AMENDMENTS SUBMITTED AND PROPOSED

SA 1083. Mr. WYDEN (for himself, Mr. SMITH, Mrs. MURRAY, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table.

SA 1084. Mr. WYDEN (for himself, Mr. SMITH, Mrs. MURRAY, Ms. CANTWELL, Mr. CRAPO, and Mr. CRAIG) submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 5. RESEARCH AND DEVELOPMENT PROGRAM FOR COLUMBIA AND SNAKE RIVERS SALMON SURVIVAL.

Section 511 of the Water Resources and Development Act of 1996 (16 U.S.C. 3301; note; 110 Stat. 3761; 113 Stat. 375) is amended—

(1) in subsection (a)(6), by striking ‘‘$10,000,000’’ and inserting ‘‘$30,000,000’’; and

(2) by striking subsection (c) and inserting the following:

(c) MANAGEMENT OF PREDATION ON COLUMBIA/SNAGE RIVER NATIVE FISHERIES.—

(1) AVIAN PREDATORS.—

(A) IN GENERAL.—The Secretary, in conjunction with the Secretary of Commerce and the Secretaries of the Interior, shall conduct research on, and plan, design, and implement, activities to reduce predation by caspian terns and doublecrested cormorants, as the Secretary determines to be logically sound and cost-effective to improve survival of Columbia River juvenile salmonids.

(B) INCLUSIONS.—Activities under subparagraph (A) include—

(i) research;

(ii) the acquisition of real estate interests from willing sellers;

(iii) planning, design, construction activities; and

(iv) maintenance of sites for the relocation of the avian predators within and outside of the Columbia River watershed.

(2) COORDINATION.—The Secretary shall carry out the activities under paragraph (1) in coordination with—

(A) appropriate Federal, State, and local agencies;

(B) affected Indian tribes; and

(C) the Northwest Power Planning and Conservation Council.

(3) ADMINISTRATION.—

(A) IN GENERAL.—The research and activities under this subsection shall be carried out—

(i) under the Columbia River fish mitigation project of the Corps of Engineers; and

(ii) using $30,000,000 of amounts made available to carry out that project.

(B) APPOINTMENT.—The cost of any avian predation management activity under this subsection shall be apportioned among the 8 Lower Columbia River and Snake River projects of the Federal Columbia River power system of the Corps of Engineers for off-site mitigation to address additional salmonid survival improvements under the Endangered Species Act of 1973 (16 U.S.C. 1531 et. seq.).

SA 1085. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

SEC. 4. WALLA WALLA RIVER BASIN, OR- EGN AND WASHINGTON.

In conducting the study to determine the feasibility of carrying out a project for ecosystem restoration, Walla Walla River Basin, Oregon and Washington, the Secretary shall—

(1) provide a credit toward the non-Federal share of the cost of the project for the cost of any activity carried out by the non-Federal interest before the date of the partnership agreement; and

(2) allow the non-Federal interest to provide a credit toward the cost of the study in the form of in-kind services and materials.

SA 1084. Mr. WYDEN (for himself, Mr. SMITH, Mrs. MURRAY, Ms. CANTWELL, Mr. CRAPO, and Mr. CRAIG) submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 60, between lines 16 and 17, insert the following:

(u) EMERGENCY PROCEDURES.—(1) IN GENERAL.—If the President determines that a feature recommended in the analysis and design of comprehensive hurricane protection under title I of the Energy and Water Development Appropriations Act, 2006 (Public Law 109-103; 119 Stat. 2447), could address a substantial threat to life and property, the President may submit to the Speaker of the House of Representatives and the President pro tempore of the Senate for authorization a legislative proposal relating to the feature, as the President determines to be appropriate.

(2) PRIORITIZATION.—In submitting legislative proposals under paragraph (1), the President shall give highest priority to any project that, as determined by the President, would—

(A) to the maximum extent practicable, reduce the risk—

(i) of loss of human life;

(ii) to public safety; and

(iii) of damage to property; and

(B) minimize costs and environmental impacts.

(3) EXPEDITED CONSIDERATION.—

(A) IN GENERAL.—Beginning on December 31, 2008, any legislative proposal submitted by the President under paragraph (1) shall be eligible for expedited consideration in accordance with this paragraph.

(B) INTRODUCTION.—As soon as practicable after the date of receipt of a legislative proposal under paragraph (1), the Chairperson of the Committee on Environment and Public Works of the Senate and the Chairperson of the Committee on Transportation and Infrastructure of the House of Representatives shall introduce as a bill the proposal, by request, in the Senate or the House of Representatives, as applicable.

(C) REFERRAL.—A bill introduced under subparagraph (B) shall be referred to the Committee on Environment and Public Works of the Senate or the Committee on Transportation and Infrastructure of the House of Representatives, as applicable.

(D) COMMITTEE CONSIDERATION.

(1) IN GENERAL.—Not later than 45 legislative days after a bill under subparagraph (B) is referred to a Committee in accordance with subparagraph (C), the Committee shall act on the bill.

