill on highway 93. These lands are available to be used by the tribe for residential and commercial purposes.

The placement of these conveyances will allow the tribe to be a partner in the growth and economic development of White Pine County while also ensuring that the city of Ely has sufficient room to grow south along highway 93. We have taken special care to ensure that existing developments, like the KOA, have room to expand.

This conveyance represents a tough compromise between many important interests. Some have proposed that the tribe should receive in excess of 20,000 acres of land in and around Ely. Others have fought to block the tribe from receiving a single acre. We do not expect that the conveyance in this bill will please anyone completely, but we do believe it is a fair compromise that addresses the main concerns of all the concerned parties.

The invasion of non-native species like cheat grass and red brome and the overgrowth of pinon and juniper woodlands has begun to fundamentally alter the ecosystems in eastern Nevada. This landscape level change threatens to bring catastrophic fire to this area while also destroying essential habitat for many of Nevada's native species.

In order to address the challenges, this legislation makes funds from the Southern Nevada Public Land Management Act special account available for the implementation of the Eastern Nevada Landscape Restoration Project in White Pine and Lincoln Counties. In addition to funding this vital program, we have authorized the Secretaries of the Interior and Agriculture to work with Eastern Nevada Landscape Coalition and the Great Basin Institute in carrying out the landscape-scale restoration efforts necessary to restore the health of eastern Nevada's rangelands. In the interest of understanding and fully addressing the ecosystem changes that are taking place all across the Great Basin, this bill also authorizes a feasibility study for an interagency research facility and experimental rangeland in eastern Nevada.

In addition to preventing major and repeated fires, this restoration initiative will benefit ranchers, sportsmen, private land owners, communities of all sizes, and of course the wildlife and rangelands on which we depend. It is my sincere hope that this program will make a long lasting and beneficial change in the health of the ecosystems in eastern Nevada.

Since the passage of the Southern Nevada Public Land Management Act, SNPLMA, in 1998, thousands of acres of BLM land have been auctioned in southern Nevada. These sales have produced significant funding for conservation efforts, enhancements to our most prized public lands, and the acquisition of sensitive lands throughout our State.

Now, 8 years after its passage, we are seeking to update the legislation so that it continues to serve the full interests of the people of Nevada, our public lands, and the federal agencies that administer the programs funded by the original legislation.

In this bill we provide funding for two separate 10-year hazardous fuels reduction programs, one for the Spring Mountains and one for the Lake Tahoe Basin including the adjacent lands in the Carson Range in Washoe and Douglas Counties and Carson City. We also provide funding for the implementation of the Clark County Multispecies Habitat Conservation Plan, allow SNPLMA to be used for improvements to state parks in Clark County, authorize reimbursement for water saving landscaping undertaken by public institutions, and make the Clean Water Coalition eligible for funding to implement an essential wastewater project that will improve the water quality in Lake Mead and provide a sustainable future for the Las Vegas Wash.

In order to make SNPLMA more manageable for the agencies and municipalities that administer the special account and its many programs, we have included authority that allows all federal agencies that carry out SNPLMA projects to get reimbursed for their direct costs. We have also provided an important authority for the BLM to use SNPLMA funds to properly clear and protect vacant parcels in the Las Vegas Valley from dumping. The current practice of providing funding for approved projects only through reimbursement is also brought to an end. Under this legislation the Department of Interior is required to distribute funds for approved SNPLMA projects no later than 60 days after a transfer of funds is requested.

Of special note, these amendments also include a 5-year authorization for Washoe County to acquire up to 250

acres of land for a county park. The residents of Washoe County have been and remain strong advocates for open space and we hope that they will take advantage of this opportunity.

Perhaps the most important change that we make to SNPLMA is a complete rewrite of the legislation's affordable housing title. While language was included in the original legislation that allows for land to be acquired at less than fair market value for the development of affordable housing, it took the BLM over 4 years to promulgate the guidelines for implementing this provision. Since that time no eligible party has successfully used these guidelines to secure land and build affordable housing anywhere in Nevada.

With an estimated 170,000 housing units needed in southern Nevada for affordable and workforce housing in the next 10 years, immediate action is needed. As a result, we have struck the largely unworkable language from the original legislation. We have replaced it with an authority allowing all legitimate interested parties to work with the BLM to pursue land for the development of affordable and workforce housing. We also take a further step and require that any parcel of Federal land over 200 acres in size that is auctioned in the Las Vegas Valley must include at least 5 percent affordable and workforce housing.

These new affordable and workforce housing provisions are by no means a complete answer to the housing crisis facing southern Nevada, but they are a step in the right direction. I applaud the work that has been done at the local and State levels to address this issue and I am committed to continuing to work on broad based solutions to ensure that we can meet the affordable housing needs in all of Nevada's communities.

The last title of this bill establishes the Great Basin National Heritage Route. Encompassing Millard County, Utah; the Duckwater Indian Reservation in Nevada; and White Pine County, Nevada, this historic area includes historic mining camps and ghost towns, Mormon and other pioneer settlements, as well as Native American communities. The Route passes through classic Great Basin country along the trails of the Pony Express and the Overland Stage. Cultural resources within the route include highly valued and culturally important Native American archaeological sites dating back to the Fremont Culture.

Designation of the corridor as a heritage route will ensure long-term protection of key educational and recreational opportunities while also bringing attention to the Great Basin's rich natural wonders like the bristlecone pine, the old living things on Earth, and the rare Bonneville cutthroat trout. In short, the Great Basin National Heritage Route will provide a framework for celebrating eastern Nevada's and western Utah's rich historic, archaeological, cultural, and natural resources for both visitors and residents.

I have been proud to support the designation of the Great Basin Heritage Route for many years and have helped pass legislation through both the Senate and the House calling for establishment of the route. Unfortunately, in each instance the legislation was included in a larger package of bills that failed to reach the President for signature. Having received the approval of both bodies of Congress for this measure, it is my hope that we can finally make this route a reality as part of this comprehensive legislative package for White Pine County.

The White Pine County Conservation, Recreation and Development Act of 2006 is an ambitious, timely and complex piece of legislation. By making long-term and forward looking improvements to public land management and the stewardship of our shared natural resources, we believe we have crafted a bill that will serve the best interests of the people of White Pine County, eastern Nevada and our entire State.

I look forward to working with the chairman and ranking member of the Senate Energy and Natural Resources Committee to ensure timely review and passage of this bill.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4749. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table.

SA 4750. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 5970, to amend the Internal Revenue Code of 1986 to increase the unified credit against the estate tax to an exclusion equivalent of $5,000,000, to repeal the sunset provision for the estate and generation-skipping taxes , and to extend expiring provisions, and for other purposes; which was ordered to lie on the table.

SA 4751. Mr. STEVENS (for himself and Mr. INOUYE) proposed an amendment to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes.

SA 4752. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4753. Mr. REED (for himself and Mr. DODD) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4754. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4755. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4756. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4757. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4758. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4759. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4760. Mr. LOTT (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4761. Mr. LOTT (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4749. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the tables; as follows:

At the end of title VIII, add the following:

SEC. 8109. No funds appropriated or otherwise made available to the Department of Defense under title VI under the heading ''DEFENSE HEALTH PROGRAM'' may be obligated or expended unless, during the period beginning on April 1, 2006, and ending on December 31, 2007, the cost sharing requirements established under paragraph (6) of section 1074g(a) of title 10, United States Code, for pharmaceutical agents available through retail pharmacies covered by paragraph (2)(E)(ii) of such section do not exceed amounts as follows:

(1) In the case of generic agents, $3.

(2) In the case of formulary agents, $9.

(3) In the case of nonformulary agents, $22.

SA 4750. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 5970, to amend the Internal Revenue Code of 1986 to increase the unified credit against the estate tax to an exclusion equivalent of $5,000,000, to repeal the sunset provision for the estate and generation-skipping taxes, and to extend expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

Strike title I and insert the following:

TITLE I—ELIMINATION OF THE MEDICARE PART D COVERAGE GAP

SEC. 101. ELIMINATION OF THE MEDICARE PART D COVERAGE GAP.

(a) ELIMINATION OF COVERAGE GAP.—

(1) IN GENERAL.—

(A) IN GENERAL.—Paragraph (3) of section 1860D–2(b) of the Social Security Act (42 U.S.C. 1395w–102(b)) is repealed.

(B) REVISION OF BENEFIT STRUCTURE.—Section 1860D–2(b)(2)(A) of such Act (42 U.S.C. 1395w–102(b)(2)(A)) is amended by striking ''and up to the initial coverage limit under paragraph (3)'' and inserting ''and up to the point at which the annual out-of-pocket threshold is reached under paragraph (4)'' in the matter preceding clause (i).

(2) CONFORMING AMENDMENTS.—

(A) SUPPLEMENTAL PRESCRIPTION DRUG COVERAGE.—Section 1860D–2(a)(2)(A)(i)(I) of such Act (42 U.S.C. 1395w–102(a)(2)(A)(i)(I)) is amended—

(i) by striking ''deductible,'' and inserting ''deductible or'';

(ii) by striking ''\, or an increase in the initial coverage limit''; and

(iii) by striking ''or increase''.

(B) CATASTROPHIC.—Section 1860D–2(b)(4)(C)(i) of such Act (42 U.S.C. 1395w–102(b)(4)(C)(i)) is amended—

(i) by striking ''paragraph (1),'' and inserting ''paragraph (1) or''; and

(ii) by striking ''and for amounts for which benefits are not provided because of the application of the initial coverage limit described in paragraph (3),''.

(C) ALTERNATIVE PRESCRIPTION DRUG COVERAGE.—Section 1860D–2(c)(1)(C) of such Act (42 U.S.C. 1395w–102(c)(1)(C)) is amended—

(i) in the heading by striking ''INITIAL COVERAGE LIMIT'' and inserting ''OUT-OF-POCKET THRESHOLD''; and

(ii) by striking ''the initial coverage limit under subsection (b)(3)'' each place it appears and inserting ''the out-of-pocket threshold under subsection (b)(4)''.

(D) ACCESS TO NEGOTIATED PRICES.—Section 1860D–2(d)(1)(A) of such Act (42 U.S.C. 1395w–102(d)(1)(A)) is amended by striking ''or an initial coverage limit (described in subsection (b)(3))''.

(E) CLAIMS INFORMATION.—Section 1860D–4(a)(4)(B)(i) of such Act (42 U.S.C. 1395w–104(a)(4)(B)(i)) is amended by striking ''relation to—'' and all that follows through ''the annual'' and inserting ''relation to the annual''.

(F) LOW-INCOME SUBSIDIES.—Section 1860D–14(a) of such Act (42 U.S.C. 1395w–114(a)) is amended by striking subparagraph (C) of paragraphs (1) and (2).

(G) DEFINITION.—Section 1860D–41(a)(6) of such Act (42 U.S.C. 1395w–151(a)(6)) is repealed.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2007.

SA 4751. Mr. STEVENS (for himself and Mr. INOUYE) proposed an amendment to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; as follows:

At the end of title IX, add the following:

SEC. 9012. (a) ADDITIONAL AMOUNT FOR ARMY AND MARINE CORPS FOR EQUIPMENT RESET.—In addition to amounts provided by other provisions of this title, $7,800,000,000 is provided to the Army, and $5,300,000,000 is provided to the Marine Corps, to fund equipment reset requirements resulting from continuing combat operations.

(b) DESIGNATION AS EMERGENCY REQUIREMENTS.—The amounts provided under subsection (a) are designated as appropriations for contingency operations directly related to the Global War on Terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by H. Con. Res. 818 (109th Congress), and are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109–234.

SA 4752. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the bill, include the following new provision:

SEC. _____. The Secretary of Defense shall make available to the Dwight D. Eisenhower Memorial Commission established by section 8162(b) of the Department of Defense Appropriations Act, 2000 (16 U.S.C. 431 note; 113 Stat. 1274), $5,000,000, to remain available until expended.

SA 4753. Mr. REED (for himself and Mr. DODD) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IX, add the following:

SEC. 9012. (a) REPAIR AND MAINTENANCE OF ARMY EQUIPMENT AND WAR RESERVE SECONDARY ITEMS.—

(1) ADDITIONAL AMOUNT FOR OPERATION AND MAINTENANCE, ARMY.—The amount appropriated by chapter 2 of this title under the heading ''OPERATION AND MAINTENANCE, ARMY'' is hereby increased by $6,326,000,000.

(2) AVAILABILITY.—Of the amount appropriated by chapter 2 of this title under the heading ''OPERATION AND MAINTENANCE, ARMY'', as increased by paragraph (1)—

(A) $6,000,000,000 may be available for the repair and maintenance of Army equipment; and

(B) $326,000,000 may be available for war reserve secondary items.

(3) SUPPLEMENT NOT SUPPLANT.—Amounts available under paragraph (2) for the purposes specified in that paragraph are in addition to any other amounts available in this Act for such purposes.

(b) REPAIR, MAINTENANCE, AND PROCUREMENT OF MARINE CORPS EQUIPMENT.—

(1) ADDITIONAL AMOUNT FOR OPERATION AND MAINTENANCE, MARINE CORPS.—The amount appropriated by chapter 2 of this title under the heading ''OPERATION AND MAINTENANCE, MARINE CORPS'' is hereby increased by $1,500,000,000, with the amount of the increase to be available for the repair and maintenance of Marine Corps equipment.

(2) ADDITIONAL AMOUNT FOR PROCUREMENT, MARINE CORPS.—The amount appropriated by chapter 3 of this title under the heading ''PROCUREMENT, MARINE CORPS'' is hereby increased by $2,400,000,000, with the amount of the increase to be available for procurement of Marine Corps equipment.

(3) SUPPLEMENT NOT SUPPLANT.—Amounts available under paragraphs (1) and (2) for the purpose specified in the applicable paragraph are in addition to any other amounts available in this Act for such purpose.

SA 4754. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY'', up to $2,000,000 may be available for Medical Advanced Technology (PE #603002A) for Tissue Engineering Research.

SA 4755. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY'', up to $2,500,000 may be available for the Wireless Maritime Inspection System as part of the Smartship Wireless Project of the Navy.

SA 4756. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY'', up to $3,000,000 may be available for Medical Advanced Technology (PE #603002A) for research and development on Applied Emergency Hypothermia.

SA 4757. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY'', up to $3,000,000 may be available for Weapons and Munitions Advanced Technology (PE #603004A) for Advanced Switching and Cooling Concepts for Electromagnetic Gun Applications.

SA 4758. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Not later than December 31, 2006, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the assessment of the Secretary regarding the Uranium Sensing and Treatment for Removal program of the Department of Defense.

SA 4759. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amount appropriated or otherwise made available by title III under the heading ''OTHER PROCUREMENT, ARMY'', up to $2,600,000 may be available for the Virtual Interactive Combat Environment for the New Jersey National Guard.

SA 4760. Mr. LOTT (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him

to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. (a) ADDITIONAL AMOUNT FOR RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY.—The amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY'' is hereby increased by $2,000,000.

(b) AVAILABILITY.—Of the amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY'', as increased by subsection (a), up to $2,000,000 may be available for support of design enhancements and continued testing of the Para foil Joint Precision Air Drop System (JPADS) design parachute system for the drop of 5-ton and 15-ton loads to precise locations from high altitude and greater offset distance.

(c) OFFSET.—Of the amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' is hereby decreased by $2,000,000.

SA 4761. Mr. LOTT (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. (a) PROCUREMENT OF CLASS IV UNMANNED AERIAL SYSTEMS IN FISCAL YEAR 2007.—The Secretary of the Army shall provide for the procurement during fiscal year 2007 of eight Class IV Unmanned Aerial Vehicles (UAVs) for the Army as provided for in the budget of the President for fiscal year 2007 (as submitted to Congress for such fiscal year under section 1105(a) of title 31, United States Code).

(b) TACTICS AND DOCTRINE IN USE OF CLASS IV UNMANNED AERIAL SYSTEMS.—

(1) ADDITIONAL AMOUNT FOR RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY.—The amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY'' is hereby increased by $29,000,000.

(2) AVAILABILITY OF AMOUNT.—Of the amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY'', as increased by paragraph (1), $29,000,000 may be available for experimentation and refinement of tactics and doctrine in the use of the Class IV unmanned aerial vehicles procured pursuant to subsection (a) and two ground stations associated with such vehicles.

(3) OFFSET.—The amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' is hereby reduced by $29,000,000.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on August 1, 2006, at 11 a.m., in closed session to receive a briefing from the Joint Improvised Explosive Device Defeat Organization.

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

COMMITTEE ON ARMED SERVICES

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on August 1, 2006, at 2:30 p.m., in open session, to receive testimony on the Boeing Company Global Settlement Agreement.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, August 1, 2006, at 2:15 p.m. to hold a business meeting.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on Tuesday, August 1, 2006, at 10 a.m. in 430 Dirksen Senate Office Building for a hearing on nominations.

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

COMMITTEE ON THE JUDICIARY

Mr. VITTER. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing on ''Judicial Nominations'' on Tuesday, August 1, 2006 at 2 p.m. in Dirksen Senate Office Building, Room 226.

Panel I: TBA.

Panel II: Peter D. Keisler to be United States Circuit Judge for the District of Columbia Circuit.

Panel III: Judge Valerie L. Baker to be United States District Judge for the Central District of California; Francisco Augusto Besosa to be United States District Judge for the District of Puerto Rico; Judge Philip S. Gutierrez to be United States District Judge for the Central District of California.

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

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. VITTER. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet on Tuesday, August 1, 2006, at 9 a.m., for a hearing entitled ''Offshore Abuses: The Enablers, The Tools and Offshore Secrecy.''

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

SUBCOMMITTEE ON FISHERIES, WILDLIFE, AND WATER

Mr. VITTER. Mr. President, I ask unanimous consent that on Tuesday, August 1, 2006, at 2:30 p.m. the Subcommittee on Fisheries, Wildlife, and Water be authorized to hold a hearing on interpreting the effect of the U.S. Supreme Court's recent decision in the joint cases of Rapanos v. United States, and Carabell v. U.S. Army Corps of Engineers on ''The Waters of the United States.''

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

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Matt Miller and Justin Cohen of my staff be granted the privilege of the floor during the duration of today's session.

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

Mr. INOUYE. Mr. President, I ask unanimous consent that Ms. Lisa Raimondo, a legislative fellow assigned to my office, be afforded the privilege of the floor during the consideration of H. R. 5631, the Defense appropriations bill.

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

CONGRATULATING THE MAGEN DAVID ADOM SOCIETY IN ISRAEL

Mr. FRIST. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Con. Res. 113, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 113) congratulating the Magen David Adom Society in Israel for achieving full membership in the International Red Cross and Red Crescent Movement, and for other purposes.

