United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, THURSDAY, JULY 12, 2007 No. 111

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable ROBERT P. CASEY, Jr., a Senator from the State of Pennsylvania.

The PRESIDING OFFICER. Today's opening prayer will be offered by the guest Chaplain, Mr. Rajan Zed of the Indian Association of Northern Nevada.

PRAYER

The guest Chaplain offered the following prayer:

Let us pray.

We meditate on the transcendental Glory of the Deity Supreme, who is inside the heart of the Earth, inside the life of the sky, and inside the soul of the Heaven. May He stimulate and illuminate our minds.

Lead us from the unreal to the real, from darkness to light, and from death to immortality. May we be protected together. May we be nourished together. May we work together with great vigor. May our study be enlightening. May no obstacle arise between us.

May the Senators strive constantly to serve the welfare of the world, performing their duties with the welfare of others always in mind, because by devotion to selfless work one attains the supreme goal of life. May they work carefully and wisely, guided by compassion and without thought for themselves.

United your resolve, united your hearts, may your spirits be as one, that you may long dwell in unity and concord.

Peace, peace, peace be unto all.

Lord, we ask You to comfort the family of former First Lady, Lady Bird Johnson.

Amen.

(Disturbance in the Visitors' Galleries)

The PRESIDING OFFICER. The Sergeant at Arms will restore order in the Chamber.

PLEDGE OF ALLEGIANCE

The Honorable ROBERT P. CASEY, Jr., led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

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

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there be a full 30 minutes of morning business. I have a brief statement I want to make.

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

SCHEDULE

Mr. REID. Mr. President, there will be a period of morning business. Once that is closed, the Senate will resume the Defense authorization bill at which time an amendment from the Republican side is expected to be offered. Once we have disposed of the Republican amendment, the next first-degree amendment from the majority side will be the wounded warriors amendment to be offered by Chairman LEVIN.

I have met with my staff this morning, and they have been meeting with Republican staff on the committee. I have spoken to Senator WARNER and Senator MCCAIN. We want this bill to have a full airing. We want people to have the opportunity to offer amendments. We are going to try to work our way through the procedural morass we find when we have a complicated bill, but we hope when we complete this legislation next week, people will feel they have had an opportunity to offer amendments.

We know there are a number of issues relating to Iraq. We want to try to get those up and disposed of. There are some other amendments I know people want to offer, nonrelated amendments, but I hope we can hold back from doing that. We should keep this bill one related to defense. I hope we can do that. There will be other opportunities, as we proceed through legislation, to offer some of the important nonrelated matters.

THE GUEST CHAPLAIN

Mr. REID. Let me say a few words about the guest Chaplain. Mr. Zed is a resident of Reno, NV. He serves as director of interfaith relations of the Hindu temple in Reno and is a spokesman for the Indian Association of Northern Nevada. He serves as the Hindu chaplain in northern Nevada and northern California hospitals. He teaches at Truckee Meadows Community College in Reno.

In addition to his tireless work in the Hindu faith, he is also active in the community doing many different activities . He serves on the governing

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

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board of the Northern Nevada International Center, is a member of the Reno Police Chief Advisory Board, and is a member of the Diversity Action Plan Committee of the Washoe County School District.

Mr. Zed was born in India. That is where he studied to become a Hindu chaplain. He holds degrees, including a master's degree from San Jose State University, in mass communications. He has a master's degree in business administration from the University of Nevada Reno.

I have had a long-standing association with the Indian community. I went to college in Logan, UT, Utah State University, a cold, cold place. Brigham Young, when he sent people to colonize the West, had people come back from Cache County to tell him that it couldn't be settled because it froze there every month of the year. Well, that is not quite true, but it freezes all but a couple months of the year. It is a wonderful community and a great university. It has grown a lot since I was there.

I lived off campus. I went there 2 years. I went to a junior college the first 2 years. I lived off campus. I was married. I would drive up that hill to the campus, and walking every day were students. They were Indians, coming from India to the United States to study. Utah State specialized in engineering and agriculture. These young men came from India to study at Utah State University. I would give them rides. I did that for 2 years, put as many in the car as would fit. When it came time to graduate, one of them came to me and said: Could you and Mrs. Reid stay over a day. We would like to do a traditional Indian feast for you.

Well, I am from Searchlight. I didn't know what they were talking about. But we had that traditional Indian feast. Many of them were dressed similar to Mr. Zed. That was an eye opener for me. They had all this Indian food. I am a guy from Searchlight. We like beans and rice and potatoes and, when we were lucky, some round steak. My mother used to pound it so it would be tender and we could eat it. It was unusual food for somebody from Searchlight, but we enjoyed it. It was a lot of fun. They gave us a number of gifts when the feast was over, and it was really a feast. It was all traditional Indian food.

I don't remember all they gave me, but I do remember one item. It is in my office in the Capitol. That was many years ago. We have had five children since then and lots of grandchildren. But it was a little statue of Gandhi, hand carved. It is ivory. It is done so well, you can pull the staff out of his hand. It is done really well. I have protected and saved that all these years. It is in my office. I have always had it there.

The reason I mention that is that if people have any misunderstanding about Indians and Hindus, all they have to do is think of Gandhi. Here is a man who changed the world, a man who believed in peace. We heard the prayer: Peace, peace, peace. If there was ever a time, with this international war on terror that we are fighting now, where people have to understand how important peace is, think of Ghandi, a man who gave his life for peace, a tiny little man in physical stature but a giant in morality. Gandhi is the man that Martin Luther King, Jr., followed. His nonviolence was all based on the teachings of Gandhi. As a result of Gandhi, we had the civil rights movement, led by another man small in stature. Larger than Ghandi, Martin Luther King was not a giant of a man physically, but he was a giant of a man morally, just as Gandhi.

I think it speaks well of our country that someone representing a faith of about a billion people comes here and can speak in communication with our Heavenly Father regarding peace. I am grateful he is here. I am thankful he was able to offer this prayer of peace in the Capitol. I say to everyone concerned, think of Gandhi. If you have a problem in the world, think what this great man has done to bring peace and nonviolence to a troubled world.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader.

REMEMBERING LADY BIRD JOHNSON

Mr. MCCONNELL. Mr. President, when Lady Bird Taylor met the man she would marry in the fall of 1934, her first reaction was to pull back. ''Lyndon came on very strong,'' she said. ''My instinct was to withdraw.''

And when an assassin's bullet thrust her into the national spotlight on another fall day in 1963, she withdrew again. America remembers this remarkable woman for the quiet dignity with which she let a nation and a stricken wife mourn the loss of a President they loved. And our first reaction to her in those days of mourning was gratitude.

Now we mourn her passing, after a long tumultuous life that was marked above all by quiet service and a love of beauty.

She was nothing like her husband.

Lyndon Johnson was an overpowering figure who filled up every room he entered. His personality still reverberates through these walls. But he always knew what he needed to get ahead in life, and he saw in Lady Bird the tact and gentility he saw lacking in himself.

He asked her to marry him on their first date.

And soon the aspiring politician would marry this shy and pretty rancher's daughter. Sam Rayburn said it was the best thing Lyndon Johnson ever did.

Lady Bird brought a deep love of nature from east Texas to the White House, and she shared it with America. Residents and tourists in Washington have her to thank for the natural beauty that surrounds us here and that makes us proud to call this city our Nation's Capital.

Millions of travelers and commuters have her to thank for the flowers that line our roads. The blues, reds and yellows that light up America's highways are a living, lasting legacy to the woman who guided the Highway Beautification Act into law.

A friend to every First Lady since Eleanor Roosevelt, Lady Bird Johnson stepped out of the national spotlight as quietly as she stepped into it, again respecting the national mood at another painful moment in our history.

She outlived her famous husband by more than three decades, and we didn't hear or see much of her over the years. But she'd remind us from time to time that she was still here, quietly accepting an honor for her husband or launching some good environmental work. And we were always glad to see her. She became for us a kind of living assurance that beauty and grace outlive tragedy and loss.

We will miss her. We mourn with her daughters, Lynda and Luci, and their families. And we join them in honoring a very good American life that was spent in generous service to family and country.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for 30 minutes with Senators permitted to speak therein, with the time equally divided and controlled by the two leaders or their designees.

The Senator from Oklahoma.

FAIRNESS DOCTRINE

Mr. INHOFE. Mr. President, today, I want to reiterate something I talked about on Monday and maybe elaborate a little bit. I am one of the cosponsors of an amendment that several people will be discussing today, amendment No. 2020—it is primarily offered by my colleague, Senator COLEMAN, and myself and Senator DEMINT and Senator THUNE and, I believe, some others also—to prohibit the reimplementation of the Fairness Doctrine.

Over the past few weeks, the Fairness Doctrine has received quite a bit of attention. The Democrat-controlled House of Representatives had a vote on June 28, just a couple weeks ago. The House voted 309 to 115 to prohibit the

FCC from using funds to reinstate the Fairness Doctrine.

Now, the Fairness Doctrine is a regulation the FCC developed to require FCC-licensed broadcasters to provide contrasting viewpoints on controversial issues. However, the FCC conducted a review of this regulation in 1985. I remember this well. This was back during the Reagan administration. They concluded—and I am quoting now the FCC:

[W]e no longer believe that the Fairness Doctrine serves the public interest.

In explaining why the FCC reached this conclusion, the FCC wrote—I am quoting again further—

[T]he interest of the public is fully served by the multiplicity of voices in the marketplace today and that the intrusion by government——

The intrusion by government——

into the content of programming unnecessarily restricts the journalistic freedoms of broadcasters. The FCC's refusal to enforce the Fairness Doctrine was later upheld in the DC Circuit Court of Appeals.

That is a little bit of the history that took place, and there was not much controversy back in those days. Everybody pretty much agreed this is something that should be driven by the market, driven by the people, as opposed to being spoon-fed to the people by some governmental agency or anybody else.

So you might ask, why would a regulation that was found to be unnecessary over 20 years ago be controversial today? I can tell you why that is. It is because—and I happened to be in the middle of this when it happened—on June 22 I said something on a talk radio show that became quite controversial having to do with a statement I had made to a couple of the Senators of a more liberal standing in the Senate.

They believed the content—which it is—of talk radio has a huge bias toward the conservative viewpoints. Now, I had made the statement—and I hate to sound rash when I do this, but I want to be accurate—I said: Well, you guys don't really understand. This is market driven. The market is driving it. There is no market out there for your liberal tripe.

So it happened, coincidentally, that the day after I made that statement, the Center for American Progress came out with this report. It is called ''The Structural Imbalance of Political Talk Radio.'' Now, I am not critical of the people who are behind this. It is the people from the Clinton White House. Clearly, it is John Podesta, Mark Lloyd, and many others who are in charge of this program. I am not sure. I have heard that the Center for American Progress is supposed to be maybe another viewpoint from the Heritage Foundation. You hear all kinds of things. But this is what is interesting in this report. First of all, they go through and document the fact that in talk radio 91 percent of the content is conservative. I do not disagree with that. They say only 9 percent is progressive, or I would say liberal. I do not disagree with that.

After they make their case, they try to state that there has to be a correction for it. I am going to read just a few excerpts from this report.

They said:

These findings—

Now, the findings we are talking about are the 91 percent—

may not be surprising given general impressions about the format, but they are stark and raise serious questions about whether the companies licensed to broadcast over the public airwaves are serving the listening needs of all Americans.

Now, that is really interesting, ''the listening needs of all Americans.'' What are the listening needs of all Americans? Who is going to determine that? Anyway, that is what they seem to be hanging their hat on. They said:

Our conclusion is—

I am reading from this report which is from the Center for American Progress. That is John Podesta and Mark Lloyd and the rest of that group.

Our conclusion is that the gap between conservative and progressive talk radio is the result of multistructural problems in the U.S. regulatory system.

It goes on to explain this. And then—I am kind of a slow learner. But after I figured out what they were talking about, they were talking about there are regulations that could be violated, or the intent of regulations could be in violation here. So they talk about some prescribed regulations to correct this problem.

Now I move to page 11 of this report, and they come to this conclusion. They said:

If commercial radio broadcasters are unwilling to abide by these regulatory standards or the FCC is unable to effectively regulate in the public interest, a spectrum use fee should be levied on owners to directly support local, regional, and national public broadcasting.

You cannot get more socialistic than that in the comments. Now, the whole idea they are saying that not only then would talk show hosts who have a strong bias in one way or another lose their shows—let's say Sean Hannity, Rush Limbaugh, any of the rest of them—but they also would have to be fined and that money would go to support public broadcasting. Now, that is what caused the interest after 20 years.

When I say it is market driven, if you do not believe that, look at the effort by Al Franken and other liberals who tried to start Air America. Air America was designed to be on the liberal side. The problem was, nobody wanted to listen to it. So this is the problem that is out there, that people want to get away from what is market driven.

We went through this same exercise, I might add, not too long ago, about a year ago, I think it was. We had various—let's see, Armed Forces Radio. I have it here somewhere. There are three different radio stations that reach our troops around the world—not just in Iraq and Afghanistan but around the world. So there was an effort to prescribe programming so it would be equally liberal and conservative. Then there was an uproar by our troops over there because they did not want that. So through their publications, the Army Times and some other publications, they determined what they wanted to listen to, and it was primarily conservative.