(ii) FAILURE TO ACT.—On a failure by a Committee to act on a bill by the date specified in clause (i), the bill shall be discharged from the Committee and placed on the calendar of the Senate or the House of Representatives, as applicable.

(E) SENATE FLOOR CONSIDERATION.

(1) IN GENERAL.—Floor consideration in the Senate regarding a bill under subparagraph (B) shall be limited to 20 hours, to be equally divided between the Majority Leader and the Minority Leader of the Senate (or a designee).

(2) NONORDERED AMENDMENTS.—An amendment that is nonordered to a bill under subparagraph (B) shall not be in order.

(4) EFFECTIVE DATE.—This requirement of, and authorities under, this subsection shall expire on December 31, 2010.

SA 1086. Mr. FEINGOLD (for himself, Mr. MCCAIN, Mr. COBURN, Mr. CARPER, Mr. GREGG, Mr. SUNUNU, and Mr. DE MINT) submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the
Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle A of title II, the following:

SEC. 2. WATER RESOURCES COMMISSION.

(a) ESTABLISHMENT OF COMMISSION.—

(i) ESTABLISHMENT.—There is established a commission, to be known as the “Water Resources Commission” (referred to in this section as the “Commission”), to prioritize water resources projects in the United States.

(ii) MEMBERSHIP.—

(A) COMPOSITION.—The Commission shall be composed of 8 members, of whom—

(I) 2 members shall be appointed by the President;

(ii) 2 members shall be appointed by the Speaker of the House of Representatives;

(iii) 1 member shall be appointed by the minority leader of the House of Representatives;

(iv) 2 members shall be appointed by the majority leader of the Senate; and

(v) 1 member shall be appointed by the minority leader of the Senate.

(B) QUALIFICATIONS.—Members shall be appointed from the Commission from among individuals who—

(i) are of recognized standing and distinction with respect to water policy issues; and

(ii) while serving on the Commission, do not hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the United States.

(iii)ICIAL APPOINTMENTS.—The members of the Commission shall be appointed under subparagraph (A) by not later than 90 days after the date of enactment of this Act.

(B) VACANCIES.—A vacancy in the Commission—

(i) shall not affect the powers of the Commission; and

(ii) shall be filled not later than 30 days after the date on which the vacancy occurs, in the same manner as the original appointment was made.

(C) MEETINGS.—The Commission shall meet at the call of—

(A) the Chairperson; or

(B) the majority of the members of the Commission.

(D) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(E) CHAIRPERSON AND VICE CHAIRPERSON.—

The Commission shall select a Chairperson and Vice Chairperson from among the members of the Commission.

(F) DUTIES OF COMMISSION.—

(i) PRIORITIZATION OF WATER RESOURCES PROJECTS.—

(A) IN GENERAL.—In accordance with this section, the Commission shall make recommendations for the means by which to prioritize water resources projects of the Corps of Engineers and prioritize water resources projects of the Corps of Engineers that are not being carried out under a continuing authority program.

(B) REPORT.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to Congress a report containing the recommendations and prioritization method required under this paragraph.

(ii) RECOMMENDATIONS.—The report shall include recommendations for—

(I) a process of regularized prioritization assessments that ensures continuity in project prioritization and the inclusion of newly-authorized projects;

(ii) a process to prioritize water resources projects across project type; and

(iii) a methodology with respect to the prioritization process, of recreation and other ancillary benefits resulting from the construction of water projects.

(iii) PROJECT INCLUSIONS.—The report shall include, at a minimum, each water resources project—

(A) included in the fiscal transparency report under section 200(b); and

(B) for which the Commission considers advisable to carry out this section.

(G) INFORMATION FROM FEDERAL AGENCIES.—

(i) IN GENERAL.—The Commission may secure from any Federal agency such information as the Commission considers necessary to carry out this section.

(ii) PROVIDING INFORMATION.—On request of the Chairperson of the Commission, the head of the Federal agency shall provide the information to the Commission.

(H) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(i) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(j) COMPENSATION OF MEMBERS.—

(i) IN GENERAL.—Each member of the Commission shall serve without pay, but shall be allowed a per diem allowance for travel expenses, at rates authorized for an employee of an agency in chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(ii) GRANTS.—The employment of an executive director and such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(k) CONFIRMATION OF EXECUTIVE DIRECTOR.—The employment of an executive director shall be subject to confirmation by a majority of the members of the Commission.

(l) COMPENSATION.—

(i) IN GENERAL.—Except as provided in clause (ii), the Chairperson of the Commission shall serve without pay, but shall be allowed a per diem allowance for travel expenses, at rates authorized for an employee of an agency in chapter 57 of title 5, United States Code.

(ii) EXEMPTION.—An employee of the Commission (other than the executive director) receiving a compensation in excess of the minimum rate of pay for Executive Level IV under section 5315 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(m) POWERS OF COMMISSION.

(i) HEARINGS.—The Commission shall hold public hearings, and make reports to Congress, and when necessary, may obtain and receive such evidence as the Commission considers advisable for the conduct of its business.