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

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

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

The concurrent resolution (S. Con. Res. 113) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. CON. RES. 113

Whereas international humanitarian law is, quintessentially, about principle, establishing standards of conduct that can not be breached under any circumstance, or for any calculation of political efficacy or utility;

Whereas the International Red Cross and Red Crescent Movement is a worldwide institution in which all national Red Cross and Red Crescent societies have equal status, whose mission is to prevent and alleviate human suffering wherever it may be found, without discrimination;

Whereas the Magen David Adom (Red Shield of David) Society is the national humanitarian society in Israel and has performed heroically, aiding all in need of assistance, on a purely humanitarian basis,

without bias, even those responsible for acts of horrific violence against Israeli civilians;

Whereas, since 1949, the Magen David Adom Society has been refused admission into the International Red Cross and Red Crescent Movement and has been relegated to observer status without a vote because it has used the Red Shield of David, the only such national organization denied membership in the Movement;

Whereas the red cross symbol was intended as the visible expression of the neutral status enjoyed by the medical services of the armed forces and the protection thus conferred, and there is not, and has never been, any implicit religious connection in the cross;

Whereas, since its establishment in 1930, the Magen David Adom Society has worked under its own symbol, the Red Star of David, as an expression of the humanitarian values the Magen David Adom Society shares with the Red Cross and Red Crescent societies;

Whereas Israel acceded to the Geneva Conventions in 1951 with a reservation specifying their intent to continue to use the Magen David Adom;

Whereas international consultations among nations and national Red Cross Societies ensued until 1999, when the International Committee of the Red Cross formally called for adoption of a protocol to the Geneva Conventions creating a third neutral symbol, allowing the use of either the Red Cross, the Red Crescent, or the third neutral symbol, and allowing for the third neutral symbol to be used in combination with other national Red Cross Society symbols, including the Magen David Adom;

Whereas a diplomatic conference to adopt this proposal into the Geneva Conventions was scheduled for October 2000, but was prevented by the outbreak of the second Palestinian intifada;

Whereas the United States, the American Red Cross, and the American Friends of Magen David Adom have worked ceaselessly to resolve the issue of the third neutral symbol and achieve full membership in the International Red Cross and Red Crescent Movement for the Magen David Adom Society;

Whereas Congress has insisted that funds made available to the International Committee of the Red Cross be contingent on a certification by the Secretary of State confirming that the Magen David Adom Society is a full participant in the activities of the International Red Cross and Red Crescent Movement;

Whereas the American Red Cross has stood alone among all the national humanitarian aid societies, and has withheld over $45,000,000 in dues to the International Federation of the Red Cross and Red Crescent Societies to protest the exclusion of the Magen David Adom;

Whereas the Government of Switzerland, the depositary state for the Geneva Conventions, convened a Diplomatic Conference of the states party to the Geneva Conventions in December 2005 for the purpose of adopting a Third Additional Protocol and rightly resisted efforts to block the broad international consensus in favor of resolving the third neutral symbol question;

Whereas the efforts by the United States and the American Red Cross at the Diplomatic Conference in December 2005 were critical to achieving both an overwhelming positive vote in favor of adopting the Third Additional Protocol, as well as an extremely important memorandum of understanding between the Magen David Adom and the Palestinian Red Crescent Society;

Whereas sustaining international support for the adoption of the third neutral symbol against efforts to divert the conference into unrelated political matters required extraordinary diplomatic efforts by the United States and the American Red Cross;

Whereas the Third Additional Protocol adopted in Geneva in December 2005 established the new third neutral symbol, the ''red crystal'' that can be used in conjunction with the Red Shield of David and cleared the way for Israeli membership in the international movement;

Whereas, in June 2006, the states party to the Geneva Conventions, the national humanitarian aid societies, the International Federation of the Red Cross and Red Crescent Societies, and the International Committee of the Red Cross met in Geneva to adopt rules implementing the Third Additional Protocol; and

Whereas, at the June 2006 meeting in Geneva, the International Red Cross and Red Crescent Movement accepted the Magen David Adom Society as a full member: Now, therefore, be it

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

(1) commends the Magen David Adom Society for its long and distinguished record of providing humanitarian assistance to all those in need of aid, even those responsible for heinous atrocities against Israeli civilians;

(2) congratulates the Magen David Adom Society, and the Government and people of Israel, for securing full membership in the International Red Cross and Red Crescent Movement, 57 years past due;

(3) thanks the President, the Secretary of State, and United States diplomatic representatives for their tireless pursuit and maintenance of the international consensus that culminated in the recent acceptance of the Magen David Adom Society as a full member in the International Red Cross and Red Crescent Movement;

(4) thanks the American Red Cross for its unwavering and unyielding insistence within the International Red Cross and Red Crescent Movement that the principles of international humanitarian law could not be reconciled with continued exclusion of the Magen David Adom Society;

(5) thanks the Government of Switzerland and officials of the International Committee of the Red Cross for helping to prepare the necessary consensus and carrying to completion the adoption of the Third Additional Protocol by the states party to the Geneva Conventions and the rules for its implementation; and

(6) commends the President for—

(A) submitting the Third Additional Protocol to the Senate for its advice and consent; and

(B) pending approval by the Senate, preparing for congressional consideration and enactment of legislation necessary to carry into effect the Third Additional Protocol.

TO PRESERVE THE MT. SOLEDAD VETERANS MEMORIAL

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5683, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5683) to preserve the Mt. Soledad Veterans Memorial in San Diego, California, by providing for the immediate acquisition of the memorial by the United States.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 5683) was ordered to a third reading, was read the third time, and passed.

Mr. FRIST. Mr. President, I want to pause for a moment and comment on the bill we just passed. I am proud that the Senate, in this bill, is choosing to protect an important memorial that honors our Nation's fallen veterans.

With the passage of this legislation, the Mt. Soledad Veterans Memorial Protection Act—this memorial being in San Diego, CA—I believe we pay a real tribute to our fallen veterans. This memorial will be controlled, with this legislation, by the Federal Government, which will ensure that the men and women it memorializes will continue to be so honored.

The memorial is very important to our veterans. It is a key symbol of our religious freedom.

Just a very brief comment on the history. Since 1954, a 29-foot cross has stood atop Mt. Soledad in San Diego memorializing the American war dead of World War I, World War II, and the Korean War conflict.

Over the years, the memorial has grown and now includes six large, concentric walls covered with granite plaques commemorating individual service men and women, bollards, pavers, and a flagpole proudly flying the American flag. The Mt. Soledad Memorial, in its entirety is a world class war memorial.

In 1989, a plaintiff who claimed to be offended by the memorial sued the city for its removal. The city of San Diego went to great lengths to divest themselves of the property by selling it to a private party who could choose to keep the memorial cross. That sale was blocked, however, by the Ninth Circuit Court of Appeals. Last year, the voters of San Diego passed a ballot measure providing for the donation of the memorial to the Federal Government, but again that transfer was blocked by the courts.

This bill, H.R. 5683, which we just passed, directs the Federal Government to acquire the property and enables the Mt. Soledad Memorial to be federally owned and continue to memorialize Americans who have fallen in service to their country. I do commend my colleagues for taking this significant step.

PREMATURITY RESEARCH EXPANSION AND EDUCATION FOR MOTHERS WHO DELIVER INFANTS EARLY ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 541, S. 707.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 707) to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Health, Education, Labor, and Pensions with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act'' or the ''PREEMIE Act''.

SEC. 2. PURPOSE.

It the purpose of this Act to—

(1) reduce rates of preterm labor and delivery;

(2) work toward an evidence-based standard of care for pregnant women at risk of preterm labor or other serious complications, and for infants born preterm and at a low birthweight; and

(3) reduce infant mortality and disabilities caused by prematurity.

SEC. 3. RESEARCH RELATING TO PRETERM LABOR AND DELIVERY AND THE CARE, TREATMENT, AND OUTCOMES OF PRETERM AND LOW BIRTHWEIGHT INFANTS.

(a) GENERAL EXPANSION OF NIH RESEARCH.—Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended by adding at the end the following:

''SEC. 409J. EXPANSION AND COORDINATION OF RESEARCH RELATING TO PRETERM LABOR AND DELIVERY AND INFANT MORTALITY.

''(a) IN GENERAL.—The Secretary, acting through the Director of NIH, shall expand, intensify, and coordinate the activities of the National Institutes of Health with respect to research on the causes of preterm labor and delivery, infant mortality, and improving the care and treatment of preterm and low birthweight infants.

''(b) AUTHORIZATION OF RESEARCH NETWORKS.—There shall be established within the National Institutes of Health a multi-center clinical program (that shall be initially established utilizing existing networks) designed to—

''(1) investigate problems in clinical obstetrics, particularly those related to prevention of low birth weight, prematurity, and medical problems of pregnancy;

''(2) improve the care and outcomes of neonates, especially very-low-birth weight infants; and

''(3) enhance the understanding of DNA and proteins as they relate to the underlying processes that lead to preterm birth to aid in formulating more effective interventions to prevent preterm birth.''.

(b) GENERAL EXPANSION OF CDC RESEARCH.—Section 301 of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by adding at the end the following:

''(e) The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall expand, intensify, and coordinate the activities of the Centers for Disease Control and Prevention with respect to preterm labor and delivery and infant mortality.''.

(c) STUDIES ON RELATIONSHIP BETWEEN PREMATURITY AND BIRTH DEFECTS.—

(1) IN GENERAL.—The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, shall, subject to the availability of appropriations, conduct ongoing epidemiological studies on the relationship between prematurity, birth defects, and developmental disabilities.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, shall submit to the appropriate committees of Congress reports concerning the progress and any results of studies conducted under paragraph (1).

(d) PREGNANCY RISK ASSESSMENT MONITORING SURVEY.—

(1) IN GENERAL.—The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, shall establish systems for the collection of maternal-infant clinical and biomedical information, including electronic health records, electronic databases, and biobanks, to link with the Pregnancy Risk Assessment Monitoring System (PRAMS) and other epidemiological studies of prematurity in order to track pregnancy outcomes and prevent preterm birth.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out paragraph (1), $3,000,000 for each of fiscal years 2007 through 2011.

(e) EVALUATION OF EXISTING TOOLS AND MEASURES.—The Secretary of Health and Human Services shall review existing tools and measures to ensure that such tools and measures include information related to some of the known risk factors of low birth weight and preterm birth.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, except for subsection (d), $10,000,000 for each of fiscal years 2007 through 2011.

SEC. 4. PUBLIC AND HEALTH CARE PROVIDER EDUCATION AND SUPPORT SERVICES.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended—

(1) by redesignating the second section 399O (relating to grants to foster public health responses to domestic violence, dating violence, sexual assault, and stalking) as section 399P; and

(2) by adding at the end the following:

''SEC. 399Q. PUBLIC AND HEALTH CARE PROVIDER EDUCATION AND SUPPORT SERVICES.

''(a) IN GENERAL.—The Secretary, directly or through the awarding of grants to public or private nonprofit entities, may conduct demonstration projects to improve the provision of information on prematurity to health professionals and other health care providers and the public and to improve the treatment and outcomes for babies born preterm.

''(b) ACTIVITIES.—Activities to be carried out under the demonstration project under subsection (a) may include the establishment of programs—

''(1) to test and evaluate various strategies to provide information and education to health professionals, other health care providers, and the public concerning—

''(A) the signs of preterm labor, updated as new research results become available;

''(B) the screening for and the treating of infections;

''(C) counseling on optimal weight and good nutrition, including folic acid;

''(D) smoking cessation education and counseling;

''(E) stress management; and

''(F) appropriate prenatal care;

''(2) to improve the treatment and outcomes for babies born premature, including the use of evidence-based standards of care by health care professionals for pregnant women at risk of preterm labor or other serious complications and for infants born preterm and at a low birthweight; and

''(3) to respond to the informational needs of families during the stay of an infant in a neonatal intensive care unit, during the transition of the infant to the home, and in the event of a newborn death.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $5,000,000 for each of fiscal years 2007 through 2011.''.

SEC. 5. INTERAGENCY COORDINATING COUNCIL ON PREMATURITY AND LOW BIRTHWEIGHT.

(a) PURPOSE.—It is the purpose of this section to stimulate multidisciplinary research, scientific exchange, and collaboration among the agencies of the Department of Health and Human Services and to assist the Department in targeting efforts to achieve the greatest advances toward the goal of reducing prematurity and low birthweight.

(b) ESTABLISHMENT.—The Secretary of Health and Human Services shall establish an Interagency Coordinating Council on Prematurity and Low Birthweight (referred to in this section as the Council) to carry out the purpose of this section.

(c) COMPOSITION.—The Council shall be composed of members to be appointed by the Secretary, including representatives of the agencies of the Department of Health and Human Services.

(d) ACTIVITIES.—The Council shall—

(1) annually report to the Secretary of Health and Human Services and Congress on current Departmental activities relating to prematurity and low birthweight;

(2) carry out other activities determined appropriate by the Secretary of Health and Human Services; and

(3) oversee the coordination of the implementation of this Act.

SEC. 6. SURGEON GENERAL'S CONFERENCE ON PRETERM BIRTH.

(a) CONVENING OF CONFERENCE.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Surgeon General, shall convene a conference on preterm birth.

(b) PURPOSES OF CONFERENCE.—The purpose of the conference convened under subsection (a) shall be to—

(1) increase awareness of preterm birth as a serious, common, and costly public health problem in the United States;

(2) review the findings and reports issued by the Interagency Coordinating Council, key stakeholders, and any other relevant entity; and

(3) establish an agenda, and report such agenda to Congress, for activities in both the public and private sectors that will speed the identification of, and treatments for, the causes of preterm labor and delivery.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $1,000,000.

Mr. FRIST. I ask unanimous consent that the committee-reported amendment be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The amendment in the nature of a substitute was agreed to.

The bill (S. 707), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. FRIST. Mr. President, I ask unanimous consent that I be added as a cosponsor to this bill.

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

Mr. FRIST. I congratulate my distinguished colleague from Tennessee, who is occupying the Chair, for that very important bill.

RELOCATION EXPENSES TEST PROGRAMS EXTENSION

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 528, S. 2146.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2146) to extend relocation expenses test programs for Federal employees.

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

Mr. FRIST. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (S. 2146) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2146

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

SECTION 1. EXTENSION OF RELOCATION EXPENSES TEST PROGRAMS.

(a) IN GENERAL.—Section 5739 of title 5, United States Code, is amended—

(1) in subsection (a)(1), by striking ''for a period not to exceed 24 months''; and

(2) in subsection (e), by striking ''7 years'' and inserting ''11 years''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as though enacted as part of the Travel and Transportation Reform Act of 1998 (Public Law 105–264; 112 Stat. 2350).

UNANIMOUS CONSENT AGREEMENT—S. 1566

Mr. FRIST. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, with the concurrence of the Democratic leader, the Senate proceed to the immediate consideration of Calendar No. 191, S. 1566. I further ask that the Chambliss amendment at the desk be agreed to, and that the only other amendments in order be the following four amendments, the text of which is at the desk, with no second-degree amendments in order: a Smith-Stevens amendment on petroleum prices, 1 hour equally divided; a Cantwell amendment on petroleum prices, 1 hour equally divided; a Feinstein amendment on electronic energy transactions, 4 hours equally divided, with 30 minutes of the minority's time under the control of Senator LEVIN; a Conrad amendment on CFTCs authority, 1 hour equally divided.

I further ask that, in addition to the time specified on the amendments, there be 30 minutes of debate equally divided on the bill, and that following the use or the yielding back of time, the bill, as amended, be read the third time.

I further ask that the Senate then proceed to Calendar No. 358, H.R. 4473, the House companion, and that all after the enacting clause be stricken and the text of S. 1566, as amended, be inserted thereof, the bill, as amended, be read a third time, and the Senate proceed to a vote on passage, and S. 1566, as amended, be returned to the calendar.

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

REDESIGNATING THE MASON NECK NATIONAL WILDLIFE REFUGE

Mr. FRIST. Mr. President, I ask unanimous consent that the EPW Committee be discharged from further consideration of H.R. 3682, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3682) to redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

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

The bill (H.R. 3682) was ordered to be engrossed for a third reading, was read the third time, and passed.

ORDERS FOR WEDNESDAY, AUGUST 2, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. Wednesday, August 2. I further ask that following the prayer and the pledge, the morning hour be deemed to have expired, the time for the two leaders be reserved, and the Senate then resume consideration of H.R. 5631, the Department of Defense appropriations bill.

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

PROGRAM

Mr. FRIST. Mr. President, today, we overwhelmingly passed a very important bill that will affect the lives of all consumers, which is everybody in this country in the future. The gulf coast energy security bill was passed overwhelmingly today with a vote of 71 to 25.

We just passed this bill an hour and a half ago or so. At that point, we thanked our various colleagues. But in conversations after that among my colleagues, Democrats and Republicans, we all remarked that this is the way legislation should be passed: bipartisan, working together, a lot of hard work on the floor, a lot of preparatory work, involvement of staff soliciting a lot of input as we go through careful deliberation and passage of a bill that will be to the benefit of every American.

It is a great victory for the American people. Our colleagues were recognized earlier. Most people pointed, first and foremost, and appropriately, to Senator DOMENICI who stayed focused on the bill, who led the bill that was passed last year, now 54, 53 weeks ago, a bill that has transformed the framework through which we review advances in energy and energy policy, and this bill being the next major step in addressing supply and production of American homegrown energy. We thank Senator DOMENICI for his leadership on both those bills.

This evening, the Senate turned to the Department of Defense appropriations bill. I appreciate Chairman STEVENS and the ranking member, Senator INOUYE, for very rapidly turning to that bill and beginning debate with their opening statements and beginning on the amendment process which should start tomorrow morning.

Tomorrow we will resume consideration of this appropriations bill. It is my hope that we can complete this legislation before we leave for the August recess. I say that after having talked with a number of our military leaders over the last several weeks and the Secretary of Defense today who stressed how important it is to get these appropriated funds flowing for the support of our troops overseas and at home and the infrastructure that supports them, especially in this time of war.

We have a lot to do over the course of the week. So late nights are possible each night. I laid out the schedule early this morning. I mentioned the importance of this bill which links three bills together—the death tax, the tax extenders, and the minimum wage—on Friday morning. Late nights are possible—in fact, likely—as we continue on the Department of Defense bill tomorrow and on Thursday night as well, and then the pension bill we absolutely must address before we leave before the recess.

I thank the Democratic leader, in particular, for understanding and working with our leadership in scheduling and being able to proceed with the Nation's business in a very short period of time because the American people deserve it. He understands that; their leadership understands it. Even though we don't agree on all the legislation that is coming before us, the ability to move and to move effectively and efficiently is something I really appreciate as we come into these last 5 or 6 days in the Senate.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the

Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:13 p.m., adjourned until Wednesday, August 2, 2006, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate August 1, 2006:

FARM CREDIT ADMINISTRATION

LELAND A. STROM, OF ILLINOIS, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION, FOR A TERM EXPIRING OCTOBER 13, 2012, VICE DOUGLAS L. FLORY, TERM EXPIRING.

DEPARTMENT OF AGRICULTURE

CHARLES R. CHRISTOPHERSON, JR., OF TEXAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION, VICE JOSEPH J. JEN.

DEPARTMENT OF THE INTERIOR

C. STEPHEN ALLRED, OF IDAHO, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR, VICE REBECCA W. WATSON, RESIGNED.

ENVIRONMENTAL PROTECTION AGENCY

ROGER ROMULUS MARTELLA, JR., OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE ANN R. KLEE, RESIGNED.

ALEX A. BEEHLER, OF MARYLAND, TO BE INSPECTOR GENERAL, ENVIRONMENTAL PROTECTION AGENCY, VICE NIKKI RUSH TINSLEY, RESIGNED.

DEPARTMENT OF LABOR

RANDOLPH JAMES CLERIHUE, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF LABOR, VICE LISA KRUSKA.

NATIONAL SCIENCE FOUNDATION

ARTHUR K. REILLY, OF NEW JERSEY, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION, FOR A TERM EXPIRING MAY 10, 2012, VICE MICHAEL G. ROSSMANN, TERM EXPIRED.

NATIONAL LABOR RELATIONS BOARD

WILMA B. LIEBMAN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2011. (REAPPOINTMENT)

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

MICHAEL F. DUFFY, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM EXPIRING AUGUST 30, 2012. (REAPPOINTMENT)

UNITED STATES POSTAL SERVICE

JAMES H. BILBRAY, OF NEVADA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 8, 2006, VICE JOHN F. WALSH, RESIGNED.

JAMES H. BILBRAY, OF NEVADA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2015. (REAPPOINTMENT)

EXECUTIVE OFFICE OF THE PRESIDENT

SUSAN E. DUDLEY, OF VIRGINIA, TO BE ADMINISTRATOR OF THE OFFICE OF INFORMATION AND REGULATORY AFFAIRS, OFFICE OF MANAGEMENT AND BUDGET, VICE JOHN D. GRAHAM, RESIGNED.