So that is what has brought this thing up, and several people in the House and several people in the Senate—in this body—have said: We need to get the FCC to reinstitute the Fairness Doctrine.

Now, the amendment that was passed in the House of Representatives by that huge margin I just mentioned was to prohibit the FCC from changing its viewpoint as far as the Fairness Doctrine is concerned.

I have been outspoken on this issue for some time. For example, on the Defense authorization legislation we made quite an issue out of this. By the way, I might want to add, we won that battle. We ended up now so they are getting the programming they want, and it happens to be—this is quite a coincidence—it happens to be about the same—91 percent versus 9 percent—that the people are demanding today in terms of the market. The same principle applies again.

I have long said that talk radio is market driven. There simply is not much market for some of this other stuff that is out there. Some Senators have made it clear they intend to reinstate the Fairness Doctrine, but free speech is fundamental to what it means to be an American, and it must be protected. Reimposing some form of the Fairness Doctrine threatens first amendment rights. We all know that. But really what is most important is it gets to be very similar to some of these countries we criticize all the time where the government is trying to take over what comes through their airwaves.

So I am pleased to join my many colleagues, including Senators COLEMAN, DEMINT, and THUNE, in supporting this amendment, and I urge the Senate to speak just as definitely against the Fairness Doctrine.

I have a letter from the National Association of Broadcasters. In this letter—I will not read the whole thing—it winds up by saying:

In the 20 years since elimination of the Fairness Doctrine, there has been a veritable explosion in alternative media outlets. Today, there are over 13,000 radio stations, more than 1,700 TV stations, nine broadcast TV networks, hundreds of cable and satellite channels, scores of mobile media devices and an infinite number of Internet sites that cater to every political persuasion and ideology. The Internet now enables consumers to obtain, and communicate to the world, virtually unlimited content.

Of course, this is a strong endorsement of our position by the National Association of Broadcasters. Mr. President, I ask unanimous consent that this letter be printed in the RECORD.

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

NATIONAL ASSOCIATION OF BROADCASTERS,
Washington, DC, July 11, 2007.

DEAR SENATOR: I write today to express our strong opposition to a reinstatement of the so-called ''Fairness Doctrine.''

This discredited regulation, which stemmed from the 1940s and was eliminated two decades ago, required television and radio broadcasters to present contrasting points of view when covering controversial issues of public importance. In the Federal Communications Commission's 1985 Fairness Report, the FCC asserted that the doctrine no longer produced its desired effect and instead caused a ''chilling effect'' on news coverage that may also be in violation of the First Amendment.

I write to you today urging you to oppose any attempt to resurrect this long-discarded regulation. Free speech must be just that—free from government influence, interference and censorship.

The so-called Fairness Doctrine would stifle the growth of diverse views and, in effect, make free speech less free. Newsgathers, media outlets and reporters will be less willing to present ideas that might be controversial. In fact, FCC officials found that the doctrine ''had the net effect of reducing, rather than enhancing, the discussion of controversial issues of public importance,'' and therefore was in violation of constitutional principles. (''FCC Ends Enforcement of Fairness Doctrine,'' Federal Communications Commission News, Report No. MM–263, August 4, 1987.)

In the 20 years since elimination of the Fairness Doctrine, there has been a veritable explosion in alternative media outlets. Today, there are over 13,000 radio stations, more than 1,700 TV stations, nine broadcast TV networks, hundreds of cable and satellite channels, scores of mobile media devices and an infinite number of Internet sites that cater to every political persuasion and ideology. The Internet now enables consumers to obtain, and communicate to the world, virtually unlimited content.

Bringing back the Fairness Doctrine is unnecessary, unwarranted, and unconstitutional.

Sincerely,

DAVID K. REHR.

Mr. INHOFE. Mr. President, I yield the floor.

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

Mr. DEMINT. Mr. President, I ask unanimous consent that I be allowed to speak for 15 minutes in morning business.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. WHITEHOUSE. Mr. President, if the Senator will amend his consent request so that both sides have equal additional time in morning business, there will be no objection.

The ACTING PRESIDENT pro tempore. Does the Senator modify his request?

Mr. DEMINT. Mr. President, I modify my request that I have 15 minutes and my colleague have 15 minutes as well.

Mr. WHITEHOUSE. No objection. I thank the Senator.

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

Mr. DEMINT. Thank you, Mr. President. I thank my colleague for yielding.

EARMARK REFORM

Mr. DEMINT. Mr. President, I first thank my colleague from Oklahoma for bringing to the floor this important issue of free speech in America, and the bill that would help to keep the FCC from imposing gag rules on talk radio and other media. But that is not the purpose of my trip to the floor today.

Mr. President, I rise today to speak about the ongoing effort in the Senate to block earmark reform. It has now been 175 days—over 6 months—since we passed our earmark transparency rules. Yet they still have not been enacted.

As my colleagues know, we passed two important earmark transparency rules back in January that, first, require public disclosure of earmarks and, second, prohibit Congress from adding secret earmarks behind closed doors in conference committees where they cannot be openly debated or voted on. Both of these rules were unanimously supported by the Senate. But now—over 6 months later—Democrats are insisting that we change or drop these rules behind closed doors.

I asked the majority leader before July 4 if we could agree to protect these earmark reforms in conference, but he said no. I am not asking for an ironclad agreement. He said they would change in conference. I asked him what changes he wanted to make to these important earmark rules that had passed unanimously, but so far we do not have a response.

In fact, in CongressDailyAM, they put it quite clearly when they said:

[Democrats] could not guarantee that DeMint's earmark language would survive negotiations with the House.

I would only correct one thing about that quote. This was actually NANCY PELOSI's language, modified slightly by Senator DURBIN, and voted on unanimously in the Senate. They are hardly my earmark requirements.

Well, there you have it. After stalling and blocking the enactment of these important ethics reforms for over 6 months, and after coming up with every excuse in the book to put them off, the Democrat leadership is now beginning to admit they plan to kill earmark reform.

It is now day 175 of business as usual in the Senate, and the party that said it would clean up the culture of corruption in Washington is already embracing it.

The majority leader and the majority whip made several statements on this issue on the Senate floor the other night, and I want to address them.

First, the majority leader said that my efforts to protect earmark reform were a ''ploy,'' a ''diversion,'' and a ''smokescreen'' to stop the ethics bill.

This accusation is completely false, and these two Senators are probably the only two people in America who believe it. I voted for the lobbying and ethics bill, and I even supported going to conference. In fact, I came to the floor on Monday and asked for consent to adopt the earmark transparency rules and to go to conference with the House on the ethics bill. But the other side objected because they only want to move forward on the ethics bill if they can gut the earmark reforms in secret.

The truth is, the only thing stopping the lobbying and ethics bill from moving forward is the Democratic leadership and their desire to kill meaningful earmark reform behind closed doors. They may want to hide their opposition to transparency by accusing me of having a secret plan to kill the bill, but Americans know the truth. They know folks in Congress love earmarks and will do anything to keep this process secret and easy for Members to designate money to their pet projects. It is clear, the only thing stopping this bill is obstruction to earmark reform.

Next, the majority leader said it was a ''fantasy'' for anyone to think they would kill earmark reform behind closed doors. Again, I am not sure how these things can be said with a straight face. Several Senators on the other side, including the majority leader himself, have publicly said they intend to change these rules behind closed doors, but they won't say how they are going to change them. If this is all a fantasy, then why won't they tell us what they plan to do with these reforms? This is supposed to be a bill about transparency, but the other side wants to rewrite it in secret.

But setting aside for a moment the fact that they have publicly admitted they plan to change these rules, we need to realize it is earmark reform we are talking about here. The culture of earmarking runs very deep in this town, and it is no fantasy that there are many in this body on both sides of the aisle who want to preserve that culture.

Next, the majority leader said Democrats are already complying with the rule and therefore we should trust them. The truth is the earmark disclosure the Democrats have given us is spotty at best. In fact, the Congressional Research Service says only 4 committees out of 18 have implemented even an informal disclosure rule. Even worse, it says these four informal rules cannot be enforced on the floor of the Senate.

The Defense bill we are debating right now is a perfect example. The committee put out a partial list of the earmark sponsors, but it has failed to make public the letters from these earmark sponsors certifying that they have no financial interest in the projects they have requested. This is a recipe for more Duke Cunninghams. It is a recipe for corruption.

Congressional Quarterly put it quite clearly when it stated:

The earmarks—listed in the defense bill for the first time ever—would not have been

published at all had most Democrats on the Senate Armed Services Committee gotten their way.

But the Democratic leadership wants us to trust them anyway. They want us to trust the people writing the earmarks to follow the rules without any accountability. It won't work, and the Defense bill is a perfect example.

It is also important to note that the Democrats have done nothing to address the practice of adding secret earmarks in closed door conference committees. As my colleagues know, one of our earmark transparency rules prohibits this awful practice. The Democrats in the House have been trying to get away with adding their earmarks in secret without any oversight, and now Senate Democrats are blocking a rule to stop it on our side.

Everyone knows the game around here. Everyone knows if you want a questionable earmark, you wait until the bill gets to conference and then you slip it in where it cannot be seen, where it cannot be debated, and where it cannot be stopped. Nothing has been done to stop this practice. The majority leader may believe Democrats have been transparent enough, but it is clear they have not. That is why we need a rule that will hold us all accountable.

Next, the majority leader said I am preventing the Congress from ''restoring the faith'' of the American people in their Government. Congress will never restore faith with the American people until it addresses earmarks. As long as Members of Congress can direct Federal tax dollars to the special interest of their choosing with little or no accountability, we will see more bribes, more indictments, more prison sentences, and more Duke Cunninghams. Ethics reform is not complete without earmark reform. Americans know what I am talking about. That is why we need to get this right.

Next, Senator DURBIN said if I would only look at the bills, I would see the Democrats have fully complied with the proposed rules. The truth is if Senator DURBIN would look at the earmark disclosure rule—which he wrote—he would know it requires Senators to certify they have no conflict of interest in the earmark, and that these certifications will be made public on the committee Web site. If he would do some checking and go to the Armed Services Committee Web site, he would see there are no letters there for all the earmarks that were added to the Defense authorization bill we are currently debating. That is one example of how the majority is skirting the rules and it is one example of why they don't want a formal rule that would stop them from pulling these tricks.

But setting aside their failures to be fully transparent, if Senator DURBIN believes they are in full compliance with the earmark rules, then why is he so opposed to enacting them? What is he afraid of? If they are already complying with these rules, why not formalize them so they can be actually enforced?

The truth is they are not fully complying with the rules and they have no plan to. They have been earmarking at will for years and they don't want anything that would make them more open or transparent.

The majority leader also said my desire to protect earmark reform is a ''guise'' to kill the ethics bill. Again, this is completely false. For me, this is about reforming the way we spend American tax dollars. That is my motive. I am one who believes that the culture of earmarks is what drives the culture of corruption, and I know many others agree. The only ''guise'' here is the guise the Democrats are putting up to hide their opposition to earmark reform. They keep saying they want to go to conference on the ethics bill, but they refuse to tell us what they plan to do with the earmark reform once they get there. Instead, they say ''trust us.''

Democrats keep saying they want an ethics bill, but the truth is they don't want earmark reform. They have called it a ''petty issue'' and a ''trifle.'' It is all a guise. We all know what this debate is about—it is about earmarks and whether we are going to have business as usual in the Senate.

The other side wants us to change the way people outside of Congress behave—such as the lobbyists who bring their issues to us—but they completely oppose changing anything on earmarks, because this limits their own ability and it forces them to be accountable. That is the real guise here.

The majority leader appears to be so opposed to meaningful earmark reform that he is willing to cancel the August break in order to pressure me to allow them to gut these reforms in secret. From my perspective, cancelling the August break to debate earmark reform would not be a bad thing. We need to debate this, because there are many here in the Senate who still don't get it. They still don't understand that Americans are sick and tired of business as usual in Washington.

The majority leader also said the other night that he may try to force this down our throats, as he tried to force the immigration bill down our throats by filing a number of cloture motions. The other side says what I am doing to force them to protect earmark reform has never been done before and would set a bad precedent. They actually think people will believe that nobody has ever objected to going to conference, that no one has ever objected to sending a bill to a back room where it can be changed at will.

What I am doing is exactly what Senator REID did for years when he was in the minority. According to the Congressional Research Service, the Senator who has blocked the most attempts to go to conference over the past three Congresses is Senator HARRY REID. On several occasions he has demanded specific guarantees or concessions in exchange for allowing a bill to go to conference.

Senator REID knew then what he seems to have forgotten now: that a conference committee is not an entitlement. A bill is not entitled to go to conference where it can be changed behind closed doors. It is a luxury the majority leadership has used, but he is not entitled to it. There are a number of ways we can reconcile the differences between the two bills. The Senator from Nevada knew this before, but now that he is the majority leader, he seems to have forgotten.

All of this can be easily solved in a bipartisan way. All my friends on the other side need to do is accept these rules which were unanimously supported by the Senate back in January. And if for some reason they believe these rules need technical changes, then they should tell us what they are going to do to change them so we can work it out in the open instead of behind closed doors.

I hope my friends on the other side will change their minds. These are Senate rules that I am talking about, and there is no reason why we need to be negotiating with the House on them. All my friends on the other side have to do is stop blocking earmark reform and stop trying to change the rules in secret, and we can move on.