(ii) MEETINGS.—The Commission shall meet at the call of—

(A) the Chairperson; or

(ii) the majority of the members of the Commission.

(iii) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(iv) CHAIRPERSON AND VICE CHAIRPERSON.—

The Commission shall select a Chairperson and Vice Chairperson from among the members of the Commission.

(v) DUTIES OF COMMISSION.—

(i) PRIORITIZATION OF WATER RESOURCES PROJECTS.—

(A) IN GENERAL.—In accordance with this section, the Commission shall make recommendations for the means by which to prioritize water resources projects of the Corps of Engineers and prioritize water resources projects of the Corps of Engineers that are not being carried out under a continuing authority program.

(B) REPORT.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to Congress a report containing the recommendations and prioritization method required under this paragraph.

(C) RECOMMENDATIONS.—The report shall include recommendations for—

(I) a process of regularized prioritization assessments that ensures continuity in project prioritization and the inclusion of newly-authorized projects;

(ii) a process to prioritize water resources projects across project type; and

(iii) a methodology with respect to the prioritization process, of recreation and other ancillary benefits resulting from the construction of water projects.

(D) PROJECT INCLUSIONS.—The report shall include, at a minimum, each water resources project—

(A) included in the fiscal transparency report under section 200(b); and

(ii) authorized for construction on the date of enactment of this Act and during the 10-year period prior to the date of enactment of this Act.

(E) PRIORITIZATION REQUIREMENTS.—

(i) IN GENERAL.—Each project described in the report shall be categorized by project type and be classified into a tier system of descending priority, to be established by the Commission, in a manner that reflects the extent to which the project achieves the project prioritization criteria established under subparagraph (F).

(ii) MEMBER PURPOSE PROJECTS.—Each multi-purpose project described in the report shall be classified by the project type that best represents the primary project purpose, as determined by the Commission and be classified into the tier system described in clause (i) within that project type.

(iii) TIER SYSTEM REQUIREMENTS.—In establishing the tier system under section 200(b), the Commission shall ensure that each tier is limited to total authorized project costs of $5,000,000,000 and includes not more than 100 projects.

(iv) BALANCE.—The Commission shall seek, to the maximum extent practicable, a balance between the water resource needs of all States, regardless of the size or population of a State.

(F) PROJECT PRIORITIZATION CRITERIA.—In preparing the report, the Commission shall take into account the following criteria and such additional criteria as the Commission may fully explain in the report:

(i) For flood damage reduction projects, the extent to which such a project addresses critical flood damage reduction needs of the United States, including by reducing the risk of loss of life; avoids increasing risks to human life or damages to property in the case of large flood events; and avoids adverse environmental impacts or produces environmental benefits.

(ii) For navigation projects, the extent to which such a project addresses critical navigation needs, as applicable, and avoids adverse environmental impacts.

(iii) For recreational projects, the extent to which such a project addresses priority navigation needs of the United States, including by having a high probability of producing economic benefits and improving the project and reflecting regional planning needs, as applicable, and avoids adverse environmental impacts.

(iv) For recreation projects, the extent to which such a project addresses priority navigation needs of the United States, including by improving the project and reflecting regional planning needs, as applicable, and avoids adverse environmental impacts.

(v) For medical services projects, the extent to which such a project addresses priority navigation needs of the United States, including by having a significant effect on the national economy.

(vi) For tourism projects, the extent to which such a project addresses priority navigation needs of the United States, including by increasing the economic benefits produced by the project and reflecting regional planning needs, as applicable, and avoids adverse environmental impacts.

(vii) For environmental projects, the extent to which such a project addresses priority navigation needs of the United States, including by reducing the risk of loss of life; avoids increasing risks to human life or damages to property in the case of large flood events; and avoids adverse environmental impacts.

(viii) For water resource projects, the extent to which such a project addresses priority navigation needs of the United States, including by reducing the risk of loss of life; avoids increasing risks to human life or damages to property in the case of large flood events; and avoids adverse environmental impacts.

(v) PROCUREMENT OF TEMPORARY AND INTERMEDIATE SUPPORT SERVICES.—The Commission, the Secretary, acting through the Chief of Engineers, shall provide, on a reimbursable basis, such office space, supplies, equipment, and other support services to the Commission and staff of the Commission as are necessary for the Commission to carry out the duties of the Commission under this section.

(e) TERMINATION.—The Commission shall terminate on the date that is 90 days after the Federal Register and submitted to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives.
the date on which the final report of the Commission is submitted under subsection (b).

(f) FUNDING.—In carrying out this section, the Commission shall use funds made available for the general operating expenses of the Corps of Engineers.

SA 1087. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

SEC. 3. CREDIT FOR EXPENSES INCURRED IN HURRICANE OR FLOOD PROTECTION PROJECTS.

(a) In General.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

SEC. 503. CREDIT FOR EXPENSES INCURRED IN HURRICANE OR FLOOD PROTECTION PROJECTS.