DEPARTMENT OF THE INTERIOR

CARL JOSEPH ARTMAN, OF COLORADO, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR, VICE DAVID WAYNE ANDERSON.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JOHNNY A. WEIDA, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. ANN E. RONDEAU, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be colonel

GARY J. CONNOR, 0000
ALAN C. DICKERSON, 0000
KATHLEEN A. MCGOWAN, 0000
EFREN E. RECTO, 0000

To be lieutenant colonel

ALLENA H. BURGE, 0000
JOHN T. HALL, 0000
DEVELEN L. HANSEN, 0000
JANE L. HOLTZCLAW, 0000
THOMPSON L. LANUIS, 0000
THOMAS G. MOODY, 0000
PAULA M. STRAIT, 0000

To be major

NICOLAS J. ANDREWS, 0000
LAFAYETTE B. BELK, 0000
JOSEPH N. BLUSTEIN, 0000
ARNOLD B. CAMPO, 0000
CHOON H. CHA, 0000
BRETT M. CHUNG, 0000
CHARLES C. COLEMAN, 0000
MICHAEL S. DONDELINGER, 0000
MARC EUGENE, 0000
EDITH L. FRALEY, 0000
DEBRA FULTON, 0000
ANTONIO M. GUIMARAES, 0000
DENNIS W. HAAS, 0000
FRED HOST, 0000
DAISY HUISENTRUIT, 0000
SHELLEY M. JENKINS, 0000
ABDULHAY A. KADRI, 0000
ANTHONY U. KINGSLEY, 0000
RICHARD L. LOCKWOOD, 0000
LILLIAN P. OVERALL, 0000
BHARAT M. RAMAN, 0000
JAMES J. REYNOLDS, 0000
RONALD L. RUGGEREIO, 0000
MELISSA M. SCALERA, 0000
JOSE A. SOLIS, 0000
JAMES R. THOMPSON, 0000
EDDIE H. UY, 0000
GENEVA W. WALKER, 0000
JOHN C. WHITTINGTON, 0000
MARVIN W. WILLIAMS, 0000
MICHAEL T. WINGATE, 0000

IN THE ARMY

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

JOSSLYN L. ABERLE, 0000
SAMUEL M. ALLMOND, 0000
ANTHONY J. AUDREY, 0000
JESSE BABAUTA, 0000
BRODRICK J. BAILEY, 0000
GREGORY E. BAK, 0000
JOHN D. BALLARD, 0000
ANTWAN D. BANKS, 0000
TEENA M. BARBER, 0000
GREGORY W. BISHOP, 0000
JEFFREY R. BOURNE, 0000
JOHN M. BOYD, 0000
MICHAEL D. BRADY, 0000
BRADLEY K. BRAGG, 0000
BARNEY D. BREWINGTON, 0000
MARTHA K. BROOKS, 0000
DEAN A. BURBRIDGE, 0000
CERVANTES E. CAMACHO, 0000
CARLA J. CAMPBELL, 0000
FREDERICK R. CARLSON, 0000
JOSEPH P. CARROLL, 0000
DAVID W. CHAPLIN, 0000
ROBERT C. CHERIPKA, 0000
STEVEN B. CHOI, 0000
JOHN M. CLEARWATER, 0000
KENNETH J. CURRY, 0000
KENNETH L. CYPHER, 0000
DARRYL C. DARDEN, 0000
FRANCISCO DECARVALHO, 0000
GREGORY L. DEDEAUX, 0000
TODD A. DELONG, 0000
DANIEL L. DIPIRO, 0000
PETER J. DON, 0000
MARTIN DOWNIE, 0000
JEROME J. DRISCOLL, 0000
MARK R. DUKE, 0000
RODNEY DUNCAN, 0000
MICHAEL W. DURHAM, 0000
RICHARD S. DUROST, 0000
NORMAN E. EMERY, 0000
CHRISTOPHER T. ENGER, 0000
SAMUEL P. FAGONE, JR., 0000
BRIAN R. FOSTER, 0000
GREGORY J. FOX, 0000
ANTHONY M. FUNCHESS, 0000
KEVIN T. GALE, 0000
MARK L. GAYLO, 0000
JOHN H. GINGRICH, 0000
CYNTHIA A. GLENISTER, 0000
EDWARD C. GLIOT, 0000
KIMNGAN J. GOODWIN, 0000
LEWIS P. GOODWIN IV, 0000
DEREESE F. GOSHORN, 0000
JAMES L. GRAY, 0000
TIMOTHY T. GREEN, 0000
THOMAS W. GREENWALD, 0000
CHRISTOPHER L. GRIMM, 0000
KEVIN T. GRZELKA, 0000
AMY E. HANNAH, 0000
MARK A. HASEMAN, 0000
SCOTT A. HEISE, 0000
JOHN D. HENDERSON, 0000
BRANDON K. HERL, 0000
ROBERT D. HUNTER, JR., 0000
JOHN F. INGRAM, 0000
DAVID L. JACKSON, 0000
RODNEY E. JORDAN, 0000
GARY G. KENT, 0000
RICHARD F. KREUSCHER, 0000
SCOTT D. LATHROP, 0000
CHRISTOPHER S. LEGRAND, 0000
RICHARD A. LEWIS, 0000
CHRISTOPHER A. LIVINGSTONE, 0000
TODD D. MACKERT, 0000
RUBEN R. MATOS, 0000
FERNANDO J. MAYMI, 0000
JAMES D. MCCALLISTER, 0000
MARK L. MCCANN, 0000
MARK L. MERRELL, 0000
VICTORIA L. MIRALDA, 0000
SCOTT MITCHELL, 0000
DWIGHT R. MORGAN, 0000
MARK B. MOSS, 0000
CARLA D. MULLINGS, 0000
PAUL M. MURPHY, 0000
ROBERT D. MURPHY, 0000
MELISSA J. NELSON, 0000
CHRISTOPHER D. NIEDERHAUSER, 0000
RUMI NIELSONGREEN, 0000
JAMES D. PATTERSON, 0000
RICHARD T. PATTERSON, 0000
KENDAL V. POLK, 0000
SCOTT C. POOLE, 0000
GREGG A. POWELL, 0000
DANIEL P. RAY, 0000
LARRY J. ROBERTS, 0000
BENJAMIN G. ROBERTSON, 0000
MATTHEW E. ROBINSON, 0000
SAM W. RUSS III, 0000
HOLLY C. SILKMAN, 0000
SCOTT A. SMITH, 0000
VERONICA SMITH, 0000
THOMAS M. SNOW, 0000
KARA L. SOULES, 0000
KENNETH A. STEVENS, 0000
STEVEN P. STOVER, 0000
SHAWN A. STROUD, 0000
PAUL J. SWIERGOSZ, 0000
ROBERT H. TALLMAN, JR., 0000
MARK B. TANNER, 0000
CYNTHIA F. TERAMAE, 0000
GREGORY R. TRNKA, 0000
WILLIAM TURMEL, JR., 0000
CRAIG S. UNRATH, 0000
DAVID J. WALDMAN, 0000
ROBERT D. WALLACE, 0000
JULIUS WASHINGTON, 0000
DAVID J. WEIS, 0000
LEMUEL K. WILLIAMS, 0000
KENNETH D. WILLIS, 0000
MARK E. WRIGHT, 0000
FRANK H. ZIMMERMAN, 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 lieutenant colonel

TIMOTHY F. ABBOTT, 0000
LARRY K. ADAMS, 0000
MICHAEL C. ALLISON, 0000
KEITH W. ANTHONY, 0000
MARIO A. ARZENO, 0000
JAMES M. ASHFORD, 0000
MICHELLE M. BAILEY, 0000
DONALD R. BAKER, 0000
CREIGHTON R. BARBER, 0000
FREDERICK S. BARRETT, 0000
ROBERT L. BARRIE, JR., 0000
DALE A. BEDSOLE, 0000
MICHELLE A. BLACK, 0000
KENNETH M. BOERSMA, 0000
JAMES E. BOGLE, 0000
RAYMOND E. BOYD, JR., 0000
DAVID D. BRENNER, 0000
ROBERT J. BRINKMANN, 0000
HAROLD D. BROEK, JR., 0000
JOHNNY R. BROUGHTON, 0000
MICHAEL L. BROWN, 0000
SCOTT A. BRYSON, 0000
ROSE K. CARD, 0000
CLAUDIA J. CARRIZALES, 0000
TIMOTHY M. CAULEY, 0000
ROGER F. CAVAZOS, 0000
JOHN R. CAVEDO, JR., 0000
DARRELL W. CHINN, 0000
TONY K. CHO, 0000
ANDREW B. CLANTON, 0000
FRANK S. CLARK III, 0000
WILLIE D. COLEMAN, 0000
FREDERICK B. CORBIN, 0000
PATRICK D. CRABB, 0000
JASON T. CRAFT, 0000
HARRY R. CULCLASURE, 0000
TONY B. CURTIS, 0000
ABBAS K. DAHOUK, 0000
MARK R. DANIELS, 0000
RODNEY A. DAVIS, 0000
TODD A. DELLERT, 0000
JAMES T. DELLOLIO, 0000
MARK J. DERBER, 0000
MICHAEL DISHMAN, 0000
KENNETH W. DOBBERTIN, 0000
KATHRYN S. DUCCESCHI, 0000
SCOTT C. DULLEA, 0000
ANDREW J. DUSZYNSKI, 0000
JAMES B. DYKES IV, 0000
JONATHAN M. EDWARDS, 0000
JOHN M. EGGERT, 0000
MATTHEW L. ENGLAND, 0000
MICHAEL E. EVANCHO, 0000

MARK A. FABER, 0000
RODNEY D. FAUST, 0000
JOHNNY R. FIGUEROAMERCADO, 0000
WILLIAM D. FISCHER, 0000
TYLER F. FITZGERALD, 0000
GREGORY C. FRANKS, 0000
KENNETH S. FU, 0000
JASON L. GALINDO, 0000
DAVID A. GALLES, 0000
DENNIS GAARE, 0000
ERIC S. GLENN, 0000
ROBERT J. GOULD, 0000
DANIEL R. GREEN, 0000
GREGORY S. GREEN, 0000
CHRISTOPHER K. GREENE, 0000
JOHN L. GREWELLE, 0000
CHRISTOPHER M. GRIEG, 0000
WALTER M. GRISSOM III, 0000
JEFFREY C. GROVER, 0000
MATTHEW J. GULBRANSON, 0000
MOISES M. GUTIERREZ, 0000
THOMAS A. HABSTRITT, 0000
MICHAEL J. HALE, 0000
ANDREW B. HAMILTON, 0000
DARYL P. HARGER, 0000
MARC R. HARRELSON, 0000
MAE F. HARRIS, 0000
BRENT H. HASHIMOTO, 0000
THOMAS W. HAUSER, 0000
DERRICK G. HAYES, 0000
ERIC G. HELM, 0000
KEVIN C. HENDERSON, 0000
MELBA L. HERNANDEZ, 0000
BRADFORD L. HOBSON, 0000
WILLIAM R. HOGANS IV, 0000
GEORGE A. HOLLAND, JR., 0000
RICHARD J. HORNSTEIN, 0000
TIMOTHY C. HOSSACK, 0000
PAUL D. HOWARD, 0000
THOMAS D. HUNTER, 0000
JOHN M. INGRAM, 0000
ALFRED E. JACKSON, 0000
HOPE M. JACKSON, 0000
JACQUELIN JACOCKSCREVECOEUR, 0000
HOWARD R. JAYNES, JR., 0000
DAVID P. JENSEN, 0000
DANIEL M. JONES, 0000
JOHN W. KENNEDY III, 0000
JOHN F. KERISH, 0000
ROBERT W. KETCHUM, 0000
JEFFREY A. KLEIN, 0000
IAN B. KLINKHAMMER, 0000
JOY N. KOLLHOFF, 0000
SCOTT G. KRIPOWICZ, 0000
TODD C. KROS, 0000
ERIC M. LACHANCE, 0000
BRYAN L. LEE, 0000
JOHN C. LEE, 0000
SEUNG J. LEE, 0000
CHRISTOPHER LEHNER, 0000
CHAD N. LEMOND, 0000
SUSAN M. LIND, 0000
NORMAN P. LITTERINI, 0000
WILLIAM M. LOCKARD, 0000
RICHARD J. LONARDO, 0000
JONATHAN D. LONG, 0000
ROBERT D. LONG, 0000
NICOLAS J. LOVELACE, 0000
FREDRICK C. LUDDEN, 0000
IAN B. LYLES, 0000
PATRICK W. MALONEY, 0000
ANDREW D. MARBLE, 0000
CHARLES A. MARR, 0000
JACK H. MAST, JR., 0000
DARIEL D. MAYFIELD, 0000
RAMONA M. MCCAA, 0000
ALONZO B. MCGHEE, 0000
JAMES V. MCKINNEY, 0000
FRITZGERALD F. MCNAIR, 0000
JAMES F. MCNULTY, JR., 0000
TIMOTHY R. MCRAE, 0000
DERRICK A. MELLBERG, 0000
STUART L. MEYER, 0000
DOUGLAS S. MILLER, 0000
JEFFREY S. MILLER, 0000
ALEKSANDAR MILUTINOVIC, 0000
JAMES M. MINNICH, 0000
KEVIN D. MOBLEY, 0000
KENT G. MOORHOUSE, 0000
MICHAEL C. MORTON, 0000
KARL E. MUEHLHEUSER, 0000
HUGH J. MULLALY, 0000
RANDY MURRAY, 0000
KENDALL H. NASH, 0000
KIMBEL D. NEAL, 0000
MARK A. NEAL, 0000
WALTER G. NICHOLS, JR., 0000
MICHAEL R. NYBERG, 0000
MARK G. ODONNELL, 0000
ANDREW A. OLSON, 0000
ROBERT E. PADDOCK, JR., 0000
GREGORY J. PAUL, 0000
THEODORE M. PERRYMAN, 0000
JEFFREY L. PETERS, 0000
BYRON D. PETERSON II, 0000
SAMUEL L. PETERSON, 0000
JOEL R. PHILLIPS, 0000
GREGORY POLIZZI, 0000
JENNIFER R. PRICE, 0000
RONALD L. QUINTER, 0000
SHIRLEY T. RAPUES, 0000
THERESIA A. RAYMOND, 0000
JEFFREY E. REDDICK, 0000
DANIEL W. REDFIELD, 0000
STEVEN T. REHERMANN, 0000
JOHN T. REIM, JR., 0000
DANIEL A. RICHETTS, 0000
PAUL B. RILEY, 0000
WILLIAM M. ROBARE, 0000
WILLIE E. ROBINSON, 0000
ALEX V. ROMERO, 0000
TRACY L. ROOU, 0000
JAMES P. ROSS, 0000
JOHN P. RUEDISUELI, 0000
DANIEL S. RUSIN, 0000
MARK J. RYDZYNSKI, 0000
ANTHONY J. SANCHEZ, 0000
GREGORY R. SARAFIAN, 0000
ROBERT R. SCHMIDT, JR., 0000
PAUL J. SCHMITT, 0000
ARNOLD SEAY, 0000
ANTHONY SEBO, 0000
KELLY J. SHERE, 0000
ERIK J. SIMONSON, 0000
MICHAEL E. SLOANE, 0000
MARK A. SMITH, 0000
GARY T. SPENCER, 0000
STEVEN D. STANLEY, 0000
TIMOTHY A. STAROSTANKO, 0000
CHARLES M. STEIN, 0000
CYNTHIA H. STEIN, 0000
LINDA V. STEINHOLTZ, 0000
VINCENT N. STEPHAN, 0000
ERIC J. STIERNA, 0000
KENNETH W. STRAYER, 0000
RICHARD J. STROYAN, 0000
THOMAS STYNER, 0000
PAUL D. TERRELL, 0000
JOHN R. THOMPSON, 0000
TUAN T. TON, 0000
JOHN M. VANNOY, 0000
RALPH R. VARGAS, 0000
ROBERT A. WAGNER, 0000
DAVID B. WASHINGTON, 0000
ERIK C. WEBB, 0000
ROY R. WEIDANZ, 0000
MICHAEL D. WEISZ, 0000
PATRICK M. WHITE, 0000
ROBERT A. WILLIS, 0000
TERRY M. WILSON, JR., 0000
CHARLES E. WITTGES, 0000
RAY P. WOJCIK, 0000
DAVID S. WOLONS, 0000
DAVID R. WOMACK, 0000
NEWMAN M. YANG, 0000
CHAD D. YOUNG, 0000
MICHAEL YUSCHAK, 0000
KEVIN K. ZURMUEHLEN, 0000
MICHAEL J. ZUVANICH, 0000
X0000

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

DARRYL K. AHNER, 0000
JEFFREY L. APPLEGATE, 0000
JAMES E. BARNETT, 0000
WELDON A. BARRETT III, 0000
SAMUEL C. BASS, 0000
KEATON L. BEAUMONT, 0000
MICHAEL J. BELL, 0000
REGINALD J. BELTON, 0000
MICHAEL D. BENTON, 0000
JAMES P. BIENLIEN, 0000
ALEC L. BLAKELEY, 0000
ROBERT D. BRADFORD III, 0000
JOHN R. BRAY, 0000
JEFFREY B. BROADWELL, 0000
ERIC C. BURGER, 0000
MICHAEL F. CABAJ, 0000
SUERO J. CANO, 0000
BRYAN S. CARTER, 0000
STEVEN A. CARTER, 0000
JACQUELINE O. CHENOWETH, 0000
MATTHEW G. CHESNEY, 0000
JOHN A. CHVERCHKO, 0000
PATRICK W. CIHAK, 0000
DAVID L. CLEVENGER, 0000
TRACEY CLYDE, 0000
DANIEL T. CONKLIN, 0000
MICHAEL I. CORSON, 0000
CHRISTOPHER J. COURTNEY, 0000
DARREL G. COX, 0000
JOY L. CURRIERA, 0000
KEITH B. CZELUSNIAK, 0000
JAMES W. DANIELS, 0000
THOMAS R. DAVIES, 0000
JAMES E. DAVIS, 0000
SUZANNE M. DELONG, 0000
JAMES M. DEMYANOVICH, 0000
EDWARD V. DESHIELDS, JR., 0000
CHRISTOPHER C. DIXON, 0000
CLYDE A. DOPHEIDE, 0000
LOREN G. EGGEN, 0000
PAUL L. EWING, JR., 0000
KEITH A. FALCETTI, 0000
SONYA L. FINLEY, 0000
SUSAN M. FOSTER, 0000
MARK C. GAGNON, 0000
TERESA M. GARDNER, 0000
ANTHONY A. GILLIAM, 0000
DONALD J. GILLICH, 0000
LUIS A. GONZALEZOCASIO, 0000
CHRISTOPHER R. GOSSELIN, 0000
KENNETH P. GREEN, 0000
MARK J. GRUBER, 0000
MATTHEW J. HAIGHT, 0000
ERIC C. HANSEN, 0000
BLAIRE M. HARMS, 0000
TINA R. HARTLEY, 0000
KEITH A. HATTES, 0000
KENNETH M. HAYASHIDA, 0000
THOMAS A. HAYS, 0000
DOYLE M. HERNDON, 0000
CHETWOOD R. HILL, 0000
CHRISTOPHER E. HORNBARGER, 0000
KELSO W. HORST, JR., 0000
MICHAEL S. JACKSON, 0000
KELLY A. JASPER, 0000
STEPHEN G. JOHNSON, 0000
THEODORE J. JOHNSON, 0000
KENT T. JONES, 0000
RUSSELL B. KAISER, 0000
KEVIN J. KEIPP, 0000
STEPHEN E. KENT, 0000
HAZEL E. KILLEBREW, 0000
PETER G. KILNER, 0000
CHRISTOPHER W. KIRKMAN, 0000
ROBERT M. KLEIN, 0000
MARK J. KNEIS II, 0000
WILLIAM L. KOESTER, 0000
LINDA A. KOTULAN, 0000
CRAIG F. LAMARCHE, 0000
TIMOTHY S. LAWRENCE, 0000
RICHARD P. LAWSON, 0000
BRIAN M. LAYTON, 0000
CHRISTOPHER J. LEHNER, 0000
RUSSELL L. LLOYD, 0000
TERRY L. LOVE, 0000
JAMES C. LOVER, 0000
CHARLES R. MACDONALD, 0000
ROBERT M. MACMULLEN, 0000
MICHELLE C. MASON, 0000
DOUGLAS M. MATTY, 0000
DANIEL J. MCCARTHY, 0000
JEFFREY A. MCDOUGALL, 0000
DANIEL J. MCGREAL, 0000
WILLIAM M. MCLAGAN, 0000
CHRISTINE J. MENESES, 0000
THOMAS H. MEYER, 0000
CHRISTOPHER S. MOORE, 0000
HECTOR R. MORALESNEGRON, 0000
MICHAEL S. MUSSO, 0000
SCOTT T. NESTLER, 0000
STEPHEN N. OLEJASZ, 0000
MICHAEL A. ORTELLI, 0000
DONALD A. OUTING, 0000
JOHN D. OVEREND, 0000
DAVID S. PAUGH, 0000
EMORY E. PHLEGAR, JR., 0000
NIKLAS H. PUTNAM, 0000
MATTHEW D. QUINN, 0000
MATTHEW F. RASMUSSEN, 0000
GREGORY E. RAWLINGS, 0000
RICHARD A. RIVERA, 0000
KEITH M. RIVERS, 0000
DAVID M. SANDERS, 0000
RYAN E. SAW, 0000
STEVEN J. SCHWEITZER, 0000
GEORGE H. SEAWARD, 0000
ROBERT L. SHEARER, 0000
KRAIG E. SHEETZ, 0000
STEPHEN B. SLEDGE, 0000
DAVID A. SMITH, 0000
JOHN S. SMITH, 0000
STEPHEN A. SMITH, 0000
DARRYL T. SOLI, 0000
BRIAN M. STOUT, 0000
LAWRENCE M. TAYLOR, 0000
WILLIE L. THEMES, 0000
ROBERT N. TRABUCCHI, JR., 0000
JUAN K. ULLOA, 0000
ROBERT E. UNGER, 0000
JAMES W. WARE, 0000
JOHN A. WASKO, 0000
MICHAEL E. WERTZ, 0000
JOHN W. WHEELER, 0000
BRUCE H. WILLIAMS, 0000
MARK P. WITTIG, 0000
HELY D. WOOD, 0000
DAVID J. WOOTEN, 0000
KEENAN B. WYNN, 0000
GUY C. YOUNGER, 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 lieutenant colonel