Americans have seen the ethical problems associated with earmarks. They have watched what happened to Duke Cunningham and they have seen a number of Members of Congress forfeit their seats on appropriations committees due to conflicts of interest. Americans understand that lobbying and ethics reform will not be complete if we don't do anything to shine the light on the process.

Mr. President, could I ask how much time I have remaining?

The PRESIDING OFFICER (Mr. NELSON of Florida). The Senator has 1 minute 10 seconds remaining.

Mr. DEMINT. I am more long-winded than I thought here.

Let me conclude, although we will need to continue this debate.

My goal is to get the lobby and ethics reform bill to conference. But a key part of that bill has always been earmark reform. The House has passed earmark reform as a House rule. We have passed the rule on the Senate side, but we have not adopted it. There is no reason to send a Senate rule that governs how we do business to a conference with the House. I wish to see this body accept this as a rule that has been unanimously voted on so we can move on to conference with lobby and ethics reform.

I am not holding up ethics reform or lobbying reform; I am asking this body to do what we have already voted on, and that is to accept the rule that we will be transparent about earmarks and how we spend American tax dollars.

Mr. President, I yield the floor.

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

Mr. WHITEHOUSE. Mr. President, I believe I have 15 minutes to speak in morning business; is that correct?

The PRESIDING OFFICER. The Senator has that time, plus the additional time granted to the Senator from South Carolina.

Mr. WHITEHOUSE. I thank the Chair.

IRAQ

Mr. WHITEHOUSE. Mr. President, the American people have demanded a new direction in Iraq, and the momentum building toward that change is strong. It is not difficult to understand why. More than 3,600 brave American troops have lost their lives. Tens of thousands have returned home gravely injured—gravely injured. The war now costs Americans $10 billion every month in Iraq, with total spending now exceeding that of the Vietnam war. It has ruined our international standing.

Despite all this, little has changed on the ground. Violence has worsened. Sectarian fighting goes on virtually unabated, with deadly attacks taking a severe and relentless toll. While courageous Americans die, Iraqi politicians argue and stall.

Leaving U.S. troops caught in the morass of Iraq has not made that country more secure and, more important, it does not make our country more secure. To stay President Bush's course will continue to cost our men and women in uniform their lives and their physical and mental health. It will continue to drain our national Treasury and further erode what little good will remains for America around the world. It will leave our military with overstrained troops, overstressed families, and equipment and resources in disrepair. We are breaking our military in Iraq.

It is time for a change. The American people know this. Democrats and, to their credit, many Republicans in this Congress know this. Anyone who is listening or looking with clear eyes knows this. Yet after years of misjudgments, years of misleading slogans, years of misplaced priorities, and years of failure, this President still refuses to do what he must do: Change course in Iraq and bring our courageous American troops home.

Just the other day, the President reasserted his intention to stay the course, to continue this war indefinitely, an open-ended commitment, a blank check, with no prospects for redeployment or a new direction. Again, President Bush has failed to listen to the millions of Americans who have called on him and who have called on us to bring the war to an end. Enough is enough. It is time for a change.

Mr. President, a Member of this body recently said this about our Nation's course in Iraq:

> In my judgment, the costs and risks of continuing down the current path outweigh the potential benefits that might be achieved. Persisting indefinitely with the surge strategy will delay policy adjustments that have a better chance of protecting our vital interests over the long-term.

I happen to agree with those words spoken by the very distinguished Senator, RICHARD LUGAR of Indiana, but what I like the most about them is the voice of reason and thoughtfulness they impart to this debate. There has been too little of that to date. The questions we face over this war in Iraq are serious questions, and they demand seriousness and reason from those who would grapple with them. Senator LUGAR's statement reflects that thoughtfulness, reflects that reason, in the midst of a debate which has all too often been characterized by a lack of those characteristics.

Look at this administration, which too often communicates not with reason but with slogans and sound bites: ''Stay the course.'' ''Global war on terror.'' ''Cut and run.'' ''Precipitous withdrawal.'' People watching this continuing debate, mark when you hear the phrase ''precipitous withdrawal.'' You are hearing the end of reason, and sloganeering. This is no service to the people of our country, not when serious and difficult problems must be solved. Just look where this slogan leadership has gotten us so far. It is a dishonor roll of failure: weapons of mass destruction, nonexistent; occupation planning, incompetence; reconstruction efforts, failed; the strain on our troops and their families, disabling; the treatment of our wounded troops, disgraceful; expenditures, massive; fraud, run rampant; the confidence of the American people, forfeited after cascades of false optimism and phony good news.

It is time, as Senator LUGAR's words exemplify, to pursue intelligent, thoughtful, and realistic decisions about our course in Iraq, decisions that will protect our national interest. It is time to put the slogans away and thoughtfully extricate ourselves from a disastrous mess.

I hope we can take these steps forward in the Senate together. I am encouraged that several Republican friends have stated clearly that they cannot support the President's failed course in Iraq and are seeking real change.

As I have said many times in this Chamber, our strategy to effect change in Iraq requires the rapid and responsible redeployment of our troops. As I told the President directly when I met with him several months ago, I see the prospect of U.S. redeployment as the most powerful force at our disposal in this conflict now. That prospect of redeployment of American troops will eliminate the insurgents' argument that America is an occupying army, taking away from them a powerful recruiting tool for militant extremists. It will spur Iraq's political leaders to step forward, to quit slow-walking us through their own civil war and take responsibility for the security and governance of their own country. It will confront neighboring nations with a real impetus to assume more positive roles in assuring the region's stability. It will help restore the faith of the world in the leadership, the integrity, the good judgment, and the good will of our great country.

The President's surge plan is not the new direction Americans are calling for. It is a tactic—a tactic that can only be effective as part of a larger coherent strategy. And strategy, in turn, largely depends on whether the overarching dynamic works in America's favor. In this regard, America is presently on the worst possible footing.

A redeployment of our troops creates the potential to change this overarching dynamic for the better, freeing us to focus on more effective strategies to counter al-Qaida and to stabilize the region. Iraqi leaders will have to reach compromises with each other because their vision for their country's future will no longer be drawn with a major U.S. military presence in it. In the time it will take to bring our massive deployment of troops home, we can send a clear signal to Iraqi leaders and to Iraq's neighbors that America is standing down and it is time for them to stand up. We can help them do that.

This is a critical step, and thoughtful, reasoned, political, and diplomatic leadership will be essential to take advantage of the new dynamic a redeployment offers. I will confess that I am deeply troubled that this administration may not have the credibility it needs to accomplish this difficult task, even if it were of a mind to try.

This Congress can help set favorable conditions for executive action. We cannot legislate diligence, we cannot legislate thoughtfulness, we cannot legislate competence, and it is not clear that this administration is viewed as capable of those qualities any longer. It may take new faces and new voices to represent our country credibly in this process. Fortunately, there are many talented and accomplished people in this country whose perspectives and experience can help build America's credibility and prestige around the world. It will be a significant diplomatic challenge, but it presents a significant—perhaps historic—diplomatic opportunity.

That executive responsibility—the need to put ourselves in that diplomatic arena—does not relieve us in the Senate of our duty to continue to press forcefully on behalf of the millions of Americans who demanded a change in Iraq, to apply reason, thought, and our best care and judgment to a problem that has not yielded to sloganeering. We will keep the pressure on this President and his administration, whose inability to admit failure is leading our precious Nation deeper and deeper into disaster in Iraq.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Mr. President, first, what a remarkable ally the junior Senator from Rhode Island has been these few months he has been in the Senate. For his eloquence and help on many

issues—particularly this issue—I thank him. I greatly enjoyed listening to his remarks.

It has been 52 months since military operations began in Iraq. We have now been engaged in the Iraq war longer than we were in World War II. Approximately 3,600 Americans have died and 25,000 have been wounded. More than 4 million Iraqis have fled their homes, and tens of thousands, at a minimum, have been killed. With President Bush's surge well underway, violence in Iraq has exploded to unprecedented levels and American troop fatalities are up 70 percent. In short, from all sides, the situation in Iraq is an unmitigated disaster.

As if that weren't bad enough, our national security continues to suffer as the administration's single-minded focus on Iraq prevents us from adequately confronting threats of extremism and terrorism around the globe. Indeed, violence and instability continue to fester elsewhere at a great cost to our national security.

Last November, when the American people cast their ballots, they expressed their opposition to this war loudly and clearly. As the situation continues to deteriorate, they have raised their voices still louder. I know my colleagues hear their voices, as more and more of them step forward to call for a long overdue change of course.

At the other end of Pennsylvania Avenue, those voices continue to fall on deaf ears. Time and again, the President has made it clear that nothing—not the wishes of the American people, not the advice of military foreign policy experts, not the concerns of members of both parties—will discourage him from pursuing a misguided war that has no end in sight.

Congress cannot wait for this President to change course in Iraq because you and I know he has no intention of doing so. He has made it clear that he will continue to pursue massive military engagement despite the wishes of the American people, despite the fact that our military is stretched to the breaking point, and despite the fact that our presence in Iraq has been, according to our own State Department, ''used as a rallying cry for radicalization and extremist activity in neighboring countries.''

So it is up to us in Congress to listen to the American people, to save American lives, and to ensure our Nation's security by redeploying our troops from Iraq. We have the power and we have the responsibility to act, and to act now. That is why I will support the amendment offered by Senators LEVIN and JACK REED. By passing binding deadlines for both beginning and ending redeployment, the Senate can take a strong step toward bringing our involvement in this war to a close.

I especially applaud Senators HAGEL, SMITH, and SNOWE for putting principle ahead of party by cosponsoring this amendment. I hope their example inspires still more Senators to realize that it is not enough to just criticize the war or just call on the President to change course and that we don't need to—in fact, we cannot afford to—wait for more reports and more time before taking decisive action.

The Levin-Reed amendment doesn't go as far as I would like. I am concerned that the exception in the amendment, particularly for ''providing logistical support'' to Iraqi troops, would give the administration too much wiggle room to ''repackage'' its military mission instead of redeploying our brave servicemembers. Nonetheless, I am pleased to see so many colleagues—on both sides of the aisle—recognizing, at last, that the President's course in Iraq has failed, that Congress needs to act, and that we can and must safely redeploy our troops.

Other amendments that have been proposed fall short because they don't require the troops to be redeployed. It is not enough to pass something that sounds good but doesn't move us toward ending the war. Weak, feel-good amendments may give people political comfort, but that won't last long. We can fool ourselves, but we can't fool the American people.

Mr. President, it is increasingly clear that the war in Iraq has become the defining aspect of our engagement in this part of the world and that it, coupled with this administration's inconsistent efforts to promote democracy and the rule of law, has unfortunately alienated and angered those whose support and cooperation we need if we are to prevail against al-Qaida and its allies.

Our role in the war in Iraq has generated a level of political turbulence throughout the region and beyond. It has given way to a new variety of al-Qaida-style militants. These militants are gaining prominence in many countries that have traditionally been our allies. The longer we remain in Iraq, the longer these new strains of extremism will threaten the security of the region and, in turn, threaten our Nation. As long as the President's policies continue, Iraq will continue to be what the declassified National Intelligence Estimate calls a ''cause celebre'' for a new generation of terrorists.

Al-Qaida and its affiliates are not a one-country franchise. Yet this administration continues to pretend otherwise, such as calling Iraq the central front in the war on terror. Al-Qaida's networks have not relinquished their global fight to focus exclusively on Iraq. By deploying our troops from Iraq, we can focus on developing a comprehensive global strategy to combat them around the globe.

As I said, the administration's policies in Iraq are an unmitigated disaster. But there is a way to mitigate that disaster, to lessen the burdens it is imposing on our troops, our national security, our taxpayers, and our country. And that is to redeploy our troops from Iraq.

There is no reason to delay this decision until September. We know now what we will know then, and we know it isn't pretty. We have already read in the Pentagon's first quarterly surge report that violence has increased throughout much of the country in recent months, and we know there is no military solution to Iraq's problems. The only question is how long we are prepared to wait and how many Americans we are willing to have killed before we act.

As my colleagues know, the majority leader and I have introduced legislation that would safely redeploy our troops by setting a date, after which our funding for the war would be ended. That is what Congress did in 1993 with respect to our military mission in Somalia. I continue to believe we must be prepared to take that step again to finally put an end to the war in Iraq.

However, if the Levin-Reed amendment wins the support of a majority of the Senate, I believe that will be an important step forward, and I will likely not insist on a vote on the Feingold-Reid amendment at that time. If our efforts to end the war don't succeed, however, I will offer Feingold-Reid as an amendment to the Department of Defense appropriations bill when it is considered by the Senate. Of course, I hope that will not be necessary, but it will depend on whether enough of my colleagues are prepared to back up their words with action, to listen to the American people, and to say enough is enough.

This war doesn't make sense. It is hurting our country, and it is time to end it.

I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The Senator from Alabama may proceed in morning business.

IRAQ

Mr. SESSIONS. Mr. President, I have great respect for my colleague, Senator FEINGOLD. If I am not mistaken, he opposed the authorization of military force in Iraq and has consistently opposed that policy. I am not supportive of the Levin amendment. I think it would result in a precipitous, irresponsible, and dangerous redeployment of our soldiers, confusing to our allies, placing our soldiers who remain in Iraq at greater risk, and placing the Iraqi soldiers, many of whom, indeed, are standing with us right now to fight al-Qaida in Iraq, making their lives more dangerous. In fact, they are taking more casualties than we are. It is not correct to say they are not performing. We wish they would perform much better. We wish the Government was stronger. But, in fact, we are at this very moment shoulder to shoulder in operation after operation around Iraq.