(1) ALLOWANCE OF CREDIT.—There shall be allowed as credit against the tax imposed by this chapter for the taxable year an amount equal to 30 percent of the qualified expenditures of the taxpayer for the taxable year.

(2) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed under subsection (a) for the taxable year shall not exceed the excess (if any) of:

(i) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

(ii) the sum of the credits allowable under subpart A and sections 27 and 30A for the taxable year.

(3) QUALIFIED EXPENDITURES.—For purposes of this section—

(A) In General.—The term ‘qualified expenditures’ means amounts paid or incurred by the taxpayer for the unfunded authorized project, but only to the extent:

(i) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

(ii) the sum of the credits allowable under subpart A and sections 27 and 30A for the taxable year.

(B) CREDIT ALLOWABLE UNDER SUBSECTION (A) SHALL BE REDUCED BY THE AMOUNT OF SUCH CREDIT (DETERMINED WITHOUT REGARD TO SUBSECTION (B)) FOR THE TAXABLE YEAR.

(C) REDUCTION FOR ASSISTANCE.—The amount taken into account under subsection (a) with respect to any project shall be reduced by the amount of any Federal, State, or local grant or other assistance received by the taxpayer during such taxable year or any prior taxable year which was used to make qualified expenditures and which was not included in the gross income of such taxpayer.

(D) BASIS REDUCTION.—The credit allowable under subsection (a) shall be reduced by the amount of any deduction for Federal income tax purposes attributable to a basis reduction.

(E) NO DOUBLE BENEFIT.—The amount of any deduction or credit allowable under this section (other than the credit allowable under subsection (a)), shall be reduced by the amount of any other credits allowed under any other provision of section 30C (determined without regard to subsection (b)) for the taxable year.

(5) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SA 1089. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

SA 1090. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

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

(6) IMPERIAL BAY, CALIFORNIA.—

(A) In General.—Subject to subparagraph (B), the

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

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

SA 1091. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following new division:

DIVISION B—EMERGENCY WAR APPROPRIATIONS

SEC. 100. EMERGENCY WAR APPROPRIATIONS.

There are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2007, and for other purposes, namely:
TITLE I
GLOBAL WAR ON TERROR
SUPPLEMENTAL APPROPRIATIONS
CHAPTER 1
DEPARTMENT OF AGRICULTURE
FOREIGN AGRICULTURAL SERVICE
PUBLIC LAW 88 TITLE II GRANTS
For an additional amount for “Public Law 480 Title II Grants”, during the current fiscal year, not otherwise recoverable, and unrecovered prior years’ costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, $350,000,000, to remain available until expended.

CHAPTER 2
DEPARTMENT OF JUSTICE
LEGAL ACTIVITIES
SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES
For an additional amount for “SALARIES AND EXPENSES, General Legal Activities”, $4,093,000, to remain available until September 30, 2008.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS
For an additional amount for “SALARIES AND EXPENSES, United States Attorneys”, $5,000,000, to remain available until September 30, 2008.

UNITED STATES MARSHALS SERVICE
SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE
For an additional amount for “SALARIES AND EXPENSES, United States Marshals Service”, $1,921,000,000, to remain available until September 30, 2008.

NATIONAL SECURITY DIVISION
SALARIES AND EXPENSES
For an additional amount for “SALARIES AND EXPENSES,” $1,736,000,000, to remain available until September 30, 2008.

FEDERAL BUREAU OF INVESTIGATION
SALARIES AND EXPENSES
For an additional amount for “SALARIES AND EXPENSES”, $118,260,000.

DRUG ENFORCEMENT ADMINISTRATION
SALARIES AND EXPENSES
For an additional amount for “SALARIES AND EXPENSES”, $8,486,000, to remain available until September 30, 2008.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES
SALARIES AND EXPENSES
For an additional amount for “SALARIES AND EXPENSES”, $4,000,000, to remain available until September 30, 2008.

FEDERAL PRISON SYSTEM
SALARIES AND EXPENSES
For an additional amount for “SALARIES AND EXPENSES”, $17,000,000, to remain available until September 30, 2008.

CHAPTER 3
DEPARTMENT OF DEFENSE—MILITARY PERSONNEL
MILITARY PERSONNEL, ARMED FORCES
For an additional amount for “MILITARY PERSONNEL, Army Personnel, Army”, $8,510,270,000.

MILITARY PERSONNEL, NAVY
For an additional amount for “MILITARY PERSONNEL, Navy”, $5,622,127,000.

MILITARY PERSONNEL, MARINE CORPS
For an additional amount for “MILITARY PERSONNEL, Marine Corps”, $1,366,871,000.

MILITARY PERSONNEL, AIR FORCE
For an additional amount for “MILITARY PERSONNEL, Air Force”, $1,101,287,000.

RESERVE PERSONNEL, ARMED FORCES
For an additional amount for “RESERVE PERSONNEL, Army”, $147,244,000.

RESERVE PERSONNEL, NAVY
For an additional amount for “RESERVE PERSONNEL, Navy”, $72,415,000.