ROBERT L. ABBOTT, 0000
ANTHONY L. ADAMS, 0000
ELIZABETH M. ADAMS, 0000
JAMES H. ADAMS III, 0000
BRYAN F. AGENA, 0000
PETER D. AHL, 0000
STEPHEN K. AITON, 0000
DEXTER A. ALEXANDER, 0000
LESLIE A. ALFORD, 0000
CHARLES H. ALLEN, 0000
DAVID K. ALLEN, 0000
TERANCE J. ALLEN, 0000
MICHAEL S. ALLMOND, 0000
JAYSON A. ALTIERI, 0000
REIK C. ANDERSEN, 0000
JAMES C. ANDERSON, 0000
MARVIN W. ANDERSON, 0000
SAMUEL G. ANDERSON, 0000
FRANCIS L. ANDREWS, 0000
PETER B. ANDRYSIAK, JR., 0000
OSADEBE M. ANENE II, 0000
RICHARD E. ANGLE, 0000
NICHOLAS M. ANTHONY, JR., 0000
LAWRENCE A. ANYANWU, 0000
GREGORY S. APPLEGATE, 0000
RUDOLFO AQUINO, JR., 0000
ERIC D. ARNOLD, 0000
THOMAS L. ARRINGTON, 0000
THOMAS F. ARTIS, 0000
MIKAEL R. ASH, 0000

PAUL V. ASHCRAFT, 0000
ROBERT P. ASHE, 0000
DAVID G. ATHEY, 0000
LAURI J. ATKINS, 0000
CHARLES A. ATTALES, 0000
DARRELL W. AUBREY, 0000
ROBERT T. AULT, 0000
PHILIP D. AYER, 0000
ROTHA R. AYERS, JR., 0000
PAUL F. BAILEY, 0000
HUGH D. BAIR, 0000
CLINTON J. BAKER, 0000
GREGORY A. BAKER, 0000
JAMES W. BAKER, 0000
PAUL M. BAKER, 0000
DAVID W. BANIAN, 0000
DAVID M. BARNES, 0000
LEE BARNES, 0000
STEPHEN W. BARONE, 0000
EDMUND J. BARRETT, 0000
KEITH A. BARSHINGER, 0000
PAUL R. BARTZ, 0000
JAMES E. BASS III, 0000
JOHN A. BASSO, 0000
JAMES D. BATES, 0000
THOMAS J. BATTLES, 0000
JAMES P. BAUMGART, 0000
ROBERT J. BAYHAM, 0000
DAVID C. BEACHMAN, 0000
MILFORD H. BEAGLE, JR., 0000
DANIEL G. BEATTY, 0000
IVAN P. BECKMAN, 0000
DARREN W. BEHM, 0000
CHARLES S. BELL, 0000
ANTHONY L. BENITEZ, 0000
RAUL C. BENITEZ, 0000
DAVID M. BENNETT, 0000
SYLVIA A. BENNETT, 0000
CHRISTOPHER M. BENSON, 0000
ERSKINE R. BENTLEY II, 0000
MICHAEL K. BENTLEY, 0000
DAVID B. BEOUGHER, 0000
STEVEN A. BERGOSH, 0000
JOSE R. BERRIOS, 0000
KEVIN L. BERRY, 0000
JOHN D. BEURY, 0000
MARIA A. BIANK, 0000
MARK D. BIEGER, 0000
BENJAMIN J. BIGELOW, 0000
MICHAEL L. BIGHAM, 0000
MICHAEL L. BINEHAM, 0000
EARL S. BITTNER II, 0000
WILLIAM R. BLACK, 0000
JIMMY F. BLACKMON, 0000
WILLIAM W. BLACKWELL, 0000
SAMUEL C. BLANTON III, 0000
JAMES J. BLAYLOCK, 0000
CHRIS A. BLOMBACH, 0000
CHRISTINA M. BLOSS, 0000
CHRISTOPHER T. BLUME, 0000
THOMAS D. BOCCARDI, 0000
ANTHONY P. BOHN, 0000
DAVID R. BOLDUC, 0000
GARY BOLOS, 0000
BRYON L. BONNELL, 0000
MARK E. BOROWSKI, 0000
DAVID W. BOTTCHER, 0000
JAMES B. BOTTERS, 0000
MICHAEL A. BOTTIGLIERI, 0000
WILLIAM W. BOUCHER, 0000
HORACE W. BOWDEN III, 0000
JOHN E. BOX, 0000
EARNEST E. BOYD, 0000
GREGORY G. BOYD, 0000
THOMAS A. BOYD, 0000
CHRISTOPHER BOYLE, 0000
JIMMY M. BRADFORD, 0000
ROBERT W. BRADFORD, 0000
GREGORY J. BRADY, 0000
JONATHAN P. BRAGA, 0000
MICHAEL D. BRANTLEY, 0000
MICHELE H. BREDENKAMP, 0000
TREVOR J. BREDENKAMP, 0000
JOHN W. BRENNAN, 0000
STEVEN D. BRETON, 0000
CHRISTOPHER J. BREWER, 0000
ANDRAE E. BROOKS, 0000
NICHOEL E. BROOKS, 0000
PAUL K. BROOKS, 0000
THOMAS V. BROUNS, 0000
CHARLES H. BROWN, 0000
GEORGE C. BROWN, 0000
JAMES D. BROWN, 0000
MATTHEW J. BROWN, 0000
ROBERT B. BROWN, 0000
ROSS A. BROWN, JR., 0000
WILLIAM E. BROWN III, 0000
JEFFREY A. BRYAN, 0000
MARK J. BUCKLEY, 0000
RICARDO C. BULLOCK, 0000
JOHN S. BULMER, 0000
DOUGLAS S. BUNNER, 0000
BRIAN D. BURCHETTE, 0000
KIM A. BURDESHAW, 0000
CLIFFORD T. BURGESS III, 0000
EDWARD J. BURKE IV, 0000
WILLIAM W. BURNHAM, 0000
MONICA L. BURNHAUSER, 0000
JAMES M. BURNS, 0000
BLAKE L. BURSLIE, 0000
LANCE J. BURTON, JR., 0000
GARRY B. BUSH, 0000
WILLIAM J. BUTLER, 0000
STEVEN T. BUTTERFIELD, 0000
PETER W. BUTTS, 0000
KEITH BYRD, 0000
RICHARD T. BYRD, JR., 0000
JOHN E. BYRN, 0000
JACQUELINE M. CAIN, 0000
JOHN E. CALAHAN, 0000
SCOTT P. CALDWELL, 0000
STEPHON CALHOUN, 0000
CHRISTOPHER D. CALL, 0000
MARK J. CAMARENA, 0000
GREGORY D. CAMERON, 0000
ERIC M. CAMPANY, 0000
DOUGLAS R. CAMPBELL, 0000
ROBERT C. CAMPBELL, 0000
DAVID S. CANNON, 0000
CASIMIR C. CAREY III, 0000
MICHAEL A. CARLSON, 0000
EDWIN J. CARNS, 0000
RICHARD D. CARPENTER, 0000
PRESSLEY R. CARR, JR., 0000
GARY J. CARTER, 0000
KENNETH C. CARY, 0000
KEITH A. CASEY, 0000
JOHN H. CASPER, 0000
WILLIAM J. CATER, 0000
ROBERT R. CAVAGNA, 0000
ROBERT N. CAVINESS, 0000
RICHARD A. CAYA, 0000
PHILLIP A. CHAMBERS, 0000
KATHLEEN M. CHAPMAN, 0000
MATTHEW A. CHAPMAN, 0000
JOHN S. CHAPUT, 0000
KENNETH D. CHASE, 0000
JANICE H. CHEN, 0000
STEPHEN T. CHENG, 0000
CHARLES S. CHENOWETH, 0000
MARK L. CHILDERS, 0000
MARK W. CHILDS, 0000
WILLIAM CHLEBOWSKI, 0000
CHRIS W. CHRONIS, 0000
CRAIG A. CHUBA, 0000
JON J. CHYTKA, 0000
ELIZABETH M. CISNE, 0000
TOM L. CLADY, 0000
CHARLES CLAFFEY, 0000
ANTHONY B. CLARK, 0000
GERALD L. CLAUDE, 0000
ALAN B. CLAYTON, 0000
JOHN G. CLEMENT, 0000
TIMOTHY K. CLEMENT, 0000
JEFFREY T. CLIFTON, 0000
LARRY G. COBLENTZ, JR., 0000
PHILANDER L. COCHRAN, 0000
ROBERT L. CODY II, 0000
RICHARD R. COFFMAN, 0000
ANDREW COLE, JR., 0000
ANTHONY S. COLE, 0000
DARRYL L. COLE, 0000
JEFFREY C. COLLINS, 0000
MARK D. COLLINS, 0000
PATRICIA S. COLLINS, 0000
JOHN K. COLLISON, 0000
KIMBERLY M. COLLOTON, 0000
THOMAS H. CONLON, 0000
GENE Y. CONNOR, 0000
GERALD A. CONWAY, 0000
ALEXANDER CONYERS, 0000
BRIAN C. COOK, 0000
ANDREW C. COOPER, 0000
JAMES M. CORCORAN, 0000
JOHN T. CORLEY, 0000
DANIEL J. CORMIER, 0000
ANTHONY P. CORNETT, 0000
MIGUEL A. CORREA, 0000
CHARLES D. COSTANZA, 0000
ANTHONY M. COSTON, 0000
JOHN A. COTTEN, 0000
MATTHEW J. COULSON, 0000
KIMBERLY A. COWEN, 0000
SHAWN W. COWLEY, 0000
DAVID W. COX, 0000
SHANNON C. COX, 0000
DOUGLAS W. CRADDOCK, 0000
EDUARDO J. CRAWFORD, 0000
YOLANDA Y. CREAL, 0000
GERARD H. CRIBB, 0000
ROBERT P. CRISLER, 0000
WILLIAM R. CRISTY, 0000
PATRICK N. CROSBY, 0000
EDWIN J. CRUZ, 0000
ARNOLD CSAN, JR., 0000
STEVE R. CULLINGFORD, 0000
PAUL J. CUPPETT, 0000
LEW E. CURETON, 0000
CARL A. CURRIERA, 0000
JAMES J. CUTTING, 0000
CRAIG J. CZAK, 0000
GERALD M. DAILEY, 0000
ALIRA L. DANAHER, 0000
MICHAEL J. DANIELS, 0000
NEAL DANIELS, 0000
ANDREW M. DANWIN, 0000
KIMBERLY L. DARBY, 0000
BILLY J. DAVIS, 0000
HOWARD A. DAVIS, 0000
JON C. DAVIS, 0000
MARK G. DAVIS, 0000
RICHARD A. DAVIS, 0000
ROBERT W. DAVIS, 0000
AUGUSTUS R. DAWSON III, 0000
CHRISTOPHER L. DAY, 0000
PATRICK B. DAY, 0000
DANIEL D. DEADRICH, 0000
STEVEN S. DEBUSK, 0000
CHRISTOPHER J. DEGARAY, 0000
ROBERT A. DELACY, 0000
BRIAN N. DELAPLANE, 0000
DAVID R. DELFAVERO, 0000
ANNEMARIE E. DELGADO, 0000
STEVEN L. DELVAUX, 0000
CHARLES DEMERY, 0000
JAMES D. DENARDO, 0000
CLARK R. DENMAN, 0000
CHAD D. DENNIS, 0000
BRYAN E. DENNY, 0000
ALAN J. DEOGRACIAS II, 0000
MATTHEW R. DEPIRRO, 0000
PHILLIP J. DEPPERT, 0000
GARNET R. DERBY, 0000
DAVID A. DESANTIS, 0000
LEE R. DESJARDINS, 0000
JOHN J. DEVILLEZ, 0000
WARREN W. DEWEY, 0000
DAVID J. DEYAK, 0000
MARIO A. DIAZ, 0000
GLENN K. DICKENSON, 0000
MILLICEN A. DILL, 0000
MICHAEL W. DILLINGHAM, 0000
BRIAN E. DILLON, 0000
ROBERT J. DIXON, JR., 0000
ROBERT M. DIXON, 0000
ROBERT S. DIXON, 0000
ALFRED C. DODSON, 0000
SEAN D. DONNELLY, 0000
THOMAS P. DONOVAN, 0000
CHRISTOPHER F. DOOLEY, 0000
KIRK C. DORR, 0000
BRAD C. DOSTAL, 0000
ANTHONY G. DOTSON, 0000
JIMMY T. DOUGLAS, 0000
TROY L. DOUGLAS, 0000
SCOTT A. DOWNEY, 0000
JEB S. DOWNING, 0000
THOMAS M. DOWNS, 0000
ERIC W. DRAKE, 0000
WILLIAM T. DRAPER, JR., 0000
KIRK T. DRENNAN, 0000
THOMAS R. DREW, 0000
CARTER N. DUCKETT, 0000
RONALD D. DUDLEY, 0000
JOHN L. DUER, 0000
MICHAEL B. DUGAN, 0000
SUSAN M. DUKE, 0000
FREDRICK C. DUMMAR, 0000
FARRELL J. DUNCOMBE, 0000
PATRICK B. DUNDON, 0000
LAURA D. DYCKMAN, 0000
JENNIE M. EASTERLY, 0000
MICHAEL R. EASTMAN, 0000
JANIE M. EDDINS, 0000
BRIAN M. EDMONDS, 0000
ROBERT L. EDMONSON II, 0000
THOMAS J. EDWARDS, JR., 0000
WILLIAM L. EDWARDS, 0000
ERIC P. EHRMANN, 0000
JANELL E. EICKHOFF, 0000
CHARLES B. ELLIOTT IV, 0000
THOMAS C. ELLIS, 0000
GREGORY A. ELLSWORTH, 0000
HUGH L. ELMORE, JR., 0000
MARK D. EMMER, 0000
TRACY L. EMOND, 0000
JAMES L. ENICKS, 0000
MARIA P. EOFF, 0000
JAMES G. ERBACH, 0000
THOMAS L. ERICKSON, 0000
FRANCISCO J. ESCALERA, 0000
JOHN C. ESPINOSA, 0000
JOHN M. ESPOSITO III, 0000
CHRISTOPHER L. EUBANK, 0000
MICHAEL D. EVANS, 0000
SUSANNE E. EVERS, 0000
JENNIFER C. EXPOSEFRANCISCO, 0000
FRANCIS J. EXPOSITO, 0000
MICHAEL J. FADDEN, 0000
ROBERT J. FAMILETTI, JR., 0000
LAURENCE M. FARRELL, 0000
MICHAEL J. FARRELL, 0000
SHERRI A. FARRIS, 0000
GARRETT P. FAWAZ, 0000
WILLIAM K. FEGLER, 0000
EDWARD P. FEIGENBAUM II, 0000
CHRISTOPHER R. FELCHLIN, 0000
PAUL W. FELLINGER, 0000
DONALD P. FIELDS, JR., 0000
MAYA M. FILBERT, 0000
MARK D. FINLEY, 0000
PAUL A. FISCHER, 0000
TIMOTHY P. FISCHER, 0000
DOLORES FISHER, 0000
ERIC B. FLEMING, 0000
STEVEN W. FLETCHER, JR., 0000
WILLIE J. FLUCKER, JR., 0000
BRIAN P. FOLEY, 0000
KYLE J. FOLEY, 0000
WENDY L. FOLEY, 0000
TONY D. FORBES, JR., 0000
COLLIN J. FORTIER, 0000
DARYL D. FOSS, 0000
MICHAEL L. FOSTER, 0000
JONATHAN W. FOX, 0000
JOHN W. FRANCIS, 0000
KARL L. FRANKE, 0000
DONALD R. FRANKLIN, 0000
MICHAEL D. FREGO, 0000
JOHN P. FRISBIE, 0000
JAY B. FULLERTON, 0000
WILLIAM T. FURGALA, 0000
ROSS V. GAGLIANO, 0000
ROGER A. GAINES, 0000
JAMES J. GALLIVAN, 0000
MICHAEL R. GALOPE, 0000
REYNALDO GARCIA, 0000
VICTOR G. GARCIA, JR., 0000
ORVILLE E. GARDNER, 0000
ROBERT A. GARDNER, JR., 0000
RODNEY E. GARFIELD, 0000