I will note this. This is not a little, bitty nation we are leaders of. This is the United States of America, a great nation. Two months ago, the Congress

of this great Nation voted to fund the surge in Iraq, and this Senate voted 99 to 0 to confirm General Petraeus to lead that surge. We required an interim report on July 15 on how things are going and a more serious, comprehensive report from General Petraeus himself in September. OK? That is what we did, and that is what we are doing.

For the last, I believe, 3 weeks, the surge has been complete. For only 3 weeks have we had the full complement of troops as part of this surge. Already some things have happened militarily that are good in Iraq.

So before we get the general's report in September, without anything other than our own opinions from reading newspapers and watching TV and sitting in our air-conditioned offices, we are now going to come along and abrogate what this great Nation did 2 months ago because of some political pressure or some spot they saw on the evening news, placing our soldiers at risk, undermining the policies we are asking them to execute at this very moment. Even pushing for that at this time I think is irresponsible.

I wish to be on record as saying I understand the difficulties we are facing in Iraq. I understand the courage our soldiers are displaying. I understand the risks they are subjected to right now, and we want to see the situation improve. All of us do. But we voted for this policy. The surge has just started. We need to give General Petraeus a chance to proceed with it and not flop around irresponsibly and come up with a withdrawal policy that is so rapid that I am not even sure the military can effectively carry it out under the Levin amendment. As a matter of fact, they cannot effectively carry it out.

Mr. President, I guess we are still in morning business. I see my colleague, Senator NELSON from Florida, whom I respect so greatly. He chairs the Strategic Subcommittee of which I am pleased to be the ranking member.

I believe I am to be recognized in a few minutes on a separate amendment, but if Senator NELSON has some comments he would like to make at this time, I will consider yielding to him and see what our schedule is.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1585, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1585) to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Nelson (NE) (for Levin) amendment No. 2011, in the nature of a substitute.

Nelson (FL) amendment No. 2013 (to amendment No. 2012), to change the enactment date.

Levin amendment No. 2087 (to amendment No. 2011), to provide for a reduction and transition of U.S. forces in Iraq.

Reed amendment No. 2088 (to amendment No. 2087), to change the enactment date.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. 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. LEVIN. Mr. President, under the unanimous consent agreement that was entered into last night, a Senator designated on the Republican side was to offer an amendment at this time and then I was going to, or someone designated by me was going to offer a second-degree amendment.

I want Senator GRAHAM to say what the intention was on that side—that intention has been changed—and then I will comment on what he has to say.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I had intended to offer amendment No. 2064 to strike certain provisions of the bill regarding detainee procedures, legal procedures affecting detainees. I have been talking with Senator LEVIN and his staff to see if there is some common ground we can find about this CSRT process at Guantanamo Bay—Combatant Status Review Tribunals. There are some ideas that Senator LEVIN has that I am going to associate myself with.

I thought what we would do, I intend to reserve my ability to offer the amendment—and intend to do so unless we can find some common ground—and allow Senator SESSIONS to go forward on the Republican side. I will continue to work with my colleague, Senator LEVIN, to see if we can find some accommodation with regard to the subject matter in question, with the understanding, if we can, that we will do that at the appropriate time. If we cannot, I would like to be able to bring my amendment to strike back.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I thank my friend from South Carolina. That is our understanding. We understand what his intent was. We both have been involved in some discussions on this matter. Our staffs are involved in some discussions on this matter.

Senator GRAHAM has indicated his willingness to hold off offering his amendment at this time, with the understanding that he will have an opportunity at a later time to offer that amendment, and these discussions will continue in the interim.

Mr. GRAHAM. That is correct.

Mr. LEVIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. NELSON of Florida. Mr. President, I understand the Senator from Alabama has an amendment.

The PRESIDING OFFICER. The Senator from Alabama.

AMENDMENT NO. 2024, AS MODIFIED, TO AMENDMENT NO. 2011

Mr. SESSIONS. I thank my colleague from Florida, Mr. NELSON, and I thank him for his leadership as chairman of the Strategic Subcommittee on the Armed Services Committee, of which I am the ranking member. I want to assert again that I have been pleased to work with him and value his judgment and insight, and value his insight with regard to amendment No. 2024, which I have filed a modification to, and I now ask that amendment, as modified, be called up at this time.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS] proposes amendment numbered 2024, as modified.

The amendment is as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1218. POLICY OF THE UNITED STATES ON PROTECTION OF THE UNITED STATES AND ITS ALLIES AGAINST IRANIAN BALLISTIC MISSILES.

(a) FINDING.—Congress finds that Iran maintains a nuclear program in continued defiance of the international community while developing ballistic missiles of increasing sophistication and range that pose a threat to both the forward-deployed forces of the United States and to its North Atlantic Treaty Organization (NATO) allies in Europe; and which eventually could pose a threat to the United States homeland.

(b) POLICY OF THE UNITED STATES.—It is the policy of the United States—

(1) to develop and deploy, as soon as technologically possible, in conjunction with its allies and other nations whenever possible, effective defense against the threat from Iran described in subsection (a)(1) that will provide protection for the United States, its friends, and its North Atlantic Treaty Organization allies; and

(2) to proceed in the development of such response in a manner such that any missile defenses fielded by the United States in Europe are integrated with or complementary to missile defense capabilities that might be fielded by the North Atlantic Treaty Organization in Europe.

Mr. SESSIONS. Mr. President, I ask unanimous consent that Senators KYL, DOLE, INHOFE, and THUNE be added as cosponsors.

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

Mr. SESSIONS. Mr. President, I don't know if my colleague from Florida wants to make a comment now.

Mr. NELSON of Florida. After the Senator.

Mr. SESSIONS. I will be glad to yield to Senator NELSON if he wishes to share some thoughts.

The amendment offered today, simply put, acknowledges that we have a growing threat to peace and security that arises from Iran's nuclear and missile program, and this amendment would make it the policy of the United States to develop effective defenses against this threat as soon as possible.

The amendment also emphasizes the need to ensure that the defenses we deploy are coordinated with existing programs of our NATO allies. A number of Senators and Members of the House want to be sure that we coordinate with the NATO allies, and this amendment would call for that.

Sadly, the Islamic Republic of Iran continues to threaten the United States and our allies and that threat must be recognized and confronted. My amendment signals the resolve of the United States to do that. At a time when Iran is openly threatening to destroy the United States and our various allies—and is providing weapons, such as explosively formed penetrators, or EFPs, which we have pretty clearly traced to Iran today, and that are killing our soldiers in Iraq and Afghanistan—demonstrating our understanding of the seriousness of their threat and their purpose is critical for us to have clear thinking and sound policy. So I appreciate my colleagues, such as Senator LIEBERMAN, who spoke eloquently and offered an amendment on the need to confront Iran's support of worldwide terrorism, which we voted on yesterday—in a very strong vote.

I see missile defense as another facet of confronting and facing this threat. Even in the Middle East, where anti-Israel sentiments are all too common, Iran is the only country in the Middle East where the President openly calls for the destruction of Israel. Shortly after taking office in 2005, Ahmadi-Nejad, the President, rallied supporters at a conference, and the conference was called ''A World Without Zionism.'' In that speech he said, ''The current skirmishes in the occupied land are part of a war of destiny. The outcome of hundreds of years of war will be defined in Palestinian land. As the Imam said''—and here he is referring to the Ayatollah Khomeini—''Israel must be wiped off the map.''

But Israel isn't the only target of Iran's crash program to develop long-range missiles with nuclear warheads—long-range missiles they are now developing. He is developing also nuclear warheads. In the same speech Ahmadi-Nejad was quoted as saying this: ''Anybody who recognizes Israel will burn in the fire of the Islamic nation's fury.''

That includes, of course, the United States—us—and our allies in Europe and the Middle East. For anyone who doubts that Ahmadi-Nejad's threat was meant to include America, he has also been quoted as saying this: ''And God willing, with the force of God behind it, we shall soon experience a world without the United States and Zionism.''

A world without the United States. It does not get much more straightforward than that. Arnaud de Borchgrave, an experienced world observer and editor at large of the Washington Times and United Press International, had a piece in the Washington Times yesterday, and he pointed out some of the examples of the kind of extremism, real extremism, we have seen from the Iranian leadership.

Now, let me say this: The Iranian people are good people. They have quite an educated population, certainly for that area of the world. There is no need and no justification for Iranian leadership to betray those people, the people of that historic nation, with these kinds of policies. In truth, President Ahmadi-Nejad and certain clerics are damaging the history, the economy, the people, and the reputation of Iran. There is no reason for this. It should not continue. Unfortunately, it is reality. And while we can hope for change, change does not seem likely in the short run.

While the people of Iran may, and I think do, oppose this extremism, the President and the extremists, certain mullahs and others, seem to be firmly in control of the country and determined to pursue a radical and extremist ideology and policy. It is not only a tragedy for Iran that this is occurring but for the whole world.

Mr. de Borchgrave lists some of the statements that are more than sufficient to alert the world to the dangers and the intentions of the leaders of Iran today. This is what he wrote yesterday, and I quote:

> Whether Iran's President Mahmoud Ahmadi-Nejad said he wants to wipe Israel off the map is still contested, even by anti-mullah Iranian-Americans. But that he wants to wipe out the Jewish state, there can be no doubt. As he completes his visits to every Iranian town, the collection of his pronunciamentos is edifying reading.
>
> Culled from a wide variety of sources, ranging from the Agence France Presse, the French national news agency, to the London Daily Telegraph, to the Suddeutsche Zeitung Online, to France's Le Monde and Liberation, Mr. Ahmadi-Nejad spells out the target and the strategy: ''This regime—here he is talking about Israel—will one day disappear. The Zionist regime is a rotten tree that will be blown away by one storm. The countdown for the destruction of Israel has begun. Zionists are the personification of Satan.''

He goes on to say:

> In the case of any unwise move by the fake regime of Israel, Iran's response will be so destructive and quick the regime will regret its move forever. The west invented the myth of the massacre of the Jews (in World War II) and placed it above Allah, religions, and profits.

So he continues to assert that the Holocaust was a myth, invented by the West.

What about his strategic plan?

> We don't shy away from declaring Islam is ready to rule the world. The wave of the Islamist revolution will soon reach the entire world. Our revolution's main mission is to pave the way for the reappearance of the 12th Imam, the Mahdi, a 5-year-old boy who vanished 1,100 years ago and who will lead the world into an era of peace and prosperity, but not before the planet is first convulsed by death and destruction.

He goes on to say:

> Soon, Islam will become the dominating force in the world occupying first place in the number of followers among other religions. Is there a craft more beautiful, more sublime, more divine than the craft of giving yourself to martyrdom and becoming holy? Do not doubt, Allah will prevail and Islam will conquer mountaintops of the entire world. Islam can recruit hundreds of suicide bombers a day. Suicide is an invincible weapon. Suicide bombers in this land showed us the way and they enlighten our future. The will to commit suicide is one of the best ways of life.

This is the President of a country that is steadfastly moving forward to develop nuclear weapons and steadfastly advancing its ability to launch intercontinental ballistic missiles.

What does he say about nuclear power?

> By the grace of Allah we will be a nuclear power and Iran does not give a damn about the IEA, the International Energy Agency, their demands to freeze enrichment of nuclear fuel. Iran does not give a damn about resolutions.

That is the U.N. Resolutions. Those are his words. There are other comments. He goes on to say, as I indicated earlier, at this conference on the world without Zionism—the President of Iran said:

> To those who doubt, to those who say it is not possible, I say accomplishment of a world without America and Israel is both possible and feasible.

You can say this is an exaggeration. You can say this is not realistic. But I suggest that is the repeated statements of the leader of a very dangerous nation, a nation with real capabilities. They are developing a nuclear capability and an expanding and growing missile capability. I think yesterday Senator LIEBERMAN, after the vote on his amendment, summed it up very well. This is what he said:

> The threat posed by Iran to our soldiers, to our allies, to our national security is a truth that cannot be wished or waved away. Congress today began the process of confronting it.

We also need to take one more step in that process by making clear that we are not going to leave our Nation or our allies in Europe vulnerable to any missile threats from Iran.

Most Senators were in the room a few weeks ago when the Director of National Intelligence, ADM Mike McConnell, gave us a classified briefing and described in detail the threat posed by Iran. Having received that briefing, I think few of us would doubt that Iran does pose a threat to the security of the United States and our allies. It is a threat to us. It is not something we need to be intimidated about. We don't need to back down to Iran. Militarily

there is no doubt in the mind of this Senator or any objective observer's mind what would happen if a conflict developed here. But we need to be realistic, we need to seek to avoid conflict, but we need to pursue policies that will make sure we don't allow our citizens to fall under a risk of a nuclear missile attack.