RESERVE PERSONNEL, AIR FORCE
For an additional amount for “RESERVE PERSONNEL, Air Force”, $3,000,000.

NATIONAL GUARD PERSONNEL, ARMED FORCES
For an additional amount for “NATIONAL GUARD PERSONNEL, Army”, $456,825,000.

OPERATION AND MAINTENANCE
OPERATION AND MAINTENANCE, ARMY
For an additional amount for “OPERATION AND MAINTENANCE, Army”, $20,425,379,000.

OPERATION AND MAINTENANCE, NAVY
(Including Transfer of Funds)
For an additional amount for “OPERATION AND MAINTENANCE, Navy”, $5,040,482,000, of which $120,293,000 shall be transferred to Coast Guard, “OPERATING EXPENSES”, for reimbursement for activities in support of activities requested by the Navy.

OPERATION AND MAINTENANCE, MARINE CORPS
For an additional amount for “OPERATION AND MAINTENANCE, Marine Corps”, $1,401,591,000.

OPERATION AND MAINTENANCE, AIR FORCE
For an additional amount for “OPERATION AND MAINTENANCE, Air Force”, $7,055,881,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE
For an additional amount for “OPERATION AND MAINTENANCE, Defense-Wide”, $3,279,307,000.

OPERATION AND MAINTENANCE, ARMY RESERVE
For an additional amount for “OPERATION AND MAINTENANCE, Army Reserve”, $74,049,000.

OPERATION AND MAINTENANCE, NAVY RESERVE
For an additional amount for “OPERATION AND MAINTENANCE, Navy Reserve”, $111,066,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE
For an additional amount for “OPERATION AND MAINTENANCE, Marine Corps Reserve”, $13,591,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE
For an additional amount for “OPERATION AND MAINTENANCE, Air Force Reserve”, $10,160,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD
For an additional amount for “OPERATION AND MAINTENANCE, Army National Guard”, $81,569,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD
For an additional amount for “OPERATION AND MAINTENANCE, Air National Guard”, $38,429,000.

AFGHANISTAN SECURITY FORCES FUND
For an additional amount for “AFGHANISTAN Security Forces Fund”, $5,956,600,000, to remain available until September 30, 2009.

IRAQ SECURITY FORCES FUND
For an additional amount for “IRAQ Security Forces Fund”, $1,842,300,000, to remain available until September 30, 2008.

IRAQ FREEDOM FUND
For an additional amount for “IRAQ Freedom Fund (INCLUDING TRANSFER OF FUNDS)”, $455,600,000, to remain available for transfer until September 30, 2008.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFENSE FUND
For an additional amount for “JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND”, $2,432,800,000, to remain available until September 30, 2009.

PROCUREMENT
AIRCRAFT PROCUREMENT, ARMY
For an additional amount for “AIRCRAFT Procurement, Army”, $627,750,000, to remain available until September 30, 2009.

MISSILE PROCUREMENT, ARMY
For an additional amount for “MISSILE PROCUREMENT, Army”, $160,173,000, to remain available until September 30, 2009.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES
For an additional amount for “PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, Army”, $3,502,315,000, to remain available until September 30, 2009.

PROCUREMENT OF AMMUNITION, ARMY
For an additional amount for “PROCUREMENT OF AMMUNITION, Army”, $681,500,000, to remain available until September 30, 2009.

OTHER PROCUREMENT, ARMY
For an additional amount for “OTHER PROCUREMENT, Army”, $1,946,887,000, to remain available until September 30, 2009.

AIRCRAFT PROCUREMENT, NAVY
For an additional amount for “AIRCRAFT Procurement, Navy”, $730,713,000, to remain available until September 30, 2009.

WEAPONS PROCUREMENT, NAVY
For an additional amount for “WEAPONS Procurement, Navy”, $711,813,000, 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”, $159,833,000, to remain available until September 30, 2009.

OTHER PROCUREMENT, NAVY
For an additional amount for “OTHER PROCUREMENT, Navy”, $745,425,000, to remain available until September 30, 2009.

PROCUREMENT, MARINE CORPS
For an additional amount for “PROCUREMENT, Marine Corps”, $2,655,715,000, to remain available until September 30, 2009.

AIRCRAFT PROCUREMENT, AIR FORCE
For an additional amount for “AIRCRAFT Procurement, Air Force”, $1,726,336,000, to remain available until September 30, 2009.

MISSILE PROCUREMENT, AIR FORCE
For an additional amount for “MISSILE Procurement, Air Force”, $140,300,000, to remain available until September 30, 2009.

PROCUREMENT OF AMMUNITION, AIR FORCE
For an additional amount for “PROCUREMENT OF AMMUNITION, Air Force”, $95,800,000, to remain available until September 30, 2009.

OTHER PROCUREMENT, AIR FORCE
For an additional amount for “OTHER PROCUREMENT, Air Force”, $2,692,754,000, to remain available until September 30, 2009.