RICHARD GARLAND, JR., 0000
CHRISTOPHER B. GARRETT, 0000
JONATHAN O. GASS, 0000
OMUSO D. GEORGE, 0000
JON R. GEROLD, 0000
IRAJ GHARAGOUZLOO, 0000
ANTHONY J. GIANOPULOS, 0000
BRIAN W. GIBSON, 0000
KIMBERLY L. GILBERTMASON, 0000
RONALD D. GILLIAM, 0000
DAVID V. GILLUM, 0000
GERRY B. GIPSON, 0000
RICHARD J. GLEDHILL, 0000
JOSEPH P. GLEICHENHAUS, 0000
ROBERT GLENN III, 0000
MARK G. GLOWACKI, 0000
TODD T. GOEHLER, 0000
DANIEL J. GOLL, 0000
ANTHONY V. GONZALES, 0000
RAUL E. GONZALEZ, 0000
DANIEL W. GOODALEPORTER, 0000
JAMIE GOUGH IV, 0000
JEFFREY E. GRABLE, 0000
MARK V. GRABSKI, 0000
MARTHA G. GRANGER, 0000
ODELL A. GRAVES, 0000
TAYLOR L. GRAY, 0000
ANDREW I. GREEN, 0000
BRYAN S. GREEN, 0000
MATTHEW K. GREEN, 0000
VERONICA D. GREEN, 0000
JAMES T. GREENE, 0000
ANITA S. GREENLEE, 0000
ROBERT C. GREENWAY, 0000
ALAN L. GREISZ, 0000
ALFRED W. GRIESHABER, 0000
DENNIS E. GRIFFIN, 0000
ANDREW L. GROEGER, 0000
LEE K. GRUBBS, 0000
JOHN M. GUARNIERI, 0000
KEITH L. GUDEHUS, 0000
STEVEN GUITRON, 0000
DAVID P. GUNN, 0000
DONALD H. GUNN, JR., 0000
KAM S. GUNTHER, 0000
GARY M. GURAK, 0000
STAN M. GUTHRIE, 0000
KARL E. HAAS, 0000
ANTHONY R. HALE, 0000
JOSEPH A. HALL, 0000
STAN K. HALL, 0000
THOMAS S. HALL, 0000
EDWARD S. HALLAS, 0000
JOEL D. HAMILTON, 0000
SCOTT R. HAMILTON, 0000
RICHARD R. HANES, 0000
JON P. HANSEN, 0000
RICHARD L. HANSEN, 0000
KIRBY A. HANSON, 0000
MATTHEW F. HANSON, 0000
COLIN C. HANZLIK, 0000
CHRISTOPHER D. HARDIN, 0000
SUSAN L. HARDWICK, 0000
MICHAEL J. HARLAN, 0000
DWAYNE A. HARRIS, 0000
DENNIS P. HARRISON, 0000
RAYMOND E. HART, 0000
WILLIAM J. HARTMAN, 0000
CHRISTINE L. HARVEY, 0000
KENNETH J. HARVEY, 0000
PATRICK L. HARVEY, 0000
KEVIN G. HARVILL, 0000
SCOTT A. HASKEN, 0000
MORRIS J. HATCHER, 0000
JOHN A. HAUCK, 0000
PAULINE A. HAUGHTON, 0000
WILLIAM A. HAUSCHILD, 0000
PAUL E. HAUSER, 0000
LUKE P. HAVERLAK, 0000
DAVID E. HEATH, 0000
GARRETT D. HEATH, 0000
RONALD E. HEATHERLY, 0000
KEVIN G. HEBL, 0000
DANIEL R. HEINZELMAN, 0000
RICHARD J. HEITKAMP, 0000
CHARLES A. HEMPHILL, 0000
KEVIN T. HENDERSON, 0000
MICHAEL G. HENLEY, 0000
WALTER L. HENRY, 0000
MICHAEL C. HENSHAW, 0000
ANDREW M. HERBST, 0000
BRYAN P. HERNANDEZ, 0000
MARK M. HERRIN, 0000
MICHAEL J. HERTZENDORF, 0000
JOHNNY L. HESTER, 0000
MICHAEL J. HESTER, 0000
RICHARD D. HEYWARD, 0000
MICHAEL G. HICKS, 0000
TIMOTHY J. HIGGINS, 0000
CHRISTOPHER L. HILDEBRANT, 0000
DONN H. HILL, 0000
NATHAN E. HINES III, 0000
ANDRE L. HINSON, 0000
DAVID M. HODNE, 0000
SAMSON H. HOECKER, 0000
NATHAN J. HOEPNER, 0000
EDWIN L. HOGAN, 0000
JEFFREY R. HOLCOMB, 0000
BRUCE B. HOLLAND, JR., 0000
DIANA M. HOLLAND, 0000
GREGORY R. HOLMES, 0000
KEVIN A. HOLT, 0000
SCOTT G. HOOPER, 0000
PAUL D. HORLACHER, 0000
KENNAN D. HORN, 0000
JAMES C. HORTON, JR., 0000
JAMES M. HOULAHAN, 0000
MATTHEW F. HOUSER, 0000
DAVID N. HOUSH, 0000
EDWARD B. HOUSTON, 0000
MARK J. HOVATTER, 0000
CHARLES P. HOWARD, 0000
GEORGE W. HOWARD III, 0000
MAUREEN R. HOWARD, 0000
REGINALD D. HOWARD, 0000
RICHARD P. HOWARD, 0000
JONATHAN E. HOWERTON, 0000
DAVID K. HSU, 0000
NANCY J. HUBBARD, 0000
RALPH M. HUDNALL, JR., 0000
CURTIS B. HUDSON, JR., 0000
LEE G. HUDSON, 0000
MICHAIL S. HUERTER, 0000
WILLIAM M. HUFF, 0000
PHILIP C. HUGHES II, 0000
BEAVER L. HUH, 0000
HANS F. HUNT, 0000
DAVID E. HURLEY, JR., 0000
THOMAS D. HUSE, 0000
MICHAEL C. HUSTON, 0000
PAUL HUSZAR, 0000
KEVIN S. HUTCHISON, 0000
PATRICK J. HYNES, 0000
DAVID C. ICE, 0000
PAUL R. ILIFF, 0000
DAVID C. INDERMUEHLE, 0000
RONALD D. JACK, 0000
HARRIET A. JACKSON, 0000
SCOTT A. JACKSON, 0000
VAN D. JAMIESON, 0000
VAN D. JARRELL, 0000
FRANK E. JENIO, 0000
WANDA L. JENKINS, 0000
RAYMOND P. JENSEN, JR., 0000
DAVID P. JEWELL, 0000
MARC A. JIMERSON, 0000
ANDREW M. JOHNSON, 0000
CHAFFEY H. JOHNSON, 0000
CURTIS A. JOHNSON, 0000
DALE L. JOHNSON, 0000
DARRELL W. JOHNSON, 0000
JAMESON R. JOHNSON, 0000
MICHAEL B. JOHNSON, 0000
RANDY L. JOHNSON, 0000
JAMES A. JOHNSTON, 0000
BARRY G. JONES, 0000
CHRISTOPHER M. JONES, 0000
EDWARD O. JONES, JR., 0000
LIECHESTER D. JONES, 0000
OMAR J. JONES IV, 0000
QUAY B. JONES, 0000
STANLEY R. JONES, JR., 0000
ZANE H. JONES, 0000
SOMPORT JONGWATANA, 0000
DOUGLAS E. JORDAN, 0000
GLEN A. JORDAN, 0000
NICHOLAS D. JORDAN, 0000
CRAIG W. JORGENSON, 0000
MARK A. JOYNER, 0000
RANDOLPH F. JUDD, 0000
JOEL L. KAIN II, 0000
AARON E. KALLOCH, 0000
KHALIL F. KARADSHI, 0000
TIMOTHY M. KARCHER, 0000
LAWRENCE J. KARL, 0000
CHRIS L. KARSTENS, 0000
MATTHEW L. KAUFMAN, 0000
JAMES E. KAZMIERCZAK, 0000
KEVIN L. KEARN, 0000
JACK L. KEATON, JR., 0000
HAROLD D. KECK, 0000
SEAN A. KEENAN, 0000
STEVEN J. KELLER, 0000
DANIEL D. KELLY, 0000
DONALD C. KEMP, 0000
TODD A. KEMPTON, 0000
CHRISTOPHER K. KENNEDY, 0000
WILLIAM P. KENNEDY, 0000
PATRICK L. KERR, 0000
MICHAEL J. KERZIE, 0000
GARY W. KING, 0000
STEVEN M. KING, 0000
NICHOLAS E. KINKEAD, 0000
CHARLES D. KIRBY, 0000
ROBERT O. KIRKLAND, 0000
SHAWN E. KLAWUNDER, 0000
JOHN V. KLOEKER, 0000
KELLY T. KNITTER, 0000
KEVIN R. KNITTER, 0000
MICHAEL E. KNOX, 0000
KYLE K. KOLTHOFF, 0000
CHRISTOPHER J. KONICKI, 0000
DANIEL C. KOPROWSKI, 0000
DAVID J. KOSINSKI, 0000
CHRISTOPHER E. KRAMER, 0000
ERIK C. KRAMER, 0000
PAUL K. KREIS, 0000
KEVIN A. KRIEGER, 0000
MICHAEL L. KUBALA, 0000
JOHN D. KUENZLI, 0000
ALAN D. LABORWIT, 0000
TIMOTHY C. LADOUCEUR, 0000
LAURA M. LANDES, 0000
PETER J. LANE, 0000
CHRISTOPHER C. LANEVE, 0000
DARRYL LANGFORD, 0000
FREDERICK J. LANPHAR, 0000
ANTHONY W. LAPOINT, 0000
RYAN J. LAPORTE, 0000
CHRISTIAN R. LARLEE, 0000
FRANCIS J. LARVIE, 0000
STEPHEN R. LASSE, 0000
MICHAEL E. LATZKE, 0000
LEONARD J. LAW, 0000
ROBERT A. LAW III, 0000
MICHAEL J. LAWSON, 0000
RICHARD D. LEE, JR., 0000
JOHN W. LEFFERS, 0000
CAMERON A. LEIKER, 0000
STEVEN M. LEONARD, 0000
TRUDY K. LEONARD, 0000
STEPHEN A. LETCHER, 0000
JOHN K. LETHERMAN, JR., 0000
DARIN C. LEWIS, 0000
DENNIS F. LEWIS, 0000
MATTHEW R. LEWIS, 0000
DAVID LIEBERSON, 0000
RODNEY L. LIGHTFOOT, 0000
WILLIAM C. LINDNER, 0000
RALPH J. LITSCHER, 0000
MATTHEW R. LITTLEJOHN, 0000
THOMAS W. LLOYD, 0000
BRANDEE S. LOCKARD, 0000
STEPHEN B. LOCKRIDGE, 0000
STEPHEN R. LOFTIS, 0000
PETER A. LOFY, 0000
JON S. LOGEL, 0000
GILBERT J. LOPEZ, 0000
BRADFORD J. LORD, 0000
CHRISTOPHER J. LOREI, 0000
JAMES P. LOWE, 0000
TODD H. LOWELL, 0000
LYNN A. LUBIAK, 0000
JERRY W. LUCAS, 0000
JAMES A. LUCK, 0000
CLARENCE LUCKETT, JR., 0000
MARY K. LUDDY, 0000
PETER C. LYDON, 0000
RONALD J. LYSINGER, 0000
PATRICK B. MACKIN, 0000
SEAN E. MACKINTOSH, 0000
DUNCAN MACMULLEN, 0000
JEFFREY A. MADISON, 0000
MARCOS A. MADRID, 0000
KRISTA M. MAGRAS, 0000
RAY MALAVE, 0000
JEFFREY F. MALLOY, 0000
PATRICK E. MANGIN, 0000
DALE R. MANRY, 0000
NORA R. MARCOS, 0000
GEORGE C. MARKOS, JR., 0000
WILLIAM L. MARKS II, 0000
PATRICK D. MARQUES, 0000
MICHAEL A. MARTI, 0000
DOUGLAS C. MARTIN, 0000
EDWARD S. MARTIN, 0000
ERIC D. MARTIN, 0000
JEFFREY L. MARTIN, 0000
JAIME E. MARTINEZ, 0000
SONJA R. MARTINEZ, 0000
JOSEPH T. MARTINI, JR., 0000
MARIO D. MATOS, 0000
JOHNNEY K. MATTHEWS, 0000
NORMAN K. MATZKE, 0000
JOHN C. MAUS, 0000
DAVID P. MAUSER, 0000
DAVID W. MAY, 0000
DONALD M. MAYER, 0000
ISABELLA A. MAYO, 0000
SAM R. MCADOO, 0000
MICHAEL C. MCCALL, 0000
MICHELLE M. MCCASSEY, 0000
ROY A. MCCLELLAN, 0000
MICHAEL D. MCCOLGAN, 0000
RICHARD A. MCCONNELL, 0000
JOHN V. MCCOY, 0000
PHILIP D. MCCUTCHEON, 0000
JAMES J. MCDONNELL, 0000
PATRICK E. MCDURMON, 0000
CHRISTOPHER J. MCELVEEN, 0000
TROY D. MCFARLAND, 0000
MATTHEW W. MCFARLANE, 0000
SEAN C. MCGOVERN, 0000
BRIAN J. MCHUGH, 0000
DANNY L. MCINTOSH, 0000
ERNEST A. MCINTYRE, 0000
PATRICK J. MCKEVITT, 0000
MICHAEL W. MCKINNEY, 0000
BRIAN K. MCMULLEN, 0000
BRIAN M. MCMURRY, 0000
MICHAEL F. MCNALLY, 0000
ROBERT G. MCNEIL, JR., 0000
DALE E. MCPHERSON, 0000
EULALIO MEDINA, 0000
WILLIAM A. MEDINA, 0000
LEE E. MEDLEY, 0000
ARA A. MEGERDICHIAN, 0000
THOMAS A. MEIER, 0000
PAUL A. MELE, 0000
MICHAEL D. MELENDEZ, 0000
ROBERT L. MENIST, JR., 0000
TODD A. MERCER, 0000
GERARD J. MESSMER III, 0000
JEFFREY M. METZGER, 0000
GREGORY C. MEYER, JR., 0000
JEROME A. MEYERS, 0000
NATHAN P. MICHAELS, 0000
BRIAN M. MICHELSON, 0000
JOHN MIGONE, 0000
VERNON H. MILES, JR., 0000
JAMES E. MILLER, 0000
MARIA R. MILLER, 0000
MICHAEL D. MILLER, 0000
PACKARD J. MILLS, 0000
PETER G. MINALGA, 0000
MICHELLE D. MITCHELL, 0000
PALMER F. MITCHELL, 0000
TORREY S. MITCHELL, 0000
DANIEL C. MOLL, 0000
STEPHEN B. MOLSEED, 0000
RICHARD M. MONNARD, 0000