So they are pursuing, under Ahmadinejad's leadership, the means to kill millions of people with the single push of a button. When Iran's Shehab-3 missiles are paraded through the streets of Iran, they are draped with banners stating, ''Israel must be wiped off the map.'' That is what they put on their missiles. With a range of 1,300 kilometers and a payload capacity of over 700 kilograms, the Shehab-3 has the capacities to implement Ahmadi-Nejad's genocidal agenda. Iran is also working hard to develop missiles that can reach Europe and the States. The Shehab-4 is well along in development and will reportedly be able to reach most of continental Europe. The Shehab-5 and Shehab-6 have also been discussed in open sources. They are developing those advanced missiles. These sources claim these models will have the capacity to reach the eastern seaboard of the United States.

Iran's ability to develop nuclear warheads for those missiles are proceeding apace as well. In April, in a speech at the Natanz nuclear enrichment facility, there in Iran, Ahmadi-Nejad stated:

> I declare that as of today our dear country has joined the nuclear club of nations and can produce nuclear fuel on an industrial scale.

International Atomic Energy Agency later confirmed that Iranian enrichment capabilities were developing rapidly while our knowledge and understanding of their nuclear program was decreasing. This uncertainty is very disturbing.

Yesterday, the Washington Post reported the construction of an underground tunnel complex near its enrichment facilities at Natanz. It appears, therefore, that Iran is preparing to protect and hide its nuclear capabilities.

Nothing about Iran's behavior recently suggests that it will use these capabilities in a responsible manner. In fact, to the contrary, we expect Ahmadinejad to use nuclear-tipped missiles to threaten, blackmail, and terrorize the nations that oppose its radical agenda and using them, actually using them based on some of the extreme statements he has made, cannot be placed out of the question.

We all remember last March when Iran seized 15 British sailors and held them as hostages. Imagine a time in the not-too-distant future when Iran could take the whole city of London as a hostage with a nuclear threat. According to reports in the Washington Post, the intelligence community assesses that Iran's ICBMs and its nuclear weapons capability will both mature in 2015. That is not that far away. As a result, the cities of the eastern seaboard and of Europe are expected to face the threat of nuclear attack from Iran in less than 8 years.

Keep in mind that 2015 is the midpoint of the estimated range. Iran's capability could come online in 2017, later, or even by 2013, if things proceed faster than expected. That may seem like a long way away, but an adequate defense will take a long time to build and we need to start now. According to the Missile Defense Agency, even if Congress fully funded the European defense site—which I hope that we will. We refer to it as the ''third site,'' and it is funded every year—the system would not be up and running until 2013. Any delay to that schedule—which could happen for a number of reasons—could open up a window of vulnerability during which Iran would have the means to attack us and our allies, perhaps with nuclear weapons, and we will have no means of defending the American people or our allies against them.

The good news is we have it in our power to prevent this window of vulnerability and keep it from opening if we commit as a nation to doing so. My amendment represents an opportunity for the Senate to go on record with such a commitment. An effective missile defense, which we would promptly begin to deploy, could convince the Iranian leadership that developing such missiles for their nuclear weapons is a futile undertaking. Perhaps we may have already missed, however, that opportunity to actually deter them in this way, making it all the more important that we get moving on development of the means to defend ourselves and our allies.

This amendment is more than about setting U.S. policy on missile defense, it is about sending a message to the rest of the world, our friends and enemies alike, that we take this Iranian threat seriously and we intend to stand up to it. The debate over the third site is being watched with great interest around the world. Some may be drawing conclusions about our commitment to meet this threat head on and doubting that we are committed. In fact, I will note that we effectively deployed and continue to upgrade a national missile defense system that can meet the North Korean missile threat, which is somewhat more advanced than Iran's but not a lot. We know we have this capability and we should do it with Iran also.

Imagine sitting in Mr. Ahmadinejad's shoes today. He provides sophisticated weapons to our enemies in Iraq, killing hundreds of American troops in the process. In response, one of our colleagues proposed legislation to prohibit the President from attacking Iran without congressional authorization. Ahmadinejad rushes headlong toward a nuclear weapon and long-range delivery capability and both the Senate and the House cut funding for missile defenses that could neutralize the threat. Ahmadi-Nejad must not feel like his bluster and threats will be effective.

They will not be. Imagine the conclusions that Vladimir Putin is drawing from those media reports. In February of 2007, Mr. Putin and the Russian Army Chief of Staff, Yury Baluyevsky, threatened to unilaterally withdraw from the Intermediate Nuclear Forces Treaty, which prohibits the United States and Russia from deploying arsenals of short- and medium-range missiles in Europe. Mr. Putin later suspended Russia's obligations under the Conventional Forces in Europe Treaty, which historically allowed NATO and the Warsaw Pact to remove much of the military personnel and material that was arrayed along Europe's central front during the height of the Cold War.

Finally, in June of this year, Putin directly threatened to focus Russia's nuclear arsenal on ''new targets in Europe.'' Putin claimed that ''the strategic balance in the world is being upset'' and that Russia ''will be creating a system of countering that anti-missile system.''

These threats coincided with Russian tests of an advanced ICBM, the RS–24, by Russia.

It ought not. Of course, any third site in Europe will be ineffective against the massive missile capability of Russia. We don't have any capability of doing that. We can create a system that will be very effective against anything the Iranians can do in the decades to come but not Russia. Our plans have no intention of affecting Russia. But we also need not be affected by Mr. Putin's bluster or that we be slowed down in our legitimate interests in protecting our country and our allies from Iranian threats by these kinds of comments from the Russians.

We reduced somewhat—not greatly—but $84 million in funding for the third site in Europe. Colleagues felt that money could not be effectively spent. They did not believe it was necessary in this year's budget. The problem might be that some would conclude the action by our committee in taking those steps to trim the budget would be a plan to kill missile defenses in Europe.

Yesterday, an article in the Christian Science Monitor entitled ''Obstacles Ahead for Missile Defense,'' stated the Senate was opposed to building defenses against Iranian missiles, in effect, saying:

> In Washington, the Democratic-controlled Congress appears reluctant to fund the move, scrambling its near-term prospects.

I don't think that is true. I think there is bipartisan support for creating a missile defense system, but a firm belief exists on the part of my Democratic colleagues that we should not go so fast that it is not done wisely.

We have reached a proposal in the legislation as written that we can live with. However, there has been some confusion as to our seriousness in this commitment.

In fact, on July 5 the Washington Post ran an article entitled, ''Senate Panel Faults Missile Defense Plan.'' In the article, the Post states:

Democrats in Congress are building a legislative roadblock for the Bush administration's plan to place elements of a missile defense system in Poland and the Czech Republic.

It is an incorrect perception. It undermines our alliance relationships by causing our allies to think we are not committed in a serious way to building a missile defense system that would be effective against Iranian attacks and be protective of Europe. So I think it is therefore incumbent upon us to clarify the Senate's stance.

The Poles and the Czechs and other NATO allies have all undertaken the momentous challenge of winning over their populations to the idea of American missile defenses in Europe. They have battled anti-Americanism, pressure from Europe and Russia, because they value our friendship, but more importantly because they realize Europe may soon be vulnerable to Iranian nuclear intimidation and potential nuclear attack unless steps are taken to develop defenses now.

I think it would be a slap in the face and unbefitting to our Nation if we were to pull the rug out from under these projects after our allies have stepped up and been supportive of them. We cannot stand idly by, my colleagues, when a madman threatens to destroy the United States and to wipe from the map allies of the United States, then defies the international community by developing the means to carry out these threats.

We are the most powerful military in the world, but some people doubt our seriousness and our commitment. In the Middle East, in particular, this perception of weakness can be a fatal error. So I think it is appropriate for us to make clear to Iran and to Russia and to our allies worldwide that we understand that the Iranian danger is clear and present.

We must leave no uncertainty in anyone's mind that we intend to defend ourselves and our allies from this threat. Our security, the security of our allies, and the credibility of our commitments are all at stake. I will just add that while the Iranian actions are very troubling, they should be taken very seriously. Iran's words cannot be ignored.

I would say one thing further. We have no reason to be intimidated by Iran. We have the capability of defending ourselves, our military, and our interests, and the leaders in Iran need to know this. This Senator is prepared to take whatever steps are necessary to defend our national interests.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, with regard to the Sessions amendment, it would establish a U.S. policy concerning defense against Iranian ballistic missiles stating that the United States will develop and deploy effectively defenses against Iranian ballistic missiles as soon as technologically possible.

I think everyone agrees with that idea. I would suggest that this is effectively our policy today, and, indeed, is the policy of the bill and is so stated in the bill before us, that we are already developing and deploying a number of missile defense programs to provide such effective defenses.

For example, the United States has already deployed the Patriot PAC–3 system to the region to provide defensive capability for our forward-deployed forces in the region. We are also developing and deploying the AEGIS BMD system, and we are developing the THAAD system. All of these systems will provide effective defense capability against Iran's existing and near-term missile capabilities.

However, we do not have sufficient capability today with these systems to provide the level of protection that our combatant commanders need. Our senior military commanders readily acknowledge that fact, including the combatant commander of the U.S. Strategic Command, General Cartwright. He is responsible for global integrated missile defense. He readily acknowledges that fact.

For that reason, the bill before the Senate authorizes an additional $315 million to increase or accelerate these three crucial near-term missile defense programs. And what they do is to provide increased protection for our forward-deployed forces, our allies, and our friends in the region.

In other words, we are already putting this policy in effect. That is the true measure of our determination to provide effective defenses against Iran's ballistic missiles.

Now, I understand the Republican leader wants to make a statement.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, would the Senator yield 1 minute for my response?

I thank Senator NELSON for his comments. I agree with him that, properly read, our legislation does what he says. But I even had a military person think that perhaps we had done something to weaken our commitment. I think others, such as the Washington Post, may have overinterpreted some of the things that are in that language. I believe this would be a good way to clarify our policy. I thank him for his leadership.

I yield the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, before I speak on the amendment concerning the withdrawal from Iraq offered by Senator LEVIN, I would like to make a few comments about the benchmarks report required by the supplemental bill that was signed in May and released by the President just this morning.

We knew when the Senate passed the conference report that according to the legislation we were requiring a benchmark report in July and a benchmark report in September. Why were these dates important? First, we knew that July was important because the Baghdad security plan is now fully manned, something that was achieved less than 1 month ago.

Congress wanted to send a clear signal to the Iraqi Government that full cooperation and sacrifice in executing the Baghdad security plan was imperative and that the hard work of political compromise must begin. We have done that.

Second, General Petraeus informed the Senate that he and Ambassador Crocker would provide an assessment of the counterinsurgency plan to the President, as we all know, in September. Having heard that, the Senate thought it reasonable that we would be provided the same assessment and that we could form a reasoned legislative response to that report.

What have we learned? We have learned that progress is mixed, that many of our military tasks assigned to the military have been achieved, and that we have not seen sufficient progress on the political benchmarks. The Congress decided in May that 1 month of a fully manned surge was an insufficient period to call the Petraeus plan a success or a failure. Certainly, the young soldiers and marines risking their lives today on the streets of Baghdad and Ramadi would agree, and they deserve our patience.

Some of our colleagues have quite reasonably refrained from drafting new amendments that would revisit the actions taken by this Senate back in May until they have at least reviewed the benchmarks report delivered just today.

I would encourage my colleagues to review the report, as I intend to, and to hear what General Petraeus and Ambassador Crocker have to say in September. There is much at stake and, frankly, they deserve to be heard.

AMENDMENT NO. 2087

Now on another matter, Mr. President, the Senate will soon take up the Levin amendment. But before we do, I think it is important that we take a look at what it says.

The Levin amendment says:

The Secretary of Defense shall commence the reduction of the number of United States forces in Iraq not later than 120 days after the date of enactment of the enactment of this Act.

Now, exactly what would this reduction involve—10,000 troops, 20,000, 50,000, all of them? Can we at least get maybe a ballpark figure? The Levin amendment does not quite give us one. It only says U.S. forces will have a ''limited presence'' after this reduction. What is a ''limited presence''?

Does it mean limiting our presence in Al Anbar, which everyone agrees has been a stunning success in our fight against al-Qaida? Does it mean limiting our presence in Baghdad? In the

Kurdish areas to the north? What does ''limited presence'' mean? The Levin amendment does not say. We are left to guess.

The Levin amendment says the members of our Armed Forces will only be free to protect the United States and coalition personnel and infrastructure, to train Iraqi security forces, and to engage in targeted counterterrorism operations against al-Qaida. What does ''targeted'' mean? The Levin amendment does not tell us.

It says:

The Secretary of Defense shall complete the transition of United States forces to a limited presence and missions by April 30.

But how will we know when he has completed the transition? And how many forces would have to be moved in order for the Secretary of Defense to comply with the bill's mandate to complete it? The amendment is silent on that question as well.

If there were more to this amendment, I might have more questions, but there is not. That is it. The supposedly groundbreaking policy shift that the Democratic majority has been circling around is nothing more than a page and a half of vague policy proposals; in fact, an empty shell. Do they really expect us to send this to conference and to see what might happen? That is wise war policy? That is a responsible alternative to the current policy? That is the alternative they give us to the Petraeus plan, a doctrine that has been widely acclaimed as the last word on counterinsurgency, which is showing signs of success less than a month after it was fully manned?

Look, Democrats and Republicans voted to go into Iraq based on the same intelligence the President had. It is dishonest and it is unhelpful to turn every debate on this war into a discussion of how and why we entered it in the first place.