PROCUREMENT, DEFENSE-WIDE
For an additional amount for “PROCUREMENT, Defense-Wide”, $979,380,000, to remain available until September 30, 2009.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY
For an additional amount for “Research, Development, Test and Evaluation, Army”, $15,976,000, to remain available until September 30, 2009.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY
For an additional amount for “Research, Development, Test and Evaluation, Navy”, $35,976,000,
For an additional amount for “Defence Working Capital Funds”, $1,315,526,000.

SEC. 1309. Funds appropriated in this chapter may be used to finance programs or activities denied by Congress in fiscal years 1998 and 1999. That the fund transfer authority provided in this section or under any other provision of law shall be in addition to support provided for the Operation Iraqi Freedom or Operation Enduring Freedom.

Provided, That the transfer authority provided in this section is not to exceed $6,300,000 of the amounts in or credited to the Defense Cooperation Account, pursuant to 10 U.S.C. 2608, to such appropriations or funds of the Department of Defense as he shall determine for use in the purpose for which such funds were contributed and accepted: Provided, That such amounts shall be available for the same time period as the appropriation to which transferred: Provided further, That the Secretary shall report to the Congress all transfers made pursuant to this authority.

For the purpose of this section, support that may be provided for the counterradical activities of the Government of Afghanistan, Pakistan, and Iraq, and for the purpose of section 1201(a) of the National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–163) and for counteractivity on the provision of support as contained in section 1002 shall apply for fiscal year 2007.

SEC. 1307. (a) AUTHORITY TO PROVIDE SUPPORT.—Of the amount appropriated by this title for the Iraq Security Forces Fund and Afghanistan Security Forces Fund, $66,726,000, may be used to support the Afghanistan Security Forces Fund and the Iraq Security Forces Fund.

(b) TYPES OF SUPPORT.—(1) Generally accepted standards for the acquisition of medical facilities or for facilities 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).

Provided, That the Secretary of Defense shall ensure that the funds transferred shall be merged with any other transfers provided 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. 1304. During fiscal year 2007, the Secretary of Defense may transfer not to exceed $259,115,000 to the Defense Cooperation Account, pursuant to 10 U.S.C. 2608, to such appropriations or funds of the Department of Defense as he shall determine for use in the purpose for which such funds were contributed and accepted: Provided, That such amounts shall be available for the same time period as the appropriation to which transferred: Provided further, That the Secretary shall report to the Congress all transfers made pursuant to this authority.

SEC. 1306. (a) AUTHORITY TO PROVIDE SUPPORT.—Of the amount appropriated by this title for the Iraq Security Forces Fund and Afghanistan Security Forces Fund, not to exceed $60,000,000 may be used for support for counterdrug activities of the Government of Afghanistan, Kazakhstan, and Pakistan: Provided, That such support shall be in addition to support provided for the counterdrug activities of such Governments under any other provision of the law.

(b) TYPES OF SUPPORT.—(1) Except as specified in subsection (b)(2) of this section, the support that may be provided under the authority in this section shall be limited to the types of support specified in section 1033(c)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85, as amended by Public Laws 106–398, 108–136, and 109–364) and conditions on the provision of support as contained in section 1033 shall apply for fiscal year 2007.

The Secretary of Defense may transfer vehicles, aircraft, and detection, intercep- tion, monitoring, and testing equipment to said Governments for counterdrug activities.

SEC. 1313. INSPECTION OF MILITARY MEDICAL TREATMENT FACILITIES, MILITARY QUARTERS HOUSING MEDICAL HOLD PERSONNEL, AND MILITARY QUARTERS HOUSING MEDICAL HOLD OVER PERSONNEL. (a) PERIODIC INSPECTION REQUIRED.—(1) In general.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall inspect each facility of the Department of Defense as follows:

(A) Each military medical treatment facility.

(B) Each military quarters housing medical hold personnel.

(C) Each military quarters housing medical hold over personnel.

(2) Purpose.—The purpose of an inspection under this subsection is to ensure that the facility or quarters concerned meets acceptable standards for the maintenance and operation of medical facilities, quarters housing medical hold personnel, or quarters housing medical hold over personnel, as applicable.

(A) ACCEPTABLE STANDARDS.—For purposes of this section, acceptable standards for the operation and maintenance of medical treatment facilities, military quarters housing medical hold personnel, or military quarters housing medical hold over personnel are each of the following:

(1) Generally accepted standards for the acquirement of nonmilitary Regulations, or for facilities used to quarter individuals with medical conditions that may require
medical supervision, as applicable, in the United States.

(2) Standards under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(c) ADDITIONAL INSPECTIONS ON IDENTIFIED DEFICIENCIES.—

(1) IN GENERAL.—In the event a deficiency is identified under subsection (a) at a facility or quarters described in paragraph (1) of that subsection—

(A) the commander of such facility or quarters is authorized to submit to the Secretary a detailed plan to correct the deficiency; and

(B) the Secretary shall inspect such facility or quarters, as applicable, not less often than once every 180 days until the deficiency is corrected.