JUAN MONTOYA, 0000
RICHARD D. MOON, 0000
ERIC T. MOORE, 0000
THOMAS G. MOORE, 0000
CAMERON F. MOOSE, 0000
MARTIN L. MORFORD, 0000
DEWEY A. MORGAN, 0000
JOHN P. MORGAN, JR., 0000
JOHNNY A. MORITZ, 0000
STEVEN L. MORRIS, 0000
STANLEY B. MOSS, 0000
SANDRA S. MUCHOW, 0000
DONALD G. MUNDY, JR., 0000
JOSE L. MUNIZ, 0000
KEVIN P. MURPHY, 0000
ROBERT M. MURRAY, 0000
STANLEY D. MURRELL, 0000
TERRENCE L. MURRILL, 0000
MICHAEL J. MUSIOL, 0000
BRIAN T. MYERS, 0000
MARK T. NAKAGAWA, 0000
EARL S. NAKATA, 0000
JODY L. NELSON, 0000
MARK D. NELSON, 0000
RANDAL W. NELSON, 0000
COREY A. NEW, 0000
THOMAS NGUYEN, 0000
VAN A. NINE, 0000
DAVID E. NORTON, 0000
ANDREW W. OAKES, 0000
DEWEY K. OCHOA, 0000
DAVID I. OCLANDER, 0000
JOHN A. OGRADY, 0000
ROBERT J. OLSEN, JR., 0000
BRAD J. OLSON, 0000
JEFFREY T. ONEAL, 0000
EDWARD J. ONEILL IV, 0000
MICHAEL J. ONEILL, 0000
MATTHEW S. ORENSTEIN, 0000
MARC A. ORR, 0000
ROBERT J. ORTIZ, 0000
JOHN H. OSBORN, 0000
MICHAEL G. OSTERHOUDT, 0000
JOSE A. OTERO, 0000
KARI K. OTTO, 0000
ARTHUR F. PALAGANAS, 0000
MICHAEL P. PANCIERA, 0000
BRENT M. PARKER, 0000
TIMOTHY J. PARKER, 0000
JAMES C. PARKS III, 0000
WILLIAM K. PARKS, 0000
GUY B. PARMETER, 0000
MICHAEL L. PARR, 0000
RALPH PATE, JR., 0000
BRYAN E. PATRIDGE, 0000
SEAN M. PATTEN, 0000
ERIC A. PATTERSON, 0000
JOSEPH G. PATTERSON, 0000
LANCE C. PATTERSON, 0000
TRINA C. PATTERSON, 0000
BRIAN K. PAXTON, 0000
JAMES P. PAYNE, 0000
KEVIN M. PAYNE, 0000
BRIAN L. PEARL, 0000
ROBERT A. PEDEN, 0000
KELLY J. PEITZ, 0000
KEITH A. PELLEGRINI, 0000
MICHAEL D. PELOQUIN, 0000
BRIAN L. PENNINGTON, 0000
LEON E. PENNINGTON, 0000
JOHN W. PENREE, 0000
JOHN P. PERRIN, 0000
MICHAEL P. PERRY, 0000
GREGORY D. PETERSON, 0000
JON J. PETERSON, 0000
BRIAN S. PETIT, 0000
RICHARD V. PETITT, 0000
MICHAEL C. PETTY, 0000
LAROY PEYTON, 0000
ROBERT J. PHILLIPS, 0000
TIMOTHY U. PHILLIPS, 0000
NIKOS R. PHIPPS, 0000
THOMAS J. PIASECKI, JR., 0000
BRIAN J. PIERCE, 0000
LAHN M. PITCHFORD, 0000
JAY G. PITZ, 0000
ROBERT C. PIZZITOLA, 0000
JOSE PLAZACOLON, 0000
BOYD R. PLESSL, 0000
BRIAN J. POE, 0000
CHARLES R. POOLE, 0000
JEFFREY A. POSHARD, 0000
DOUGLAS E. POWELL, 0000
KEVIN M. POWERS, 0000
CHRISTOPHER C. PRATHER, 0000
RICHARD A. PRATT, 0000
TIMOTHY D. PRESBY, 0000
SHAWN T. PRICKETT, 0000
DAVID N. PROPES, 0000
JAMES E. PUGH, 0000
JOHN J. PUGLIESE, 0000
DAVID L. QUINTERO, 0000
ROBERT J. RABB, 0000
BRYAN P. RADLIFF, 0000
TERESA L. RAE, 0000
JASON G. RAKOCY, 0000
CARLOS M. RAMOS, 0000
CHRISTOPHER R. RAMSEY, 0000
DESMOND T. RAPHAEL, 0000
MARK D. RASCHKE, 0000
DENNIS C. RASDALL, 0000
STEPHEN J. RASH, 0000
WILLIAM A. RASKIN, 0000
DARREN J. RAY, 0000
BRIAN W. REARDON, 0000
JAMES F. RECKARD III, 0000
DANIEL R. REDDEN, 0000
ANTHONY G. REED, 0000
ROBERT A. REED, 0000
PAUL P. REESE, 0000
DEREK K. REEVE, 0000
FRED L. REEVES, JR., 0000
WALTER G. REEVES, 0000
THEODORE H. REICH, 0000
TODD M. REICHERT, 0000
RANSFORD A. REINHARD II, 0000
WILLIAM H. REINHART, 0000
STEPHEN C. RENSHAW, 0000
EDWARD J. REPETSKI, 0000
KARL D. RESTALL, 0000
ENRIK M. REYES, 0000
ROBERT A. REYNOLDS, 0000
DEAN M. RHINE, 0000
GREGORY L. RHODEN, 0000
JOHN E. RHODES IV, 0000
GORDON A. RICHARDSON, 0000
MICHAEL RICHARDSON, 0000
ELIZABETH W. RICKARD, 0000
LEONARD D. RICKERMAN, 0000
DANIEL K. RICKLEFF, 0000
WAYNE S. RIDER, 0000
KYLE M. RIEDEL, 0000
JULIUS A. RIGOLE, 0000
PAUL W. RILEY, 0000
JON A. RING, 0000
WILLIE RIOS III, 0000
EDWARD J. RIPP, 0000
FRANCISCO J. RIVERACOLON, 0000
ROY A. ROBBINGS, 0000
RONALD L. ROBERTSON, 0000
ALEX N. ROBINSON, 0000
JESSIE L. ROBINSON, 0000
ADAM L. ROCKE, 0000
ARIEL R. RODRIGUEZCOLON, 0000
DAVID G. ROGERS, 0000
HUGH K. ROGERS III, 0000
DANIEL R. ROOSE, 0000
RICHARD R. ROOT, 0000
THOMAS E. ROOT, JR., 0000
HEATH C. ROSCOE, 0000
GARY R. ROSE, 0000
RODNEY P. ROSE, 0000
DEAN T. ROSS, 0000
STEVEN D. ROSSON, 0000
JAMES C. ROYSE, 0000
JODY RUCKER, 0000
KEVIN D. RUDDELL, 0000
JOHN K. RUDOLPH, 0000
DEVIN E. RUHL, 0000
CHARLES L. RUMRILL, 0000
KYLE F. RUNTE, 0000
TODD C. RUNYON, 0000
MIKEL A. RUSSELL, 0000
ANTHONY J. RUZICKA, 0000
RYAN B. RYDALCH, 0000
LINDA J. SAHIN, 0000
GEORGE J. SALERNO, 0000
EUGENE A. SAMPLE III, 0000
ROBERT L. SANCHEZ, 0000
SCOTT A. SANDBACK, 0000
GREGORY SANDERS, 0000
HERBERT SANDERS, JR., 0000
KELLY J. SANDIFER, 0000
GEORGE J. SAWYER IV, 0000
MICHAEL P. SCHAEFER, 0000
STANLEY F. SCHALL, JR., 0000
DALLAN J. SCHERER II, 0000
PAUL G. SCHLIMM, 0000
MARK R. SCHMIDT, 0000
MARK R. SCHONBERG, 0000
LOREN P. SCHRINER, 0000
GEORGE S. SCHURR, 0000
CRAIG R. SCHWARTZ, 0000
DAVID C. SCOFIELD, 0000
BRIAN C. SCOTT, 0000
SWILLING W. SCOTT, JR., 0000
RUSSELL K. SEARS, 0000
STEPHEN C. SEARS, 0000
DOVER SEAWRIGHT, 0000
DAVID J. SEGALLA, JR., 0000
ROY M. SEIDMEYER, 0000
BRIAN K. SEROTA, 0000
CLIFFORD M. SERWE, 0000
ANDREW D. SEXTON, 0000
JANICE L. SHARKEY, 0000
DARRYL W. SHARP, SR., 0000
LEROY SHARPE, JR., 0000
MATTHEW P. SHATZKIN, 0000
JOHN W. SHAWKINS, 0000
KATHY A. SHEAR, 0000
MICHAEL R. SHEEHY, 0000
WILLIAM L. SHEPHERD III, 0000
THOMAS A. SHOFFNER, 0000
ROBERT T. SHOLA, 0000
ALLEN D. SHREFFLER, 0000
ALAN J. SHUMATE, 0000
GREGORY F. SIERRA, 0000
DAVID C. SIGMUND, 0000
RODNEY M. SIMMONS, 0000
BYRON R. SIMS, 0000
DOUGLAS A. SIMS II, 0000
KIM L. SIMS, 0000
DOUGLAS C. SKAGGS, 0000
BURT W. SLEDGE, 0000
MICHAEL J. SLOCUM, 0000
SCOTT D. SLYTER, 0000
LARRY SMALL, 0000
THOMAS J. SMEDLEY, 0000
WILLIAM S. SMEDLEY, 0000
CHARLES E. SMITH, JR., 0000
DAVID J. SMITH, 0000
JEFFREY A. SMITH, 0000
JULIAN C. SMITH III, 0000
MARK P. SMITH, 0000
MARK R. SMITH, 0000
ROBBIN C. SMITH, 0000
STEPHEN G. SMITH, 0000
STEPHEN L. SMITH, 0000
THERESE J. SMITH, 0000
DANIEL B. SNEAD, 0000
MICHAEL J. SNIPES, 0000
ROSS D. SNOW, 0000
LOUIS J. SNOWDEN II, 0000
JOHN S. SOGAN, 0000
BRIAN M. SOLES, 0000
DANIEL E. SOLLER, 0000
MARK E. SOLOMONS, 0000
RICHARD B. SOMERS, 0000
WILLIAM R. SOUTHARD, 0000
STEPHANIE A. SPANO, 0000
WILLIAM A. SPEIER III, 0000
DERWOOD L. SPENCER, 0000
BERNHARD SPOERRI, 0000
BRUCE S. STABLES, 0000
RICHARD J. STAFFORD, 0000
GRANT V. STANFIELD, 0000
RANDALL L. STAPFER, 0000
CRYSTAL R. STAPLES, 0000
EDWARD J. STEIN, 0000
JEFFREY M. STENFORS, 0000
VICKIE D. STENFORS, 0000
CHRISTOPHER C. STENMAN, 0000
KATHLEEN K. STEPANCHUK, 0000
HARRIET S. STEPHENS, 0000
GEORGE W. STERLING, JR., 0000
DAVID F. STEWART, 0000
DEBRA L. STEWART, 0000
HERMAN STEWART, JR., 0000
ALBERT H. STILLER, 0000
DOUGLAS F. STITT, 0000
JEFFREY M. STOLZ, 0000
SCOT N. STOREY, 0000
MARK T. STREHLE, 0000
JEFFREY C. STROH, 0000
RIEKA M. STROH, 0000
MICHAEL A. STUART, 0000
RAYMOND STUHN, 0000
BRADLEY S. STUMPF, 0000
CHAD M. SULLIVAN, 0000
TIMOTHY P. SULLIVAN, 0000
HUGH R. SUTHERLAND, 0000
SHIRLEY D. SUTTON, 0000
PATRICK T. SWEENEY, 0000
JOAN T. SWEENY, 0000
KENT L. SYLVESTER, 0000
DARREL S. TACKETT, 0000
CHRISTOPHER P. TALCOTT, 0000
EDWARD J. TAYLOR, 0000
KHRIS Y. TAYLOR, 0000
MARY B. TAYLOR, 0000
JOSEPH A. TERRY, 0000
BRIAN L. TESSMAN, 0000
TERENCE B. THIBODEAUX, 0000
GEORGE K. THIEBES, 0000
CATHY J. THOMAS, 0000
CLEOPHUS THOMAS, JR., 0000
KARL R. THOMAS, 0000
DANIEL L. THOMPSON, 0000
GARRY L. THOMPSON, 0000
JOSE M. THOMPSON, 0000
MARC D. THORESON, 0000
THOMAS J. TICKNER, 0000
RICHARD F. TIMMONS II, 0000
PAUL J. TOMAKA, 0000
CHRISTOPHER A. TOMPKINS, 0000
DEBRA K. TOMPKINS, 0000
SHAUN E. TOOKE, 0000
TERRY TORRACA, 0000
ROBERT P. TORRES, 0000
VINCENT H. TORZA, 0000
JOHN R. TOTH, 0000
PETER J. TRAGAKIS, 0000
STEPHANIE E. TROCHAK, 0000
TIMOTHY C. TROUTMAN, 0000
TERRY L. TRUETT, 0000
SEENA C. TUCKER, 0000
RONALD M. TUCZAK, 0000
VICTOR L. TUMILTY, 0000
DOUGLAS J. TWYMAN, 0000
PATRICK C. TYNAN, 0000
JOSEPH D. TYRON, 0000
KEVIN K. UPSON, 0000
HECTOR R. VALLE, 0000
MARVIN G. VANNATTER, JR., 0000
JUAN M. VAZQUEZQUINTANA, 0000
LEONARD E. VERHAEG, 0000
JOHN A. VERMEESCH, 0000
BRADFORD M. VESSELS, 0000
PAUL M. VIDO, 0000
SCOTT A. VOELKEL, 0000
ANN M. VONRECUM, 0000
JESSICA R. VOSS, 0000
KURT O. WADZINSKI, 0000
MICHAEL S. WALLACE, 0000
NATHAN E. WALLACE, 0000
GLENN A. WALSH, 0000
PATRICK M. WALSH, 0000
TODD E. WALSH, 0000
CHARLES A. WALTERS, JR., 0000
WILLIAM A. WALTERS, 0000
KAREN K. WARD, 0000
KYLE W. WARREN, 0000
CHRISTOPHER J. WATSON, 0000
JEFFREY L. WATSON, 0000
RICHARD G. WATSON, 0000
ROBERT K. WATWOOD, 0000
MICHAEL E. WAWRZYNIAK, 0000
ANDREW J. WEATHERSTONE, 0000
DAVID J. WEBER, 0000
TAMARA S. WEESE, 0000
AUGUST M. WEGNER IV, 0000

ROBERT G. WEGNER, 0000
LISA M. WEIDE, 0000
HIELKE WELLING, 0000
SHELLY D. WELLS, 0000
VERONICA J. WENDT, 0000
CHARLES W. WERNER, 0000
STEPHEN A. WERTZ, 0000
NEAL A. WEST, 0000
JAMES A. WHATLEY, 0000
THOMAS N. WHITAKER, 0000
GREGORY D. WHITE, 0000
JEFFREY R. WHITE, 0000
JERRY A. WHITE II, 0000
ROBERT L. WHITE, 0000
CHRISTOPHER J. WHITTAKER, 0000
ROBERT F. WHITTLE, JR., 0000
RANDALL D. WICKMAN, 0000
ANTHONY R. WIGGINS, 0000
CHRISTOPHER W. WILBECK, 0000
LIONEL V. WILBURN, 0000
JAMES L. WILKINS, 0000
KENNETH M. WILKINSON, 0000
KEVIN R. WILKINSON, 0000
ANGELO N. WILLIAMS, 0000
AUDLEY F. WILLIAMS, 0000
BRIGITTE L. WILLIAMS, 0000
CALVIN E. WILLIAMS, 0000
CEDRIC B. WILLIAMS, 0000
MARK F. WILLIAMS, 0000
RALPH E. WILLIAMS, 0000
ROBIN D. WILLIAMS, 0000
SAMUEL E. WILLIAMS, 0000
STANLEY T. WILLIAMS, 0000
THOMAS C. WILLIAMS, 0000
THOMAS M. WILLIAMS, 0000
VANCE C. WILLIAMS, 0000
RONNIE J. WILLIAMSON, 0000
RICHARD E. WILLS, 0000
JAMES L. WILMETH IV, 0000
DAVID WILSON, 0000
JAMES D. WILSON, 0000
LAWRENCE D. WILSON, 0000
LISA M. WILSON, 0000
LITONYA J. WILSON, 0000
ROBERT E. WILSON, 0000
STEPHEN W. WILSON, 0000
TODD P. WILSON, 0000
WAYNE S. WINEGLASS, 0000
DIANE E. WINEINGER, 0000
DOUGLAS W. WINTON, 0000
GARY D. WIRTZ, 0000
JOEL WOFFORD, 0000
ERIC S. WOLF, 0000
DONALD C. WOLFE, JR., 0000
DWANA L. WOLFE, 0000
CHRISTOPHER A. WOLNEY, 0000
DAVID L. WOOD, 0000
HARRY T. WOODMANSEE III, 0000
JEFFREY F. WOODWARD, 0000
JOSEPH A. WUCIK III, 0000
JOHN A. WYRWAS, 0000
RICHARD S. YADA, 0000
DAVID J. YEBRA, 0000
DAVID G. YONKOVICH, 0000
JOEL W. YOUNG, 0000
STEVEN D. YOUNG, 0000
JODI L. ZAJAC, 0000
MATTHEW W. ZAJAC, 0000
LISA A. ZANGLIN, 0000
ERIC W. ZEEMAN, 0000
SIDNEY C. ZEMP IV, 0000
WILLIAM H. ZEMP, 0000
PAUL B. ZEPERNICK, 0000
ANTHONY E. ZERUTO, 0000
ERIK D. ZETTERSTROM, 0000
DENNIS M. ZINK, 0000
TODD M. ZOLLINGER, 0000
X0000
X0000
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 commander

TRACY A. BERGEN, 0000
CHRISTOPHER D. BOWNDS, 0000
TRACIE L. CRAWSHAW, 0000
JILL E. DEMELLA, 0000
DARRELL D. EVERHART, 0000
JENNIFFER D. GUNDAYAO, 0000
MERY A. S. KATSON, 0000
TRACI A. KEEGAN, 0000
DAVID S. KEMP, 0000
YOLANDA KERN, 0000
HUI K. PAK, 0000
LAURIE M. PORTER, 0000
GEORGE K. WERENSKJOLD, 0000
DONALD R. WILKINSON, 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 commander

MICHAEL N. ABREU, 0000
KARL A. ANDINA, 0000
JOHN W. BAILEY, 0000
BRADY J. BARTOSH, 0000
ROBERT H. CASSOL, 0000
MILES T. ERVIN, 0000
ANDREW C. EST, 0000
JOHN B. GAILEY, 0000
MATTHEW D. HUMPHREY, 0000
MATTHEW S. MCLAURIN, 0000
GERALD R. J. MCMURRAY, 0000
JENNIFER L. NICHOLLS, 0000
JOHN H. ROUSSEAU, 0000
TIMOTHY W. SPITSER, 0000
CHARLES M. STUART, 0000
CHRISTOPHER K. WILLIAMS, 0000
ROBERT K. WILLIAMS, 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 commander

CRISTAL B. CALER, 0000
KEVIN L. CRABBE, 0000
TRENT R. DEMOSS, 0000
MARK W. DOVER, 0000
ROBERT B. FARMER, 0000
DAVID FERREIRA, 0000
ALBERT R. MEDFORD, 0000
CHARLES K. NIXON, 0000
KIMBERLY J. SCHULZ, 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 commander

KEVIN L. ACHTERBERG, 0000
HERMAN L. ARCHIBALD, 0000
SUSAN BRYERJOYNER, 0000
SCOTT R. COUGHLIN, 0000
SONYA COX, 0000
JAMES H. DARENKAMP, 0000
ALLEN L. EDMISTON, 0000
THERESA M. EVERETTE, 0000
JAMES B. GINDER, 0000
MARK A. GUZZO, 0000
ANA I. KREIENSIECK, 0000
ERIC S. MCCARTNEY, 0000
JACQUELINE V. MCELHANNON, 0000
TODD A. MULLIS, 0000
JEFFREY D. SANDERS, 0000
ROBBY F. SCHIMELPFENING, 0000
ARLENE J. SHOULTS, 0000
TERESIA J. THOMPSON, 0000
KELVIN L. UPSON, 0000
PETER A. WU, 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 commander

SCOTT R. BARRY, 0000
GREGORY D. BURTON, 0000
KATHRYN S. CHRISTENSEN, 0000
SCOTT A. DAVIS, 0000
DAVID DEMILLE, 0000
STEPHEN W. DUDAR, 0000
BRIAN R. DURANT, 0000
KARL P. EIMERS, 0000
GREGORY K. GASKEY, 0000
CHRISTOPHER E. HAND, 0000
JOEL P. HARBOUR, 0000
JEFFREY T. HEYDON, 0000
GARY W. KIRKPATRICK, 0000
JASON M. LLOYD, 0000
JOHN A. LOBUONO, 0000
PATRICK V. MACK, 0000
STEPHEN A. MARINO, 0000
JOHN C. MARKOWICZ, 0000
CHRISTOPHER R. MASON, 0000
ADAM W. MASTEN, 0000
MARK M. MATTHEWS, 0000
MICHAEL D. MEHLS, 0000
GARY L. MORRIS, 0000
JOHN C. PAYNE, JR., 0000
DIRK H. RENICK, 0000
KURT J. ROTHENHAUS, 0000
ANGEL G. SALINAS, 0000
THEODORE B. SANDERS, 0000
LEE R. SHORT, 0000
JOHN M. STUBBLEFIELD, 0000
SHANNON D. TERHUNE, 0000
JOSEPH M. TUITE, 0000
CLIFTON J. WILLIAMS, 0000
JEFFREY C. WOERTZ, 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 commander

RUTH A. BATES, 0000
HEIDI K. BERG, 0000
DAVID A. BERMINGHAM, 0000
JENNIFER A. BOLIN, 0000
CAMERON P. CARNEY, 0000
WILLIAM J. DIEHL, 0000
KEVIN S. HINTON, 0000
NICHOLAS M. HOMAN, 0000
MICHAEL W. HOWELL, 0000
BRIAN L. LUKE, 0000
NIELS F. MATEO, 0000
TIMOTHY M. MAY, 0000
ALBERT M. MUSSELWHITE, 0000
JOHN M. MYERS, 0000
MARK D. RANDOLPH, 0000
MICHAEL A. SCHUMANN, 0000
AUDREY M. SNYDER, 0000
ANDREW D. STEWART, 0000
KENNY WANG, 0000
BRUCE G. WARD, 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 commander

DARRYL C. ADAMS, 0000
DON E. CHERAMIE, 0000
SCOTT V. CHESBROUGH, 0000
JENNIFER A. DANIELS, 0000
PHILLIP E. DURBIN, 0000
NICOLE M. HATCH, 0000
THOMAS M. HENDERSCHEDT, 0000
STEVEN R. HENDRICKS, 0000
HARUNA R. ISA, 0000
WILLIAM JONES, 0000
SEAN P. KELLEY, 0000
JOHN J. LEWIN, 0000
MICHAEL P. LYNCH, 0000
DAVID B. MARQUAND, 0000
KELLY M. MCDERMOTT, 0000
MARA A. MOTHERWAY, 0000
THOMAS C. MULDOON, 0000
FRANCO NETO, 0000
EFFIE R. PETRIE, 0000
TUAN N. PHAM, 0000
CHARLES A. PRATT, 0000
EDUARDO M. RECAVARREN, 0000
GREGORY J. RIDOLFI, 0000
MATTHEW A. ROSS, 0000
MARK F. SHAFFER, 0000
RALPH R. SMITH III, 0000
JAN S. STEINWINDER, 0000
RUSSELL H. WAGNER, 0000
DAVID A. WALCH, 0000
TIMOTHY S. WEBER, 0000
RICHARD WESTHOFF III, 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 commander

ALFRED D. ANDERSON, 0000
RICKY A. ANFINSON, 0000
STEVEN J. AVERETT, 0000
JAMES W. BALLINGER, 0000
VICTOR A. BARRIOS, 0000
JAMES S. BEAUDRY, 0000
LAREDO M. BELL, 0000
JERRY W. BILLINGS, 0000
ALLEN E. BRANTON, 0000
BILLY R. BURCH, 0000
RICHARD O. CALLESEN, 0000
TERYL E. CHAUNCEY, 0000
ROBERT N. CHEVRETTE, 0000
HUGH W. CLARKE, 0000
JAMES D. CRAYCRAFT, 0000
LARRY K. DAVIS, 0000
ALAN D. DEAN, 0000
JAMES R. DIXON, 0000
PAUL C. EVANS, 0000
MATTHEW J. FEEHAN, 0000
SHAREE E. FISH, 0000
HERIBERTO GONZALEZ, 0000
JAMES L. HANLEY, 0000
EVERETT HAYES, 0000
LUIS A. HERNANDEZ, 0000
WILLIAM K. HOMMERBOCKER, 0000
VERNON C. HUNTER, 0000
RALPH M. INGRAHAM, 0000
JOSEPH H. JAMISON, JR., 0000
DONALD L. JENKINS, JR., 0000
EDWARD D. KATZ, 0000
DAVID J. KELLY, 0000
DAVID A. LATOSKY, 0000
MATTHEW V. LYDICK, 0000
WILLIAM G. MANDERS, JR., 0000
JEFFREY L. MANIA, 0000
JEFFREY G. MATHES, 0000
SHERRY A. MCCLURE, 0000
KEVIN L. MILLER, 0000
PAUL F. MITCHELL, 0000
CHARLES G. MURPHY, 0000
BRUCE L. NIX, 0000
WILLIAM E. NOEL, 0000
ROBERTO S. ORTIZ, 0000
MARQUIS A. PATTON, 0000
WILLIAM M. POLLITZ, 0000
WILLIAM RABCHENIA, 0000
HUGH RANKIN, 0000
DAVID F. REISCHE, 0000
JORGE T. SANTIAGO, 0000
JEFFREY L. SHEETS, 0000
JAMES C. SMITH, JR., 0000
GREGORY A. SPANGLER, 0000
DANIEL D. STARK, 0000
ALAN B. STAUDE, 0000
ANTHONY H. TALBERT, 0000
CRISTY L. TREHARNE, 0000
RICHARD A. TUCKER, 0000
DAVID M. VIGER, 0000
JOHN S. VISOSKY, 0000
JOHN B. VLIET, 0000
ERIC M. WINANS, 0000
MICHAEL R. YOHNKE, 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 commander