More than 150,000 American troops are there. They are now fighting the same group that attacked and killed thousands of innocent Americans on 9/11, who attacked many others before and since, and who are plotting to kill thousands more even as we speak. There is one thing we should be concerned about in discussing this war, and it is the one thing we never hear about from the other side; that is, inning the fight against al-Qaida.

Now, the President has recognized that previous strategy failed to focus on the insurgency and al-Qaida. He changed course. Now we are fighting them head on with the Petraeus plan. At full manning, this strategy has been in place for less than a month. We will get a report on its progress in September. What sense does it make to short-circuit that strategy right now, especially when the only alternative we are getting from the other side is a page and a half of questions.

Yesterday, the spokesman for the Multi-National Force in Iraq gave us an update on al-Qaida's operations in Iraq. He reminded us that al-Qaida members refer to Iraq as their central front. This is al-Qaida members who say it is their central front. He told us al-Qaida and its affiliates are the greatest source of the spectacular attacks that are fueling sectarian violence in Iraq.

He told us that in recent months, more and more Iraqis have started to reject al-Qaida and its ideology and are finally fighting back. Troops are getting good, actionable intelligence from these people which they are using to disrupt al-Qaida networks and safe havens in and around Baghdad. He showed us a chart that illustrated some of our recent successes against the enemy. Our Armed Forces in Iraq killed or captured 26 high-level al-Qaida leaders in May and June alone. Eleven of them were emirs who were city or local al-Qaida leaders; seven were smuggling foreigners, weapons, and money into Iraq; five were cell leaders; and three were leaders of IED networks. Last month, our troops uncovered an al-Qaida media hub near Samarra. They have concluded that between 80 and 90 percent of suicide attacks in Iraq are carried out by foreign-born terrorists who have killed some 4,000 Iraqi citizens just over the last 6 months.

These are some of the concrete realities on the ground. This is what is actually happening, not what people over here seem to be talking about. We are fighting al-Qaida head-on, and we are making progress. Would the Levin amendment force us to turn our backs on al-Qaida again? We have no idea. It really doesn't say. But it could. That is something we should all keep in mind as we begin this debate, whether we are willing to go with this or with the Petraeus plan.

Mr. FEINGOLD. Mr. President, I support the provisions in the 2008 Defense authorization bill that seek to prevent premature deployment of missile defenses in Europe, and I continue to have serious concerns about the operational effectiveness and cost of these technologies. I voted for the amendment offered by Senator SESSIONS because Iran may develop the capacity to threaten our allies with nuclear weapons and because the amendment supports development of an ''effective defense'' when it is ''technologically possible.'' I will continue encouraging the administration to work with the international community to engage directly with Iran.

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. LEVIN. 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. LEVIN. I ask unanimous consent that the Sessions amendment No. 2024, as modified, be set aside until 4 p.m. today and that no amendment be in order to the Sessions amendment; that at 4 p.m. today, there be 2 minutes of debate equally divided and controlled between Senator SESSIONS and myself or our designees; that upon the use of that time, without further intervening action or debate, the Senate proceed to vote in relation to the Sessions amendment, as modified.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. Reserving the right to object, I will not object, but I would like to clarify with the chairman that we intend to not only take up the wounded warrior amendment but also, if there are other amendments, if we debate and discuss wounded warrior and there is time for that—we want to tell our colleagues that there are some 98 pending amendments that have not been addressed as of yet, and we would like to address those as soon as possible since we will obviously have a very busy week on this bill next week as well as today. We have 4½ hours between now and the next vote.

My other question to the distinguished chairman is, Is it his desire that we perhaps have another amendment that could be voted on at that time?

Mr. LEVIN. Mr. President, I thank my friend from Arizona. It is our hope that we can complete the debate on the wounded warriors legislation. I did intend to offer that as soon as this unanimous consent agreement is agreed to. Those who wish to speak on the wounded warrior legislation we invite to come to the floor in the next few hours. If the debate on that legislation is completed before 4 o'clock, the Senator from Arizona is correct, we would then, hopefully, have a vote on the wounded warriors amendment immediately after the vote on the Sessions amendment. If debate on the wounded warriors legislation is completed before 4 o'clock, as he indicated, there would then be an opportunity for another amendment to be offered as designated by the ranking member. I believe, in terms of alternating, it is now our turn. I will be offering, on behalf of many Senators, on a bipartisan basis the wounded warrior legislation. Then it is our understanding the next amendment would be from the Republican side.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Mr. MCCAIN. I thank the Senator from Michigan. I understand there were already several amendments to the wounded warrior legislation, which have been accepted on both sides, which we will be presenting. I would ask the indulgence of the chairman to make a brief statement before we take up the wounded warrior amendment bill. Would that be OK? It is not on wounded warrior.

Mr. LEVIN. I have no objection whatsoever to Senator MCCAIN being recognized immediately after our UC is accepted—if it is—for a statement. Then it would be the understanding that I

would then be recognized to introduce the wounded warrior amendment.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Without objection, it is so ordered.

Mr. LEVIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank my colleague and friend from Michigan. I know he shares my concern about the work that needs to be done in the next few days to try to get this bill completed. We do urge our colleagues to come forth with relevant amendments. As I mentioned, there are at this time, obviously, a number of amendments my colleagues will want considered and debated, including two very big amendments on Iraq, the Salazar-Alexander amendment, as well as the Reed-Levin amendment which I am sure will take up considerable time. Before we move to the wounded warrior bill, which I praise for its bipartisanship and its effort to bring together both sides of the aisle to address one of the most compelling issues of our time, and that is the treatment of the men and women who are serving in the military—I will have more remarks about that later—I would like to draw my colleagues' attention to an editorial that ran last Sunday in the New York Times titled ''The Road Home.''

I ask unanimous consent to have that editorial printed in the RECORD.

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

[From the New York Times, July 8, 2007]

THE ROAD HOME

It is time for the United States to leave Iraq, without any more delay than the Pentagon needs to organize an orderly exit.

Like many Americans, we have put off that conclusion, waiting for a sign that President Bush was seriously trying to dig the United States out of the disaster he created by invading Iraq without sufficient cause, in the face of global opposition, and without a plan to stabilize the country afterward.

At first, we believed that after destroying Iraq's government, army, police and economic structures, the United States was obliged to try to accomplish some of the goals Mr. Bush claimed to be pursuing, chiefly building a stable, unified Iraq. When it became clear that the president had neither the vision nor the means to do that, we argued against setting a withdrawal date while there was still some chance to mitigate the chaos that would most likely follow.

While Mr. Bush scorns deadlines, he kept promising breakthroughs—after elections, after a constitution, after sending in thousands more troops. But those milestones came and went without any progress toward a stable, democratic Iraq or a path for withdrawal. It is frighteningly clear that Mr. Bush's plan is to stay the course as long as he is president and dump the mess on his successor. Whatever his cause was, it is lost.

The political leaders Washington has backed are incapable of putting national interests ahead of sectarian score settling. The security forces Washington has trained behave more like partisan militias. Additional military forces poured into the Baghdad region have failed to change anything.

Continuing to sacrifice the lives and limbs of American soldiers is wrong. The war is sapping the strength of the nation's alliances and its military forces. It is a dangerous diversion from the life-and-death struggle against terrorists. It is an increasing burden on American taxpayers, and it is a betrayal of a world that needs the wise application of American power and principles.

A majority of Americans reached these conclusions months ago. Even in politically polarized Washington, positions on the war no longer divide entirely on party lines. When Congress returns this week, extricating American troops from the war should be at the top of its agenda.

That conversation must be candid and focused. Americans must be clear that Iraq, and the region around it, could be even bloodier and more chaotic after Americans leave. There could be reprisals against those who worked with American forces, further ethnic cleansing, even genocide. Potentially destabilizing refugee flows could hit Jordan and Syria. Iran and Turkey could be tempted to make power grabs. Perhaps most important, the invasion has created a new stronghold from which terrorist activity could proliferate.

The administration, the Democratic-controlled Congress, the United Nations and America's allies must try to mitigate those outcomes—and they may fail. But Americans must be equally honest about the fact that keeping troops in Iraq will only make things worse. The nation needs a serious discussion, now, about how to accomplish a withdrawal and meet some of the big challenges that will arise.

The United States has about 160,000 troops and millions of tons of military gear inside Iraq. Getting that force out safely will be a formidable challenge. The main road south to Kuwait is notoriously vulnerable to roadside bomb attacks. Soldiers, weapons and vehicles will need to be deployed to secure bases while airlift and sealift operations are organized. Withdrawal routes will have to be guarded. The exit must be everything the invasion was not: based on reality and backed by adequate resources.

The United States should explore using Kurdish territory in the north of Iraq as a secure staging area. Being able to use bases and ports in Turkey would also make withdrawal faster and safer. Turkey has been an inconsistent ally in this war, but like other nations, it should realize that shouldering part of the burden of the aftermath is in its own interest.

Accomplishing all of this in less than six months is probably unrealistic. The political decision should be made, and the target date set, now.

Despite President Bush's repeated claims, Al Qaeda had no significant foothold in Iraq before the invasion, which gave it new base camps, new recruits and new prestige.

This war diverted Pentagon resources from Afghanistan, where the military had a real chance to hunt down Al Qaeda's leaders. It alienated essential allies in the war against terrorism. It drained the strength and readiness of American troops.

And it created a new front where the United States will have to continue to battle terrorist forces and enlist local allies who reject the idea of an Iraq hijacked by international terrorists. The military will need resources and bases to stanch this self-inflicted wound for the foreseeable future.

The United States could strike an agreement with the Kurds to create those bases in northeastern Iraq. Or, the Pentagon could use its bases in countries like Kuwait and Qatar, and its large naval presence in the Persian Gulf, as staging points.

There are arguments for, and against, both options. Leaving troops in Iraq might make it too easy—and too tempting—to get drawn back into the civil war and confirm suspicions that Washington's real goal was to secure permanent bases in Iraq. Mounting attacks from other countries could endanger those nations' governments.

The White House should make this choice after consultation with Congress and the other countries in the region, whose opinions the Bush administration has essentially ignored. The bottom line: the Pentagon needs enough force to stage effective raids and airstrikes against terrorist forces in Iraq, but not enough to resume large-scale combat.

One of Mr. Bush's arguments against withdrawal is that it would lead to civil war. That war is raging, right now, and it may take years to burn out. Iraq may fragment into separate Kurdish, Sunni and Shiite republics, and American troops are not going to stop that from happening.

It is possible, we suppose, that announcing a firm withdrawal date might finally focus Iraq's political leaders and neighboring governments on reality. Ideally, it could spur Iraqi politicians to take the steps toward national reconciliation that they have endlessly discussed but refused to act on.

But it is foolish to count on that, as some Democratic proponents of withdrawal have done. The administration should use whatever leverage it gains from withdrawing to press its allies and Iraq's neighbors to help achieve a negotiated solution.

Iraq's leaders—knowing that they can no longer rely on the Americans to guarantee their survival—might be more open to compromise, perhaps to a Bosnian-style partition, with economic resources fairly shared but with millions of Iraqis forced to relocate. That would be better than the slow-motion ethnic and religious cleansing that has contributed to driving one in seven Iraqis from their homes.

The United States military cannot solve the problem. Congress and the White House must lead an international attempt at a negotiated outcome. To start, Washington must turn to the United Nations, which Mr. Bush spurned and ridiculed as a preface to war.

There are already nearly two million Iraqi refugees, mostly in Syria and Jordan, and nearly two million more Iraqis who have been displaced within their country. Without the active cooperation of all six countries bordering Iraq—Turkey, Iran, Kuwait, Saudi Arabia, Jordan and Syria—and the help of other nations, this disaster could get worse. Beyond the suffering, massive flows of refugees—some with ethnic and political resentments—could spread Iraq's conflict far beyond Iraq's borders.

Kuwait and Saudi Arabia must share the burden of hosting refugees. Jordan and Syria, now nearly overwhelmed with refugees, need more international help. That, of course, means money. The nations of Europe and Asia have a stake and should contribute. The United States will have to pay a large share of the costs, but should also lead international efforts, perhaps a donors' conference, to raise money for the refugee crisis.

Washington also has to mend fences with allies. There are new governments in Britain, France and Germany that did not participate in the fight over starting this war and are eager to get beyond it. But that will still require a measure of humility and a commitment to multilateral action that this administration has never shown. And, however angry they were with President Bush for creating this mess, those nations should see that they cannot walk away from the consequences. To put it baldly, terrorism and oil make it impossible to ignore.

The United States has the greatest responsibilities, including the admission of many more refugees for permanent resettlement.

The most compelling obligation is to the tens of thousands of Iraqis of courage and good will—translators, embassy employees, reconstruction workers—whose lives will be in danger because they believed the promises and cooperated with the Americans.

One of the trickiest tasks will be avoiding excessive meddling in Iraq by its neighbors—America's friends as well as its adversaries.

Just as Iran should come under international pressure to allow Shiites in southern Iraq to develop their own independent future, Washington must help persuade Sunni powers like Syria not to intervene on behalf of Sunni Iraqis. Turkey must be kept from sending troops into Kurdish territories.

For this effort to have any remote chance, Mr. Bush must drop his resistance to talking with both Iran and Syria. Britain, France, Russia, China and other nations with influence have a responsibility to help. Civil war in Iraq is a threat to everyone, especially if it spills across Iraq's borders.