(2) CONSTRUCTION WITH OTHER INSPECTIONS.—An inspection of a facility or quarters under this subsection is in addition to any inspection of such facility or quarters under subsection (a).

(d) REPORTS ON INSPECTIONS.—A complete copy of the report on each inspection conducted under subsections (a) and (c) shall be submitted in unclassified form to the applicable military department and to the congressional defense committees.

(e) REPORT ON STANDARDS.—In the event no standards for the maintenance and operation of military medical treatment facilities, military quarters housing medical hold personnel, or military quarters housing medical holdover personnel exist as of the date of enactment of this Act, or such standards as do exist do not meet acceptable standards for the maintenance and operation of such facilities or quarters, as the case may be, the Secretary shall, not later than 30 days after that date, submit to Congress a report setting forth the plan of the Secretary to ensure—

(1) the adoption by the Department of standards for the maintenance and operation of military medical facilities, military quarters housing medical hold personnel, or military quarters housing medical holdover personnel, as applicable, that meet—

(A) acceptable standards for the maintenance and operation of such facilities or quarters, as the case may be; and

(B) standards under the Americans with Disabilities Act of 1990; and

(2) the comprehensive implementation of the standards adopted under paragraph (1) at the earliest date practicable.

Sec. 1341. From funds made available for the “Iraq Security Forces Fund” for fiscal year 2007, up to $155,500,000 may be used, notwithstanding any other provision of law, to provide assistance, with the concurrence of the Secretary of State, to the Government of Iraq to support the disarmament, demobilization, and reintegration of militias and illegal armed groups.

CHAPTER 4
DEPARTMENT OF ENERGY
ATOMIC ENERGY DEFENSE ACTIVITIES
NATIONAL NUCLEAR SECURITY ADMINISTRATION
DEFENSE NUCLEAR NONPROLIFERATION
For an additional amount for “Defense Nuclear Nonproliferation”, $63,000,000.

CHAPTER 5
MILITARY CONSTRUCTION
MILITARY CONSTRUCTION, ARMY
For an additional amount for “Military Construction, Army”, $1,289,290,000, to remain available until September 30, 2008: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the funds provided under this heading, $280,300,000 shall not be obligated or expended until the Secretary of Defense certifies that none of the funds are to be used for the purpose of providing facilities for the permanent basing of United States military personnel in Iraq.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS
For an additional amount for “Military Construction, Navy and Marine Corps”, $390,500,000, to remain available until September 30, 2008: Provided, That such funds may be obligated to carry out planning and design and military construction projects not otherwise authorized by law.

MILITARY CONSTRUCTION, AIR FORCE
For an additional amount for “Military Construction, Air Force”, $60,200,000, to remain available until September 30, 2008: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.

CHAPTER 6
DEPARTMENT OF STATE AND RELATED AGENCIES
ADMINISTRATION OF FOREIGN AFFAIRS
DIPLOMATIC AND CONSULAR PROGRAMS
For an additional amount for “Diplomatic and Consular Programs”, $290,000,000, to remain available until September 30, 2008, of which not more than $20,000,000 shall be available to provide assistance, with the concurrence of the Secretary of State, to the Government of Iraq to support the disarmament, demobilization, and reintegration of militias and illegal armed groups.

DEPARTMENT OF STATE
For an additional amount for “International Disaster and Famine Assistance”, $105,000,000, to remain available until expended.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT
For an additional amount for “Operating Expenses of the United States Agency for International Development”, $5,700,000, to remain available until September 30, 2008.

OTHER BILATERAL ECONOMIC PROGRAMS
ECONOMIC SUPPORT FUND
For an additional amount for “Economic Support Fund”, $3,135,000,000, to remain available until September 30, 2008.

DEPARTMENT OF STATE
ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES
For an additional amount for “Assistance for Eastern Europe and the Baltic States”, $279,000,000, to remain available until September 30, 2008, for assistance for Kosovo.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT
For an additional amount for “International Narcotics Control and Law Enforcement”, $280,000,000, to remain available until September 30, 2008.

MIGRATION AND REFUGEE ASSISTANCE
United States Emergency Refugee and Migration Assistance Fund
For an additional amount for “United States Emergency Refugee and Migration Assistance Fund”, $3,135,000,000, to remain available until September 30, 2008.

INTERNATIONAL BROADCASTING BOARD OF GOVERNORS
INTERNATIONAL BROADCASTING OPERATIONS
For an additional amount for “International Broadcasting Operations” for activities related to broadcasting to the Middle East, $10,000,000, to remain available until September 30, 2008.

FOREIGN OPERATIONS
BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT
UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT
CHILD SURVIVAL AND HEALTH PROGRAMS FUND
For an additional amount for “Child Survival and Health Programs Fund”, $1,610,000,000, to remain available until September 30, 2008.

INTERINATIONAL DISASTER AND FAMINE ASSISTANCE
For an additional amount for “International Disaster and Famine Assistance”, $105,000,000, to remain available until expended.

FOREIGN MILITARY FINANCING PROGRAM
For an additional amount for “Foreign Military Financing Program”, $220,000,000, to
remain available until September 30, 2008, for assistance for Lebanon.