HENRY C. ADAMS III, 0000
JEFFREY T. ANDERSON, 0000
MICHAEL J. ANGELOPOULOS, 0000
DAVID J. APPEZZATO, 0000

RICARDO ARIAS, 0000
ANDREW ARNOLD, 0000
TODD A. BAHLAU, 0000
STEPHEN E. BANTA, 0000
HENRY W. BARNES IV, 0000
STEPHEN D. BARNETT, 0000
JOHN M. BARRETT, 0000
MICHAEL W. BASTIAN, 0000
DAVID T. BEANS, 0000
DOUGLAS J. BEAVER, 0000
KIRK L. BECKETT, 0000
PHILIP J. BECKMAN, 0000
QUINTIN R. BELL, 0000
MARK O. BELSON, 0000
SCOTT A. BEWLEY, 0000
TODD C. BIEBER, 0000
STEVEN A. BIENKOWSKI, 0000
PAUL W. BIERAUGEL, 0000
MICHAEL B. BILZOR, 0000
JOYCE R. BLANCHARD, 0000
STEPHEN R. BLASCH, 0000
CHRISTOPHER J. BODINE, 0000
DANIEL F. BOGAN, 0000
CRAIG T. BOWDEN, 0000
BRIAN E. BOWLES, 0000
TIMOTHY E. BOYER, 0000
THOMAS A. BRADEN, 0000
ALAN R. BRADFORD, JR., 0000
FRANK M. BRADLEY, 0000
MICHAEL D. BRATTON, 0000
RICHARD D. BRAWLEY, 0000
TODD A. BRAYNARD, 0000
JEFFERY T. BRINGLE, 0000
CHARLES A. BROOMFIELD, 0000
RICHARD T. BROPHY, JR., 0000
KIRT D. BROTHERS, 0000
GLENN A. BROWN, JR., 0000
GREGORY A. BROWN, 0000
LIAM M. BRUEN, 0000
DAVID J. BRYSON, 0000
TIMOTHY A. BUCKLAND, 0000
DANIEL K. BUCKON, 0000
SCOTT A. BUNNAY, 0000
DAVID BUONERBA, JR., 0000
JERRY W. BURKETTE, JR., 0000
WILLARD C. BURNEY, 0000
THOMAS D. BUSH, JR., 0000
JOHN F. BUSHEY, 0000
KEVIN M. BYRNE, 0000
DENNIS J. CALLAHAN, 0000
MICHAEL D. CALLAHAN, 0000
STEVEN H. CARGILL, 0000
IVAN G. CARLSON, 0000
JAMES R. CARLSON II, 0000
JOHN L. CAROZZA, 0000
DOUGLAS W. CARPENTER, 0000
ALEXANDER E. CARR, 0000
ANTHONY C. CARULLO, 0000
ERIC C. CASH, 0000
CHRISTOPHER L. CASTRO, 0000
MAUREEN CHASE, 0000
ROBERT L. CHATHAM, 0000
STANFIELD L. CHIEN, 0000
JEFFREY L. CIMA, 0000
KENT S. COLEMAN, 0000
WISDOM F. COLEMAN III, 0000
ANDREW H. COLLIER, 0000
WILLIAM T. CONWAY, 0000
DAVID A. COOK, 0000
ROBERT D. COPENHAVER, 0000
ANTHONY P. CORAPI, 0000
PATRICK C. CORCORAN, 0000
SHAUNNA M. CORCORAN, 0000
ERIC W. COVINGTON, 0000
JAMES D. COX, 0000
WILLARD J. COX III, 0000
DONALD A. CRIBBS, 0000
TIMOTHY A. CRONE, 0000
ANDREW D. CROWE, 0000
CHRISTOPHER A. CRUZ, 0000
JOHN J. CUMMINGS, 0000
ANDREW A. CURRY, 0000
JEFFREY C. DALATRI, 0000
JOE W. DALTON, 0000
BRIAN L. DAVIES, 0000
MARK E. DAY, 0000
JOHN J. DEBELLIS, 0000
CHRISTOPHER P. DEGREGORY, 0000
ARTHUR M. DELACRUZ, 0000
JOHN R. DELAERE, 0000
KENNETH R. DENHAM, 0000
CHRISTOPHER R. DEWILDE, 0000
ROBERT L. DEWITT, JR., 0000
JOSEPH A. J. DIGUARDO, 0000
PAUL L. DINIUS, 0000
DANIEL T. DOLAN, 0000
LISA H. DOLAN, 0000
WILLIAM C. DOSTER, 0000
MICHAEL G. DOWLING, 0000
CHRISTOPHER J. DOWNEY, 0000
KRISTY D. DOYLE, 0000
BRIAN P. DULLA, 0000
STEVEN R. DUNKLEBERGER, 0000
ROBERT C. DUNN, 0000
TIMOTHY R. DURDIN, 0000
JAMES T. EARL, SR., 0000
CARL H. EBERSOLE, 0000
CHRISTIAN J. EDWARDS, 0000
MICHAEL J. ELBERT, 0000
JOHN L. ENFIELD, 0000
HUGH P. EVERLY, 0000
CHRISTOPHER P. FAILLA, 0000
JOHN W. FANCHER, 0000
JEFFREY A. FATORA, 0000
CRAIG J. FAY, 0000
EDWARD D. FAY III, 0000
DAVID P. FIELDS, 0000
PAUL J. FILARDI, 0000
BRETT E. FILLMORE, 0000
JOSEPH F. FINN, 0000
MICHAEL D. FISHER, 0000
TIMOTHY F. FITZPATRICK, 0000
JAMES L. FLEMING, 0000
REUBEN M. FLOYD, 0000
ANTHONY J. FORTESCUE, 0000
STEVEN D. FRANCIS, 0000
MATHEW R. FROST, 0000
JEFFREY W. FUJISAKA, 0000
NEIL E. FUNTANILLA, 0000
RAYMOND A. J. GABRIEL, 0000
JOSEPH R. GADWILL, 0000
WILLIAM M. GALLAGHER, 0000
MICHAEL F. GALLI, 0000
ROBERT A. GARCIA, 0000
MICHAEL J. GARVEY, 0000
ROBERT M. GAUCHER, 0000
TIMOTHY P. GEIST, 0000
TEDMAN E. GETSCHMAN, 0000
EDWARD S. GETTINS, 0000
LAWRENCE G. GETZ III, 0000
PAUL G. GIBERSON, 0000
TODD A. GILCHRIST, 0000
KEVIN S. GILLAM, 0000
JAMES O. GODWIN, 0000
RICARDO A. GONZALEZ, 0000
ALISTAIR D. GOODWIN, 0000
DOUGLAS V. GORDON, 0000
JAMES A. GORDON III, 0000
PETER M. GORTNER, 0000
DEREK B. GRANGER, 0000
MICHAEL W. GRANGER, 0000
JOHN R. GRAY, 0000
MARK C. GRINDLE, 0000
CRAIG D. GRUBB, 0000
MARKUS J. GUDMUNDSSON, 0000
JEFFRY D. GUERRERO, 0000
DAVID K. GULUZIAN, 0000
JASON R. HAEN, 0000
GILBERT L. HAGEMAN, 0000
DANIEL A. HAIGHT, JR., 0000
LYLE D. HALL, 0000
STEVEN K. HALL, 0000
JEFFREY L. HAMMER, 0000
PATRICK J. HANNIFIN, 0000
SCOTT A. HANSON, 0000
CHRISTOPHER L. HARMER, 0000
EDWARD T. HARSHANY, 0000
DAVID J. HAUTH, 0000
SAMUEL HAVELOCK, JR., 0000
JAMES D. HAWKINS, 0000
JON E. HAYDEL, 0000
CHARLES J. HAYDEN III, 0000
RICHARD F. HAYES, 0000
DEMETRIUS J. HAYNIE, 0000
EDWARD L. HEFLIN, 0000
DOUGLAS D. HELTON, 0000
GEOFFREY M. HENDRICK, 0000
CHRISTOPHER M. HENRY, 0000
KEITH M. HENRY, 0000
DIEGO HERNANDEZ, 0000
MARIO P. HERRERA, 0000
BENJAMIN L. HEWLETT, 0000
FERRANDO R. HEYWARD, 0000
BRADLEY D. HICKEY, 0000
SHAUN A. HILLIS, 0000
THOMAS G. HIMSTREET, 0000
TUNG HO, 0000
MICHAEL M. HOCKER, 0000
STEPHEN L. HOFFMAN, 0000
PAUL H. HOGUE, JR., 0000
CREIGHTON D. HOLT, 0000
MARC A. HONE, 0000
JEFFREY J. HOPPE, 0000
RUSS D. HORR, 0000
HEATH M. HOWELL, 0000
SCOTT B. HOWELL, 0000
PETER W. HUDSON, JR., 0000
THOMAS R. HUERTER, 0000
VICTOR D. HYDER, 0000
JEFFREY F. HYINK, 0000
CARLOS A. IGLESIAS, 0000
DEAN A. JACOBS, 0000
GEOFFREY C. JAMES, 0000
CHRIS D. JANKE, 0000
ALFRED D. JOHNSON, 0000
CHARLTON W. JOHNSON, 0000
MATTHEW K. JONES, 0000
DOUGLAS A. JORDAN, 0000
JASON T. JORGENSEN, 0000
JEFFREY A. JOSEPH, 0000
AMARDEV S. JOUHAL, 0000
CHAD M. JUNGBLUTH, 0000
PHILIP E. KAPUSTA, 0000
THOMAS C. KARNEY, 0000
SCOTT A. KARTVEDT, 0000
HALSEY D. KEATS, 0000
JOSEPH M. KEENAN, 0000
JOHN L. KELSEY, 0000
CHRISTOPHER K. KENEFICK, 0000
DONALD E. KENNEDY, 0000
MARK D. KESSELRING, 0000
ANDREW L. KESSLER, 0000
PATRICK E. KEYES, 0000
JEFFREY J. KIM, 0000
WILLIAM K. KIMMEL II, 0000
ROBERT T. KING, 0000
JAMES E. KIRBY, 0000
ANDREW M. KIRKLAND, 0000
DANIEL J. KNEISLER, 0000
MARK J. KNOLLMUELLER, 0000
TIMOTHY P. KOLLMER, 0000
DAVID E. KOSS, 0000
PATRICK D. KREITZER, 0000
FREDERICK W. LANDAU, 0000
DEREK M. LAVAN, 0000
MATTHEW L. LEAHEY, 0000
CRAIG E. LEE, 0000
BRIAN E. LEGERE, 0000
GARY LEIGH, 0000
BRIAN S. LENK, 0000
CURTIS R. LEYSHON, 0000
SEAN R. LIEDMAN, 0000
ESPIRIDION N. LIMON, 0000
DAVID M. LINCH, 0000
MARK A. LIND, 0000
WILLIAM A. LIND, 0000
DARIN M. LISTON, 0000
DAVID P. LITTLE, 0000
MICHAEL R. LOCKWOOD, 0000
JAMES C. LOGSDON, 0000
JASON K. LOPEZ, 0000
DAVID A. LOTT, 0000
CORD H. LUBY, 0000
MARXIMILLIAN J. LUCAS, 0000
BRICE K. LUND, 0000
MICHAEL J. LYDON, 0000
STEPHEN G. MACK, 0000
ALEXANDER R. MACKENZIE, 0000
RON C. MAGWOOD, 0000
CHARLES H. MAHER, 0000
JOHN J. MANN IV, 0000
ALAN M. MARBLESTONE, 0000
RICHARD L. MARSHALL, 0000
DANIEL P. MARTIN, 0000
DUSTIN L. MARTIN, 0000
EUGENE T. MARTIN III, 0000
MARK W. MATTHYS, 0000
JOHN M. MAXWELL, 0000
MICHAEL L. MAY, 0000
MARK A. MAYERSKE, 0000
CLYDE F. MAYS, JR., 0000
WILLIAM A. MCCONVEY, 0000
BRIAN J. MCCORMICK, 0000
PATRICK J. MCCORMICK, 0000
MAX G. MCCOY, JR., 0000
MARK W. MCCULLOCH, 0000
BRIAN K. MCDONALD, 0000
RICHARD G. MCGRATH, JR., 0000
CHARLES H. MCGUIRE IV, 0000
JOHN E. MCGUNNIGLE, JR., 0000
STEPHEN D. MCKONE, 0000
SEAN G. MCLAREN, 0000
IAN G. MCLEOD, 0000
BERNARD F. MCMAHON, 0000
CHRISTOPHER A. MERWIN, 0000
CLAYTON W. MICHAELS, 0000
DAVID E. MILLER, 0000
EDWARD C. MILLER, 0000
CHRISTOPHER M. MILLS, 0000
JAMES D. MINYARD, 0000
BENJAMIN E. MOLINA, 0000
DANIEL W. MONTGOMERY, 0000
ROBERT W. MOOK III, 0000
KEVIN S. MOONEY, 0000
DAVID R. MOOREFIELD, 0000
ANGELA MORALES, 0000
SEAN D. MORDHORST, 0000
BRIAN D. MORRILL, 0000
GARRON S. MORRIS, 0000
JOHN R. MORRIS, 0000
PAUL G. MOVIZZO, 0000
JEFFREY S. MULLEN, 0000
DANIEL E. MURPHY, 0000
DON C. MURRAY, 0000
STEPHEN H. MURRAY, 0000
THOMAS M. NEILL, 0000
TODD M. NELSON, 0000
EUGENE J. NEMETH, 0000
MICHAEL D. NEUSER, 0000
JOHN P. NEWTON, JR., 0000
PAUL M. NITZ, 0000
JASON H. NORRIS, 0000
RICHARD L. NORVELL, 0000
PAUL C. NYLUND, 0000
KEVIN M. OCONNOR, 0000
WILLIAM S. OCONNOR, 0000
PAUL S. OLIN, 0000
DANIEL F. OLSON, 0000
JOSEPH R. OLSON, 0000
MARK A. OLSON, 0000
JUAN J. OROZCO, 0000
ELTON C. PARKER III, 0000
JOHN J. PATTERSON VI, 0000
RANDALL W. PECK, 0000
JOEL W. PEDERSEN, 0000
MIGUEL L. PEKO, 0000
MICHAEL A. PENNINGTON, 0000
GEORGE PEREZ, JR., 0000
DAVID T. PETERSON, 0000
ERIC V. PETERSON, 0000
CHRISTOPHER T. PETROCK, 0000
WILLIAM D. PFEIFLE, 0000
ERIC N. PFISTER, 0000
MARK D. PHILLIPS, 0000
MANUEL A. PICON, 0000
DINO PIETRANTONI, 0000
GARY W. PINKERTON, 0000
ROBERT E. POLING, 0000
WILLIAM E. POWERS, 0000
JAMES M. PRESTON III, 0000
EMORY G. PRICE, 0000
MARSHALL R. PROUTY, 0000
BRIAN J. QUIN, 0000
KEITH E. QUINCY, 0000
JOHN B. QUINLAN, 0000
DANIEL B. RADER, 0000
TIMOTHY B. RAFFERTY, 0000
RUSS C. RAINES, 0000
SEAN L. RANDO, 0000
MICHAEL D. RAPP, 0000
SCOTT E. RAUPP, 0000

COREY W. RAY, 0000
KEITH P. REAMS, 0000
PAUL M. REINHART, 0000
DANIEL P. RILEY, 0000
MATTHEW W. RISING, 0000
GILBERT D. RIVERA, JR., 0000
SCOTT F. ROBERTSON, 0000
WILLIAM J. ROBINETTE III, 0000
JAMES W. ROBINSON, JR., 0000
THOMAS A. ROBSON, 0000
MARK W. ROEMHILDT, 0000
GARY A. ROGENESS, 0000
RAYMOND A. ROGERS, 0000
ROBERT A. RONCSKA, 0000
MATTHEW D. ROSENBLOOM, 0000
VALERIE E. RUD, 0000
STEPHEN J. RUSCHEINSKI, 0000
JAMES B. RYAN, 0000
HERBERT C. SANFORD, 0000
NICK A. SARAP, JR., 0000
MICHAEL K. SAVAGEAUX, 0000
MICHAEL B. SAWIN, 0000
DAVID A. SCHALM, 0000
DAVID G. SCHAPPERT, 0000
CHRISTOPHER M. SCHIMENTI, 0000
WALLACE E. SCHLAUDER, 0000
WILLIAM E. SCHLEMMER, 0000
MARK W. SCHMALL, 0000
JOHN R. SCHMIDT, 0000
HAROLD R. SCHMITT, 0000
KATHLEEN R. SCHULZ, 0000
VICTOR S. SCHWARTZ, 0000
MARC C. SCHWEIGHOFER, 0000
MICHAEL S. SCIRETTA, 0000
JAN K. SCISLOWICZ, 0000
LANCE G. SCOTT, 0000
JOHN P. SCUDI, 0000
SCOTT B. SEAL, 0000
DANIEL J. SENESKY, 0000
SCOTT J. SHEPARD, 0000
JUSTIN M. SHINEMAN, 0000
JONATHAN B. SHOEMAKER, 0000
JEFFREY W. SINCLAIR, 0000
JOHN A. SIPES, 0000
WALTER M. SLAUGHTER, 0000
CHRISTOPHER W. SLAWSON, 0000
DAVID SLAYTON, 0000
CHRISTOPHER L. SLEDGE, 0000
ANDREW F. SMITH, 0000
SCOTT M. SMITH, 0000
WESLEY S. SMITH, 0000
PHILIP E. SOBECK, 0000
GERHARD A. SOMLAI, 0000
BRIAN K. SORENSON, 0000
LESLIE L. SPANHEIMER, 0000
TIMOTHY F. SPARKS, 0000
JOHN D. SPENCER, 0000
ERIK A. SPITZER, 0000
ERNEST B. STACY, 0000
SCOTT B. STARKEY, 0000
RANDY C. STEARNS, 0000
MICHAEL S. STEPHENS, 0000
MATTHEW P. STEVENS, 0000
MATTHEW P. STEVENSON, 0000
ANDREW B. STJOHN, 0000
MICHAEL N. H. STOLL, 0000
DOMINICK J. STRADA, 0000
LORETTA L. STROTH, 0000
JEFFREY A. STUART, 0000
JOHN F. STUHLFIRE, 0000
JOHN A. SUAZO, 0000
MARK E. SULLIVAN, 0000
WILLIAM J. SWANSON, 0000
CHRISTOPHER J. SWEENEY, 0000
NEIL A. SZANYI, 0000
MICHAEL B. TATSCH, 0000
AARON M. THIEME, 0000
DOUGLAS A. THIEN, 0000
DAVID G. THOMAS, 0000
TAYLOR N. THORSON, 0000
SCOTT D. TINGLE, 0000
MICHAEL R. TOEPPER, 0000
SCOTT K. TOPPEL, 0000
ANTHONY W. TROXELL, 0000
DANIEL R. TRUCKENBROD, 0000
TRAVIS J. TRUPP, 0000
RANDOLPH J. TUPAS, 0000
JOSEPH M. TURK, 0000
TREVOR N. TYLER, 0000
PETER H. TYSON, 0000
JEFFREY W. UHDE, 0000
ERIC H. VERHAGE, 0000
JOHN VLATTAS, 0000
JASON A. VOGT, 0000
ERIC R. VOSLER, 0000
ARTHUR R. WAGNER, 0000
CHRISTOPHER WALKER, 0000
ROBERT G. WALKER, 0000
WILLIAM S. WALSH, 0000
CHARLES A. WALTON, JR., 0000
JAMES H. WARE III, 0000
DOUGLAS D. WARNER, 0000
KIRK A. WEATHERLY, 0000
EDWARD C. WHITE III, 0000
ALPHONSO C. WILCOX, 0000
ALEXANDER M. WILHELM, 0000
FRED R. WILHELM III, 0000
JEROMY B. WILLIAMS, 0000
KEVIN G. WILLIAMS, 0000
PATRICK J. WILLIAMS, 0000
SEAN L. WILLIAMS, 0000
GEORGE G. WILSON, 0000
GORDON S. WILSON, 0000
MITCHELL T. WILSON, 0000
NILS E. WIRSTROM, 0000
CHRISTOPHER S. WISEMAN, 0000
TODD C. WOBIG, 0000
ERIC P. WOELPER, 0000
SAMUELL T. WORTHINGTON, 0000
JAMES M. WUCHER, 0000
WILLIAM S. YATES, 0000
PETER A. YELLE, 0000
PETER A. YOUNG, 0000
RICHARD S. YOUNG, 0000
JOHN J. ZUHOWSKI, 0000

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate passed S. 3711, Gulf of Mexico Energy Security Act.