President Bush and Vice President Dick Cheney have used demagoguery and fear to quell Americans' demands for an end to this war. They say withdrawing will create bloodshed and chaos and encourage terrorists. Actually, all of that has already happened—the result of this unnecessary invasion and the incompetent management of this war.

This country faces a choice. We can go on allowing Mr. Bush to drag out this war without end or purpose. Or we can insist that American troops are withdrawn as quickly and safely as we can manage—with as much effort as possible to stop the chaos from spreading.

Mr. McCAIN. It is worth spending a few moments to discuss this editorial because it is not often that one of America's flagship papers declares as lost a war which 160,000 brave American soldiers are trying mightily to win.

Beginning with its first line in this remarkable editorial, ''It is time for the United States to leave Iraq without any more delay than the Pentagon needs to organize an orderly exit,'' the Times editorial advocates a precipitous withdrawal of American forces. It does so conceding that such a withdrawal is likely to increase the chaos and bloodshed in Iraq, not decrease it, and that a redeployment could prompt ''reprisals, further ethnic cleansing, even genocide.'' A remarkable statement that a newspaper that frequently calls for the United States to bring its national power to bear for moral purposes, not the least of which in the Darfur region of Sudan, could so easily throw out consequences that are so terrible.

In the opinion of the New York Times, apparently genocide is not worth fighting to prevent, nor is it worth fighting to prevent ''potentially destabilizing refugee flows'' hitting Jordan and Syria or to stop Iran from filling the power vacuum left behind by our departure or disrupting a likely terrorist sanctuary. No, none of these things are worth fighting for in the Times' opinion because it has concluded that ''keeping troops in Iraq will only make things worse.''

This misunderstanding clouds the entirety of the editorial. The Times appears to believe that because things have been mismanaged since 2003 and because violence remains at unacceptably high levels, things simply can't get worse, so we should withdraw and at least save ourselves. But this is sheer folly. Things in Iraq, however bad they have been and remain, could get far, far worse. Anyone who recalls Cambodia or Rwanda or any of the other places that have seen killing on a massive scale knows just how terrible violence can be when it spirals out of control.

The consequences of a precipitous withdrawal from Iraq include emboldening terrorists, inducing a wider regional war, fanning the flames of a Sunni-Shia conflict, putting millions of lives at risk, and destabilizing an area key to America's strategic interests.

The editorial States bluntly, ''Whatever [the President's] cause was, it is lost,'' because ''additional military forces poured into the Baghdad region have failed to change anything.'' That is a remarkable statement, a remarkable statement. ''Additional military forces poured into the Baghdad region have failed to change anything.'' I just came back from a visit. I know I have been pilloried for saying that there has been progress in Iraq. Well, they can pillory General Petraeus and they can pillory their own reporters who have clearly pointed out that there have been measurements of success—and a long, long way to go, but the fact is, there has been some success.

The fact is, in Baghdad, as General Petraeus attests, it is demonstrably untrue that additional military forces poured into the Baghdad region have failed to change anything. In Baghdad, U.S. military and Iraqi forces are establishing joint security stations and patrolling the city together to manage violence. Since January, sectarian violence has fallen. The total number of car bombings and suicide attacks has declined in May and June, and the number of Iraqis coming forward with information is rising.

The President offered an assessment today. There are some areas of success. There are some areas of no movement, and there are some areas of failure, particularly where the Iraqi Government is concerned. We should know that. In an area south of Bagdad, commanders report increasing numbers of local tribes siding with the coalition against al-Qaida and similar effects north of the city.

This editorial makes the breathtaking assertion that the war in Iraq is ''a dangerous diversion from the life-and-death struggle against terrorists.'' Someone from the editorial board must have neglected to inform our troops on the ground, who, when I visited them last week in Baghdad and Anbar, spent several hours briefing me on their counterterrorism operations. The editors must have also neglected to speak with General Petraeus, who has called Iraq ''the central front of al-Qaida's global campaign.''

In case terrorists remain in Iraq and seek to plan attacks outside the country, the Times has an answer. The United States can set up bases in Kuwait and Qatar and even in northern Iraq because:

. . . the Pentagon needs enough force to stage effective raids and airstrikes against terrorist forces in Iraq.

Yet I wonder whether the Times has thought through any of the logistical issues associated with waging a counterterrorism effort from a neighboring country. Do we send American counterterrorism teams into Iraq for these operations? Do they remain in place? How are they supplied? We have seen for 3½ years that such efforts are much less successful when our troops are confined to forward operating bases than when our soldiers are deployed among the population, in the cities. I can hardly imagine how difficult it would be to wage the same struggle not from forward operating bases but from a neighboring nation.

These troops would not be needed to help stop an incipient civil war because, as the Times tells us, ''that war is raging, right now.'' Iraq may fragment into separate states, the editorial goes on, but ''American troops are not going to stop that from happening.''

Well, a couple days ago, Iraqi Foreign Minister Hoshyar Zebari explained that the dangers of a quick American pullout from Iraq could include a civil war. I suspect the foreign minister means a real, full-scale civil war, one that dwarfs the violence taking place today. I also suspect the foreign minister understands there is no clear delineation between sectarian violence, whether or not it constitutes civil war, and terrorist activity. Al-Qaida bombed the mosque in Samara in a deliberate attempt to foment sectarian violence. Zarqawi wrote of his plans to target the Shia before his own death. Walking away from Iraq would not simply leave an ongoing sectarian struggle simmering away at its own pace, sealed off from the world. Civil war in Iraq has real implications for American national security interests.

After the withdrawal prompts the terrible consequences that even the New York Times foresees, it will be incumbent upon the United States to ameliorate the fallout. This, the editorial page tells us, can be done by talking to Iran—by talking to Iran—to pressure it to ''allow Shiites in southern Iraq to develop their own independent future.''

At a time when Iranian operatives are already moving weapons, training fighters, providing resources, and helping plan operations to kill American soldiers and damage our efforts to bring stability to Iraq, I think it is a pretty safe bet that Tehran will not be open to many of Washington's entreaties following a withdrawal. The much more likely course is that Iran will comfortably step into the power vacuum left by a U.S. redeployment. When it does so, though, the Times would have Washington ''persuade Sunni powers like Syria not to intervene on behalf of Sunni Iraqis.'' My

friends, that would be a tough sell, to put it mildly, if the Iranians are in the regional ascendance.

Perhaps the root of the New York Times' misconception of the war in Iraq is crystallized by a sentence in its final paragraph. It expresses fierce opposition to ''allowing Mr. Bush to drag out this war without end on purpose.'' ''Allowing Mr. Bush to drag out this war without end on purpose.'' I think all of us would oppose any war without end or purpose, but this does not describe the conflict in Iraq. We remain in Iraq to bring enough security to allow the Government to function in a way that will protect the people of Iraq and, as a result, the national interests of the United States. That is the purpose and the end goal of this war, as I see it.

But do not take my word for it, Mr. President. Ask the thousands of brave men and women who are putting themselves in harm's way every day. I had the privilege to once again visit many of them in Iraq last week, and I can tell my colleagues they understand the purpose. I wish I could say the same of our journalistic friends in New York.

Mr. President, I wish to remind my colleagues about the statements that have been made by various people who are experts on Iraq and are respected national security advisers, including people such as Brent Scowcroft and Henry Kissinger, and many others who have been involved in this issue, many of whom, like General Zinni, were opposed from the beginning to the conflict but now believe setting a date for withdrawal will be a disaster of monumental consequences.

I hope the editorial page of the New York Times would listen to some of those people. For example, Henry Kissinger, who recently said that setting a date for withdrawal will lead to chaos in the region; including people such as General Zinni, who had opposed our intervention in Iraq to start with, who said setting a date for withdrawal would have catastrophic consequences.

I have seen some interesting op-ed pieces in my time. I have rarely seen one that is farther off the mark than the editorial in last Sunday's New York Times. I am convinced that if we pursued that course, as the editorial leads: that the war is lost, and it is time for the United States to leave Iraq without any more delay, and the Pentagon needs to organize an orderly exit—is a remarkable statement by one of the largest newspapers in America.

Henry Kissinger—I think we can find wisdom in several suggestions put forward by him. But we also should heed his words, as well as many others. He is correct to say: ''precipitate withdrawal would produce a disaster,'' one that ''would not end the war but shift it to other areas, like Lebanon or Jordan or Saudi Arabia,'' produce greater violence among Iraqi factions and ''embolden radical Islamism'' around the world.

My friends, I hope the editorial writers for the New York Times would pay attention to Ayman al-Zawahiri, al-Qaida's deputy chief, who said that the United States is merely delaying our ''inevitable'' defeat in Iraq, and that ''the Mujahideen of Islam in Iraq of the caliphate and jihad are advancing with steady steps towards victory.''

Their target is not Iraq. Pay attention to their words. Their target is the United States of America.

Recall the plan laid out in a letter from Zawahiri to Abu Mus'ab al-Zarqawi before his death. That plan is to take shape in four stages: establish a caliphate in Iraq, extend the jihad wave to the secular countries neighboring Iraq, clash with Israel—none of which will commence until the completion of stage one—expel the Americans from Iraq.

If the New York Times editorial board does not pay attention to the words of people like me and General Scowcroft and General Zinni and Dr. Kissinger, and many other people who are experts, I would hope they would pay attention to the words of Zarqawi, Zawahiri, and others who have made very clear what their intentions are in Iraq.

Mr. President, at this time I yield the floor and ask unanimous consent that Senator LEVIN offer the wounded warrior legislation or whatever he wants.

The PRESIDING OFFICER. Is there objection?

The senior Senator from Michigan.

Mr. LEVIN. Mr. President, I did not have a chance, because the Senator was speaking, to ask the Senator from Arizona if there would be any objection if instead of offering the wounded warrior amendment at this time that I yield to the Senator from North Dakota for a statement on an amendment, a different amendment that he intends to offer. I think his statement would last 15 minutes or 20 minutes.

Mr. MCCAIN. How long?

The PRESIDING OFFICER. Does the Senator from Arizona withdraw his unanimous consent request?

Mr. MCCAIN. I withdraw it. I just wonder how long, again.

Mr. LEVIN. Mr. President, 15 or 20 minutes.

The PRESIDING OFFICER. The Senator withdraws the unanimous consent request.

Mr. MCCAIN. Mr. President, could I ask the Senator from Michigan to amend the request to immediately following the remarks of the Senator from North Dakota that then there would be the offering of the wounded warrior amendment?

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senator from North Dakota be recognized for up to 20 minutes to speak on an amendment that he would intend to offer at a later time, and immediately following that I then be recognized to offer the wounded warrior legislation.

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

The Senator from North Dakota is recognized for up to 20 minutes.

Mr. DORGAN. Mr. President, let me thank my colleague from Michigan and my colleague from Arizona as well.

I believe my colleague, Senator CONRAD from North Dakota, may well join me, if he is able to.

I want to describe an amendment we have filed. We will attempt to offer it at some point, but I have filed an amendment, along with my colleague, Senator CONRAD, and I want to describe it briefly. As I do, let me say this: I understand, and have always understood, it is far easier, when making a case, to make the negative side than the positive side. I understand, and have always understood, it is easier to recognize failure than it is to recognize success. I respect everyone's views on this issue, this issue of the war in Iraq, the fight against terrorism. It is a passionate debate we have in this Chamber and in this country. I respect the views of everyone who stands and offers their thoughts about what this country ought to do.

We need to get this right. The future of this country, perhaps the future of the world, depends on our ability to get this right. But I have been waking up in the mornings and picking up the morning papers and seeing statements in the papers that have bothered me a lot.

I want to mention, as we bring to the floor of the Senate a piece of legislation authorizing the spending for our military of $640 billion roughly—$640 billion—and we are building anti-ballistic missile defense systems, we are building ICBMs, we are building tanks and planes and ships, we are doing all these things, and we are spending a lot of money—but, even as we do all that, let me review something else, if I might.

It has been 6 years since Osama bin Laden and al-Qaida attacked us with 19 people and box cutters, hijacking airplanes loaded with fuel and killing innocent Americans—thousands of them.

Six years since those attacks. A long time.

It has been 6 long years, and yet Osama bin Laden is still free today. He has not been brought to justice.

It has been 6 long years, and al-Qaida is stronger today than it has been in years, according to all of the reports recently released.

It has been 6 years, and al-Qaida is now rebuilding its terrorist training camps, along with the Taliban, in a safe harbor.

It has been 6 years, and they are reconstituting their ability to attack us. Yes, al-Qaida and the Taliban are reconstituting their operational capability in a safe hideaway in Pakistan. It is called a ''secure hideaway in Pakistan'' officially.

It remains the greatest threat to the United States, even after these 6 long years: after two wars in two countries, after trillions of dollars spent on those wars and for homeland security, after the deaths of thousands of our military, and after the wounding of tens of thousands of our military.

Yesterday, we heard from the No. 2 person, al-Zawahiri. He has released about a dozen tapes in the last year. Previously, we heard from Osama bin Laden. They are free, and they have escaped justice, and they are exhorting their followers to attack and kill, and al-Qaida is reconstituting.

All this after six years.

Let me describe a couple of things.