**Peacekeeping Operations**

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Peacekeeping Operations”, $278,000,000, to remain available until September 30, 2008, of which up to $128,000,000 may be transferred, subject to the regular notification procedures of the Committees on Appropriations, to “Contributions toward International Peacekeeping Activities”, to be made available, notwithstanding any other provision of law, for assessed costs of United Nations Peacekeeping Missions.

**GENERAL PROVISIONS—THIS CHAPTER**

AUTHORIZATION OF FUNDS


**EXTENSION OF AVAILABILITY OF FUNDS**

Sec. 1602. Section 1302(a) of Public Law 109–294 is amended by striking “one additional year” and inserting in lieu thereof “two additional years”.

**EXTENSION OF OVERSIGHT AUTHORITY**


**DEBT RESTRUCTURING**

Sec. 1604. Amounts appropriated for fiscal year 2007 for “Bilateral Economic Assistance—Department of the Treasury—Debt Restructuring” may be used to assist Liberia in retiring its debt arrears to the International Monetary Fund, the International Bank for Reconstruction and Development, and the African Development Bank.

**JORDAN**

(INCLUDING TRANSFER OF FUNDS)

Sec. 1605. Of the funds appropriated by this Act for assistance for Iraq under the heading “Economic Support Fund” that are available to support Provincial Reconstruction Team activities, up to $100,000,000 may be transferred to, and merged with, funds appropriated by this Act for assistance for the Department of State and the Broadcasting Board of Governors under the headings “Peacekeeping Operations” or “Emergency Supplemental Appropriations Act, Fiscal Year 2007” for Provincial Reconstruction Team activities, up to $100,000,000 may be transferred to, and merged with, funds appropriated for the fiscal year 2007 by the Continuing Resolution, 2007, for Provincial Reconstruction Team activities, up to $75,000,000 may be transferred to, and merged with, funds appropriated by this Act for assistance for Afghanistan, 2004 (Public Law 108–188; 117 Stat. 1244; 5 U.S.C. App., note to section 8G of Public Law 95–452), as amended by section 13415 of the 2006 National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–166; 120 Stat. 2397) and section 2 of the Iraq Reconstruction Accountability Act of 2006 (Public Law 109–440), is amended by inserting “‘Support for Provincial Reconstruction Team activities under the heading “Peacekeeping Operations” or “Emergency Supplemental Appropriations Act, Fiscal Year 2007” for Provincial Reconstruction Team activities, up to $100,000,000 may be transferred to, and merged with, funds appropriated by this Act for assistance for Afghanistan, 2004 (Public Law 108–188; 117 Stat. 1244; 5 U.S.C. App., note to section 8G of Public Law 95–452), as amended by section 13415 of the 2006 National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–166; 120 Stat. 2397)’” after “fiscal year 2006”.

**CIVILIAN RESERVE CORPS**

Sec. 1610. Of the funds appropriated by this Act under the headings “DIPLOMATIC AND CONSULAR PROGRAMS” and “Economic Support Fund” (except for the Community Action Program), up to $50,000,000 may be made available to support and maintain a civil service reserve corps. Funds made available under this Act for additional years.

**TITLE II**

**DEPARTMENT OF DEFENSE**

**MILITARY CONSTRUCTION**

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT, 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906(a)(1) of the Base Closure and Realignment Act of 1990 (10 U.S.C. 2697 note), $3,136,802,000, to remain available until expended.

**CHAPTER 2**

**GENERAL PROVISIONS—THIS DIVISION**

AVAILABILITY OF FUNDS

Sec. 2201. No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

**EMERGENCY DESIGNATION FOR TITLE II**

Sec. 2202. Amounts provided in title I of this division are designated as emergency requirements pursuant to section 402 of H. Con. Res. 85 (109th Congress), the concurrent resolution on the budget for fiscal year 2006. Amounts provided in title II of this division are designated as emergency requirements pursuant to section 402 of H. Con. Res. 85 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

This division may be cited as the “Support Our Troops Act of 2007.”

**COMMEMORATING THE 40TH ANNIVERSARY OF THE LANDMARK CASE OF IN RE GAULT, ET AL**

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 194.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows: A resolution (S. Res. 194) commemorating the 40th anniversary of the landmark case In re Gault, et al., in which the Supreme Court held that all children accused of delinquent acts and facing a proceeding in which their freedom may be curtailed have a right to counsel in the proceedings against them.

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

Mr. KENNEDY. Mr. President, this year marks the 40th anniversary of the landmark Supreme Court decision of In re Gault in 1967, in which the Court declared that children accused of delinquent acts have a constitutional right to counsel. Before that decision, children accused of delinquency had virtually no legal rights. They were at the mercy of a legal system that often led to unjust results. Gault’s experience illustrates the injustices that often took place.

When he was 15 years old, Gerald was accused of a delinquent act that involved making a nuisance phone call. He was swept up in a juvenile justice system that had almost no procedural