Senate

Chamber Action

Routine Proceedings, pages S8477–S8560

Measures Introduced: Seven bills were introduced, as follows: S. 3766–3772. **Page S8537**

Measures Reported:

S. 3661, to amend section 29 of the International Air Transportation Competition Act of 1979 relating to air transportation to and from Love Field, Texas, with an amendment in the nature of a substitute. (S. Rept. No. 109–317)

H.R. 4646, to designate the facility of the United States Postal Service located at 7320 Reseda Boulevard in Reseda, California, as the ''Coach John Wooden Post Office Building''.

H.R. 4811, to designate the facility of the United States Postal Service located at 215 West Industrial Park Road in Harrison, Arkansas, as the ''John Paul Hammerschmidt Post Office Building''.

H.R. 4962, to designate the facility of the United States Postal Service located at 100 Pitcher Street in Utica, New York, as the ''Captain George A. Wood Post Office Building''.

H.R. 5104, to designate the facility of the United States Postal Service located at 1750 16th Street South in St. Petersburg, Florida, as the ''Morris W. Milton Post Office''.

H.R. 5107, to designate the facility of the United States Postal Service located at 1400 West Jordan Street in Pensacola, Florida, as the ''Earl D. Hutto Post Office Building''.

H.R. 5169, to designate the facility of the United States Postal Service located at 1310 Highway 64 NW. in Ramsey, Indiana, as the ''Wilfred Edward 'Cousin Willie' Sieg, Sr. Post Office''.

H.R. 5540, to designate the facility of the United States Postal Service located at 217 Southeast 2nd Street in Dimmitt, Texas, as the ''Sergeant Jacob Dan Dones Post Office''.

S. 2555, to designate the facility of the United States Postal Service located at 2633 11th Street in Rock Island, Illinois, as the ''Lane Evans Post Office Building''.

S. 2719, to designate the facility of the United States Postal Service located at 1400 West Jordan Street in Pensacola, Florida, as the ''Earl D. Hutto Post Office Building''.

S. 3613, to designate the facility of the United States Postal Service located at 2951 New York Highway 43 in Averill Park, New York, as the ''Major George Quamo Post Office Building''.

S. 3722, to authorize the transfer of naval vessels to certain foreign recipients. **Pages S8535–36**

Measures Passed:

Gulf of Mexico Energy Security Act: By 71 yeas to 25 nays (Vote No. 219), Senate passed S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, after taking action, pursuant to the order of July 31, 2006, on the following amendments proposed thereto: **Pages S8482–S8513**

Withdrawn:

Frist Amendment No. 4713, to establish an effective date. **Page S8511**

Frist Amendment No. 4714 (to Amendment No. 4713), to amend the effective date. **Page S8511**

Congratulating Magen David Adom Society: Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 113, congratulating the Magen David Adom Society in Israel for achieving full membership in the International Red Cross and Red Crescent Movement, and the resolution was then agreed to. **Pages S8549–50**

Mt. Soledad Veterans Memorial Preservation: Senate passed H.R. 5683, to preserve the Mt.

Soledad Veterans Memorial in San Diego, California, by providing for the immediate acquisition of the memorial by the United States, clearing the measure for the President. **Page S8550**

Prematurity Research Expansion and Education for Mothers Who Deliver Infants Early Act: Senate passed S. 707, to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity, after agreeing to the committee amendment in the nature of a substitute. **Pages S8550–51**

Federal Relocation Expenses Extension: Senate passed S. 2146, to extend relocation expenses test programs for Federal employees. **Page S8552**

Elizabeth Hartwell Mason Neck National Wildlife Refuge: Committee on Environment and Public Works was discharged from further consideration of H.R. 3682, to redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge, and the bill was then passed, clearing the measure for the President. **Page S8552**

Department of Defense Appropriations Act: Senate began consideration of H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, after agreeing to the committee amendment in the nature of a substitute, and taking action on the following amendments proposed thereto: **Pages S8513–29**

Adopted:

Stevens/Inouye Amendment No. 4751, to appropriate as additional appropriations $7,800,000,000 for the Army, and $5,300,000,000 for the Marine Corps for the reset of equipment due to continuing combat operations and to designate such amounts as emergency requirements. **Page S8528**

A unanimous-consent agreement was reached providing that it not be in order to file a cloture motion on this bill. **Page S8513**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, August 2, 2006. **Page S8552**

Commodity Exchange Reauthorization—Agreement: A unanimous-consent-time agreement was reached providing that at a time to be determined by the Majority Leader with concurrence of the Democratic Leader, Senate proceed to consideration of S. 1566, to reauthorize the Commodity Exchange Act, that the Chambliss Amendment at the desk be agreed to, that certain other amendments to be proposed be considered under certain time limitations, that in addition to the time specified on the amendments, there be 30 minutes of debate equally divided on the bill, that following the use or yielding back of time and disposition of amendments, the bill as amended be read a third time; further, that the Senate then proceed to H.R. 4473, House companion measure, that all after the enacting clause be stricken and the text of S. 1566, as amended, be inserted thereof, the bill as amended be read a third time, and the Senate then proceed to a vote on passage of H.R. 4473, and that S. 1566, as amended, be returned to the Senate Calendar. **Page S8552**

Nominations Received: Senate received the following nominations:

Leland A. Strom, of Illinois, to be a Member of the Farm Credit Administration Board, Farm Credit Administration, for a term expiring October 13, 2012.

Charles R. Christopherson, Jr., of Texas, to be a Member of the Board of Directors of the Commodity Credit Corporation.

C. Stephen Allred, of Idaho, to be an Assistant Secretary of the Interior.

Roger Romulus Martella, Jr., of Virginia, to be an Assistant Administrator of the Environmental Protection Agency.

Alex A. Beehler, of Maryland, to be Inspector General, Environmental Protection Agency.

Randolph James Clerihue, of Virginia, to be an Assistant Secretary of Labor.

Arthur K. Reilly, of New Jersey, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2012.

Wilma B. Liebman, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2011.

Michael F. Duffy, of the District of Columbia, to be a Member of the Federal Mine Safety and Health Review Commission for a term expiring August 30, 2012.

James H. Bilbray, of Nevada, to be a Governor of the United States Postal Service for the remainder of the term expiring December 8, 2006.

James H. Bilbray, of Nevada, to be a Governor of the United States Postal Service for a term expiring December 8, 2015.

Susan E. Dudley, of Virginia, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

Carl Joseph Artman, of Colorado, to be an Assistant Secretary of the Interior.

1 Air Force nomination in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Navy.

Pages S8553–60

Measures Placed on Calendar: **Page S8535**

Executive Communications: Page S8535

Executive Reports of Committees: Pages S8536–37

Additional Cosponsors: Pages S8537–38

Statements on Introduced Bills/Resolutions: Pages S8538–47

Additional Statements: Pages S8534–35

Amendments Submitted: Pages S8547–49

Authorities for Committees to Meet: Page S8549

Privileges of the Floor: Page S8549

Record Votes: One record vote was taken today. (Total—219) Page S8511

Adjournment: Senate convened at 9:46 a.m., and adjourned at 7:13 p.m., until 9:30 a.m., on Wednesday, August 2, 2006. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8552.)

Committee Meetings

(Committees not listed did not meet)

JIEDDO

Committee on Armed Services: Committee met in closed session to receive a briefing from the Joint Improvised Explosive Device Defeat Organization (JIEDDO) from General Montgomery C. Meigs, USA (Ret.), Director, JIEDDO.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nominations of Lieutenant General James T. Conway, USMC to be general and Commandant of the Marine Corps, Benedict S. Cohen, of the District of Columbia, to be General Counsel of the Department of the Army, Frank R. Jimenez, of Florida, to be General Counsel of the Department of the Navy, William H. Tobey, of Connecticut, to be Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration, Robert L. Wilkie, of North Carolina, to be an Assistant Secretary of Defense for Legislative Affairs, C. Thomas Yarington, Jr., of Washington, and Colleen Conway-Welch, of Tennessee, each to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences, and 474 military nominations in the Army, Navy, Air Force, and Marine Corps.

BOEING COMPANY GLOBAL SETTLEMENT AGREEMENT

Committee on Armed Services: Committee concluded a hearing to examine the Boeing Company Global Settlement Agreement, after receiving testimony from Paul J. McNulty, Deputy Attorney General, Department of Justice; and W. James McNerney, Jr., Boeing Company, Chicago, Illinois.

RAPANOS/CARABELL DECISION

Committee on Environment and Public Works: Subcommittee on Fisheries, Wildlife, and Water concluded a hearing to examine interpreting the effect of the U.S. Supreme Court's recent decision in the joint cases of Rapanos v. United States and Carabell v. U.S. Army Corps of Engineers on ''The Waters of the United States'', after receiving testimony from Benjamin H. Grumbles, Assistant Administrator for Water, Environmental Protection Agency; John Paul Woodley, Jr., Assistant Secretary of the Army for Civil Works, Department of the Army; John C. Cruden, Deputy Assistant Attorney General, Environment and Natural Resources Division, Department of Justice; Jonathan H. Adler, Case Western Reserve University School of Law, Cleveland, Ohio; William W. Buzbee, Emory University Law School, Atlanta, Georgia; Chuck Clayton, Izaak Walton League of America, Gaithersburg, Maryland; and Keith Kisling, Burlington, Oklahoma, on behalf of the National Association of Wheat Growers, and the National Cattlemen's Beef Association.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 3722, to authorize the transfer of naval vessels to certain foreign recipients,

Treaty Between the United States and the Oriental Republic Of Uruguay Concerning the Encouragement and Reciprocal Protection of Investment, with Annexes and Protocol, signed at Mar Del Plata, Argentina, on November 4, 2005 (Treaty Doc. 109–9);

United Nations Convention Against Corruption (the ''Corruption Convention''), adopted by the United Nations General Assembly on October 31, 2003 (Treaty Doc. 109–6); and

The nominations of Christina B. Rocca, of Virginia, for the rank of Ambassador during her tenure of service as U.S. Representative to the Conference on Disarmament, Philip S. Goldberg, of Massachusetts, to be Ambassador to the Republic of Bolivia, Richard W. Graber, of Wisconsin, to be Ambassador to the Czech Republic, and Karen B. Stewart, of Florida, to be Ambassador to the Republic of Belarus, Mark R. Dybul, of Florida, to be Coordinator of United States Government Activities to Combat HIV/AIDS Globally, with the rank of Ambassador, Henry M. Paulson, Jr., of New York, to be United States Governor of the International Monetary Fund, United States Governor of the International Bank for Reconstruction and Development,

United States Governor of the Inter-American Development Bank, United States Governor of the African Development Bank, United States Governor of the Asian Development Bank, United States Governor of the African Development Fund, United States Governor of the European Bank for Reconstruction and Development, and certain officer promotion lists in the Foreign Service.

TAX HAVEN ABUSES

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations concluded a hearing to examine the issue of tax havens and offshore abuses which are undermining the integrity of the Federal tax system, focusing on case histories on the use of offshore trusts and corporations to circumvent U.S. tax, securities and anti-money laundering laws, after receiving testimony from Mark Everson, Commissioner, Internal Revenue Service, Department of the Treasury; Reuven S. Avi-Yonah, University of Michigan School of Law, Ann Arbor; Gary M. Brown, Baker, Donelson, Bearman, Caldwell, and Berkowitz, P.C., Nashville, Tennessee; Haim Saban, Saban Capital Group, Inc., Los Angeles, California; Michael C. French, formerly with Scottish Re Group, Limited, Louis J. Schaufele, III, and Charles W. Blau, Meadows, Owens, Collier, Reed, Cousins, and Blau, LLP, all of Dallas, Texas; Jeffrey Greenstein, Quellos Group, LLC, Seattle, Washington; Michael G. Conn, Bank of America, San Francisco, California; George T. Wendler, HSBC Bank USA, Marlboro, New Jersey; Michael G. Chatzky, Chatzky and Associates, San Diego, California; John P. Barrie, Bryan Cave, LLP, Washington, D.C.; Lewis R. Steinberg, formerly with Cravath, Swaine, and Moore, LLP, New York, New York; and Robert Wood Johnson, IV, New York, New York.

NOMINATIONS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the nominations of Andrew von Eschenbach, of Texas, to be Commissioner of Food and Drugs, Department of Health and Human Services, who was introduced by Senator Hutchison, and Paul DeCamp, of Virginia, to be Administrator of the Wage and Hour Division, Department of Labor, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Peter D. Keisler, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit, Valerie L. Baker and Philip S. Gutierrez, each to be a United States District Judge for the Central District of California, who were introduced by Senators Feinstein and Boxer, and Francisco Augusto Besosa, to be United States District Judge for the District of Puerto Rico, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 11 a.m. on Wednesday, August 2, 2006, unless it sooner has received a message from the Senate transmitting its adoption of H. Con. Res. 459, in which case the House shall stand adjourned pursuant to that concurrent resolution until 2 p.m. on Wednesday, September 6, 2006.

Committee Meetings

No committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D 867)*

H.J. Res. 86, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003. Signed on August 1, 2006. (Public Law 109–251)

COMMITTEE MEETINGS FOR WEDNESDAY, AUGUST 2, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Forestry, Conservation, and Rural Revitalization, to hold hearings to examine H.R. 4200, to improve the ability of the Secretary of Agriculture and the Secretary of the Interior to promptly implement recovery treatments in response to catastrophic events affecting Federal lands under their jurisdiction, including the removal of dead and damaged trees and the implementation of reforestation treatments, to support the recovery of

non-Federal lands damaged by catastrophic events, to revitalize Forest Service experimental forests, 9 a.m., SR–328A.

Committee on Appropriations: Subcommittee on Legislative Branch, to continue hearings to examine progress of the Capitol Visitor Center construction, 10:30 a.m., SD–138.

Committee on Armed Services: to resume hearings to examine the future of military commissions in light of the Supreme Court decision in Hamdan v. Rumsfeld, 2 p.m., SH–216.

Full Committee, to hold a closed meeting to discuss Overhead Imagery Systems, 5 p.m., S–407, Capitol.

Committee on Banking, Housing, and Urban Affairs: business meeting to consider an original bill to improve ratings quality for the protection of investors and in the public interest by fostering accountability, transparency, and competition in the credit rating agency industry, 10 a.m., SD–538.

Subcommittee on Housing and Transportation, to hold hearings to examine efforts to meet the housing needs of veterans, 2:30 p.m., SD–538.

Committee on Environment and Public Works: to hold oversight hearings to examine the Toxic Substances Control Act and the chemicals management program at the Environmental Protection Agency, 9:30 a.m., SD–406.

Committee on Finance: to hold hearings to examine fake IDs relating to border security, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the nomination of John C. Rood, of Arizona, to be an Assistant Secretary of State for International Security and Non-Proliferation, 9:30 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: business meeting to consider numerous pending Nominations:, Time to be announced, Room to be announced.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the status of Iraq reconstruction, focusing on contracting and procurement issues, 10 a.m., SD–342.

Committee on the Judiciary: to hold hearings to examine the authority to prosecute terrorists under the war crime provisions of Title 18, 9:30 a.m., SD–226.

Subcommittee on Constitution, Civil Rights and Property Rights, to hold hearings to examine creating a fair standard for attorney's fee awards in establishment clause cases, 2:30 p.m., SD–226.

Select Committee on Intelligence: closed business meeting to consider pending calendar business, 2:30 p.m., SH–219.

House

No committee meetings are scheduled.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 3 through July 31, 2006

	Senate	*House*	*Total*
Days in session	103	77	..
Time in session	770 hrs., 15′	645 hrs., 60′	..
Congressional Record:			
Pages of proceedings	8,476	6,237	..
Extensions of Remarks	..	1,623	..
Public bills enacted into law	27	54	81
Private bills enacted into law	1	..	1
Bills in conference	1	4	5
Measures passed, total	315	397	712
Senate bills	58	33	..
House bills	70	163	..
Senate joint resolutions	2	2	..
House joint resolutions	5	4	..
Senate concurrent resolutions	14	6	..
House concurrent resolutions	24	53	..
Simple resolutions	142	136	..
Measures reported, total	*161	*237	398
Senate bills	109	7	..
House bills	39	147	..
Senate joint resolutions	3	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	3	..	..
House concurrent resolutions	..	8	..
Simple resolutions	7	74	..
Special reports	2	9	..
Conference reports	1	4	..
Measures pending on calendar	292	154	..
Measures introduced, total	1,840	1,863	3,703
Bills	1,591	1,375	..
Joint resolutions	13	18	..
Concurrent resolutions	38	136	..
Simple resolutions	198	334	..
Quorum calls	..	1	..
Yea-and-nay votes	218	195	..
Recorded votes	..	230	..
Bills vetoed	..	1	..
Vetoes overridden	..	..	..

* These figures include all measures reported, even if there was no accompanying report. A total of 104 reports have been filed in the Senate, a total of 250 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through July 31, 2006

Civilian nominations, totaling 461 (including 148 nominations carried over from the First Session), disposed of as follows:	
Confirmed	211
Unconfirmed	242
Withdrawn	8
Other Civilian nominations, totaling 2,356 (including 780 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,740
Unconfirmed	615
Withdrawn	1
Air Force nominations, totaling 7,096 (including 100 nominations carried over from the First Session), disposed of as follows:	
Confirmed	5,746
Unconfirmed	1,350
Army nominations, totaling 5,023 (including 608 nominations carried over from the First Session), disposed of as follows:	
Confirmed	4,941
Unconfirmed	82
Navy nominations, totaling 4,046 (including 21 nominations carried over from the First Session), disposed of as follows:	
Confirmed	3,569
Unconfirmed	477
Marine Corps nominations, totaling 1,291 (including 2 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,284
Unconfirmed	7

Summary

Total nominations carried over from the First Session	1,659
Total nominations received this Session	18,614
Total confirmed	17,491
Total unconfirmed	2,773
Total withdrawn	9
Total returned to the White House	0

Next Meeting of the SENATE

9:30 a.m., Wednesday, August 2

Senate Chamber

Program for Wednesday: Senate will continue consideration of H.R. 5631, Department of Defense Appropriations Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

11 a.m., Wednesday, August 2

House Chamber

Program for Wednesday: To be announced.

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through *GPO Access*, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the *Congressional Record* is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through *GPO Access* at www.gpo.gov/gpoaccess. Customers can also access this information with WAIS client software, via telnet at swais.access.gpo.gov, or dial-in using communications software and a modem at 202–512–1661. Questions or comments regarding this database or *GPO Access* can be directed to the *GPO Access* User Support Team at: E-Mail: gpoaccess@gpo.gov; Phone 1–888–293–6498 (toll-free), 202–512–1530 (D.C. area); Fax: 202–512–1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $252.00 for six months, $503.00 per year, or purchased as follows: less than 200 pages, $10.50; between 200 and 400 pages, $21.00; greater than 400 pages, $31.50, payable in advance; microfiche edition, $146.00 per year, or purchased for $3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to 866–512–1800 (toll free), 202–512–1800 (D.C. area), or fax to 202–512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record,* U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.