On, January, 11, 2007, in testimony before the Senate Select Committee on Intelligence, the top intelligence person in our country said:

> Al Qaeda continues to plot attacks against our Homeland and other targets with the objective of inflicting mass casualties. And they continue to maintain active connections and relationships that radiate outward from their leaders' secure hideaway in Pakistan.

Our top intelligence person in this country said they have a secure hideout in Pakistan. John Negroponte said that. He was the Director of National Intelligence at the time. That was only a few months ago.

Here is what he also said:

> Al Qaeda is the terrorist organization that poses the greatest threat to US interests, including to the Homeland.

January 2007. That is not from the New York Times or the Washington Post, that is the testimony from John Negroponte, who at that point was the top intelligence official in our Government. Al Qaeda had a secure hideaway in Pakistan and remained the greatest threat to the U.S.

Now, 2 days ago, I read in the paper that the head of our Homeland Security agency has a ''gut feeling'' about a new period of increased risk—a ''gut feeling.''

Well, let me show you what we had in August of 2001: a Presidential daily briefing. This was released, by the way, about 3 years ago. This was the Presidential daily briefing, and I have it in my hand, dated August 6, 2001. The title is ''Bin Laden determined to strike in the U.S.''

That was the Presidential daily briefing in August of 2001. ''Bin Laden determined to strike in the U.S.''

July of 2007, almost six years later, top administration officials say that ''Al Qaeda is better positioned to strike the West.'' That's the secret intelligence assessment of the National Counter Terrorism Center.

Think of that for a moment. Six years have passed. Six years have passed since the attacks of September 11, 2001. But, here we are debating a $640-plus billion authorization bill for armaments of every kind, and the greatest threat to our country today, according to the top intelligence Director in this Government, is al-Qaida and its network. And they operate from a secure hideaway in Pakistan. And, they are rebuilding their operational capability. Six years later.

What has happened? What is happening? Well, we wake up in the morning and we read what is happening: Officials are worrying of a terror attack this summer. Michael Chertoff says he has a ''gut feeling'' about that. Other U.S. counterterrorism officials who spoke on condition of anonymity shared Chertoff's concern. This article says:

> Al-Qaida and like minded groups have been able to plot and train more freely in the tribal areas along the Afghan-Pakistani border in recent months.

I have been in that area. I have flown over the Afghanistan and Pakistani area border. I understand what it looks like. I understand you can't see where one country starts and another country begins. I understand how difficult all this must be. But I don't understand how this administration has decided, after 6 long years, that it doesn't matter so much that we haven't captured Osama bin Laden. The President himself said that. He doesn't worry much about Osama bin Laden. That's a direct quote. I can get it for you. That's exactly what he said: Don't worry much about him.

Well, our country ought to worry about him. The leadership of al-Qaida is the leadership of the organization that attacked this country and who, even now, we are told, are planning additional attacks against this country. So how is it in all this time that has elapsed that Osama is still on the loose and that al-Qaida is getting stronger and stronger.

How is it that this is so even after the President said ''If you harbor terrorists, you are the same as terrorists to us; there will be no safe harbor.'' There was a safe harbor in Afghanistan for the terrorists. The Taliban gave them a safe harbor, so we went to war in Afghanistan. We drove out the Taliban and got rid of the safe harbor. That's what we did back in 2001 and 2002.

But, apparently now, there is another safe harbor for Osama bin Laden and al-Qaida. After 6 long years, they have another safe harbor. It's in Pakistan or on the border of Pakistan and Afghanistan. They have terrorists training camps there. They are rebuilding. They are planning. Just like they did before.

We must do something about this. We must not ignore this warning. We must act now.

Senator CONRAD and I have filed an amendment and we will offer it when we get the opportunity. It will do a couple of things. No. 1, it will insist we be given classified briefings on a quarterly basis on the hunt for Osama bin Laden and the leadership of al-Qaida.

It will require that every quarter the Defense Department and the Director of National Intelligence provide Congress with a classified briefing telling us what is being done by the resources of this administration and the resources that are given in this Defense authorization bill to apprehend and bring to justice Osama bin Laden, al-Zawahiri, and others who led the attacks against this country and who even today plan additional attacks against our country.

This is an urgent matter. This isn't just going after those who attacked us yesterday. It's about going after those seeking to attack us today and tomorrow.

Just 2 weeks ago, the McClatchy Newspaper, on June 26, 2007, reported that ''Al-Qaida regroups in a new sanctuary on the Pakistani border,'' senior U.S. military intelligence and law enforcement officials say. It reported that ''While the U.S. presses its war against insurgents linked to al-Qaida in Iraq, Osama bin Laden's group is recruiting, regrouping, and rebuilding in a new sanctuary along the border between Afghanistan and Pakistan.''

Six years after the attacks in this country, this is what we read.

Now, we are in a war in the country of Iraq. I understand there are some in this Chamber who say this is the beachhead against al-Qaida. It is not. Does al-Qaida exist in Iraq? Yes, it does. But most of what is happening in Iraq is sectarian violence: Shia killing Sunni, Sunni killing Shia, Sunni and Shia killing American soldiers. Yes, al-Qaida exists in Iraq, but al-Qaida has largely come to Iraq as a result of what has been happening in Iraq. It was not and is not the central fight with respect to the war on terror.

I spoke about this previously with respect to an amendment of this type. Incidentally, Senator CONRAD and I have gotten this amendment passed by the Senate previously, but it gets dropped in conference. My hope is it will pass the Senate once again and this time—this time, at long last—it will not be dropped in conference.

Finally, on a quarterly basis, at least, we will be able to get classified information about whether this administration is pursuing and bringing to justice those who attacked this country on 9/11, 2001, and those who, according to the papers this morning and yesterday morning and the morning before that, continue to plot those attacks against this country.

How much longer will we be asked to read these stories, in most cases by unnamed administration officials?

> ''Senior leaders of al-Qaida operating from Pakistan over the past year have set up a band of training camps in the tribal regions near the Afghan border,'' according to American intelligence and counterterrorism officials. ''American officials said there was mounting evidence that Osama bin Laden and his deputy, al-Zawahiri, have been steadily building an operations hub in the mountainous Pakistani tribal area north of Waziristan.''

Those are the reports. They have been the same for a year or so now. Every couple of months we read this.

I think it is important to ask the question—as we describe a piece of legislation that will offer $640-plus billion for the Department of Defense—I think it is important for us to ask the question as to whether at least a portion of this is dedicated to bringing to justice those who attacked this country.

If the head of our intelligence service is correct when he says that ''Al-Qaida

is the terrorist organization that poses the greatest threat to U.S. interests, including to the Homeland,'' then why is the central fight not a fight to apprehend and bring to justice the leadership of al-Qaida?

Why are they free today? Why are they in a secure area? Why are they harbored in a secure area where they are plotting attacks against our country and other countries? Why does that exist? It seems to me, at least in part, it must be a matter of will. The central fight, in my judgment, ought to be the fight to bring to justice those who attacked our country.

Now, with respect to Iraq, this country is going to leave Iraq. That is not the question. The question is when and how.

The American people are not going to continue year after year after year asking American soldiers to be in the middle of a civil war in Iraq. It simply will not be the case that the American people will allow that to happen. So we are going to leave Iraq; the question is how and when. We will debate that via several amendments over the coming days.

But my point this morning is to say, while we debate Iraq and debate the circumstances of American troops largely in the middle of a civil war in Iraq, the question remains: Why? Why, after 6 years, does Osama bin Laden remain free? Why does he remain in a secure hideaway and remain apparently at the top, along with al-Zawahiri, in charge of al-Qaida, plotting attacks against free people? Why is that still the case?

Shouldn't we, finally, at last, at long last as a country, insist that our major objective be to bring to justice the leaders of al-Qaida and destroy the al-Qaida network? That is the real fight against terrorism.

There is so much to say about so many subjects on the Defense authorization bill, but when we talk about defending our country's interests, we can go back some years and recall that we were in the middle of a Cold War, where we knew who the enemy was. The enemy was a nation state. In that case, the Cold War was the Soviet Union; the Soviet Union and the United States built large arsenals of nuclear weapons to stand each other off in something called mutually assured destruction.

Times have changed. The Soviet Union doesn't exist anymore. Now, the major threat to our country is not a nation state. It is not an organization that has an ''army'' that wears uniforms. The greatest threat to our country now, according to testimony before the Select Committee on Intelligence of our country's most senior intelligence official, the Director of Intelligence, Mr. Negroponte, is clear:

> Al-Qaida is the terrorist organization that poses the greatest threat to U.S. interests, including to the Homeland.

If that is the case, then where is the strategy in the use of all the resources we provide in this legislation to the administration? Where is the strategy to bring to justice those who attacked this country? Regrettably and unfortunately, I think that strategy has not existed for far too long.

As I indicated, I have filed the amendment I have written and the amendment that I and Senator CONRAD, who joins me in this amendment, will attempt to have considered by the Senate. I assume it will be considered following the consideration of several others of the Iraq amendments that have already been noticed. The amendment we have filed requires classified reports on a quarterly basis. It also will double the reward that has been offered from $25 million to $50 million for apprehending or information leading to the apprehension of Osama bin Laden.

We gave the current administration substantial authority to boost the reward 2 years ago. It did not do that. We believe that, because nothing seems to happen with this administration on this issue, it is important for the Congress to push and to insist.

In this amendment, we ask for four key things. We ask that the classified briefings be given to Congress telling us the likely current location of the al-Qaida leadership. All of the information suggests that senior leaders in this administration know generally where that location is.

We ask for a description of the ongoing efforts to bring the leadership of al-Qaida to justice and a report on the Governments of the countries in which al-Qaida is allowed to exist and allowed to rebuild. We ask for reports on whether they are fully cooperating with us and what they are doing to help us apprehend those who attacked our country.

So that represents my interest in trying to address this issue. Once again, I have spoken to Senator LEVIN previously on this issue. In fact, we have previously passed a similar amendment through the Senate, and I appreciate his cooperation in doing so. I would ask of Senator LEVIN if he would give us some consideration. We filed the amendment, and we will ask to follow it up and have it considered at some appropriate point.

He, of course, manages this bill and has the juggling requirement to meet all the needs for time that people have. I see my colleague, Senator CONRAD, is coming to the floor, and I think I have a few minutes remaining. As he joins us to speak of his interest in this amendment, let me ask Senator LEVIN, if I might, while we are waiting for Senator CONRAD, would we have an opportunity either this week or next week to be able to consider our amendment?

Mr. LEVIN. Mr. President, that would be our plan and our hope. Perhaps the Senator from North Dakota could remind me, did we clear this amendment or was there a rollcall vote on this?

Mr. DORGAN. The amendment was cleared, I believe. We actually offered it twice, but I believe it was cleared.

Mr. LEVIN. I would hope we could clear it again, and if not, there will be a spot for the Senator to offer the amendment.

Mr. DORGAN. We would like, if necessary, a rollcall vote on the amendment and I thank you for your consideration. As I said, Senator CONRAD will take the remaining time, so at this point I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, how much time is remaining of the unanimous consent?

The PRESIDING OFFICER. There is 1 minute 45 seconds.

Mr. LEVIN. How much time does Senator CONRAD, if I could address him, need? We were delaying introducing the wounded warriors legislation in order to give the Senator an opportunity to speak on the amendment which he plans on offering. Is that the same amendment which——

Mr. CONRAD. Yes.

Mr. LEVIN. I wonder if the Senator could let us know about how long it would be?

Mr. CONRAD. Ten minutes.

Mr. LEVIN. Senator MCCAIN is not here, but I doubt that he would have any objection, so therefore I take the liberty of asking unanimous consent that Senator CONRAD be recognized for 10 minutes and then I be recognized to introduce the wounded warrior legislation. Senator AKAKA is also here, and I am wondering if he has any objection.

Mr. AKAKA. No objection.

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

The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, the September 11, 2001 attack by al-Qaida, led by Osama bin Laden, is seared on the soul of the Nation. I know it is a day I will never forget. President Bush vowed then to bring Osama bin Laden and his al-Qaida terrorist allies to justice.

Days after 9/11, President Bush said:

> This act will not stand; we will find those who did it; we will smoke them out of their holes . . . we will bring them to justice.

Every American shared those feelings. Similar to Pearl Harbor, the date of 9/11 became a seminal moment for our Nation, a day we cannot and must not forget. But it has now been nearly 6 years—2,130 days—since the attacks of 9/11—that's more time than America took fighting fascism in World War II.

Osama bin Laden is still at large. In fact, he and al-Qaida are gaining strength, by all accounts. Two weeks ago in Great Britain, we saw a failed attempt to target airports with car bombs. Two years ago, London subway bombings killed 52 and injured 700—bombings which may be linked to al-Qaida.

Today's newspapers report U.S. intelligence analysts have concluded that

al-Qaida has rebuilt to its pre-9/11 strengths. These analysts say al-Qaida is ''considerably operationally stronger than a year ago'' and has ''regrouped to an extent not seen since 2001.'' The reports suggest al-Qaida has created ''the most robust training program since 2001, with an interest in using European operatives'' and is ''showing greater and greater ability to plan attacks in Europe and the United States.''

Private experts agree al-Qaida is now stronger than before. According to the National Memorial Institute for the Prevention of Terrorism, the number of al-Qaida operatives worldwide has grown from 20,000 6 years ago to 50,000 today.

What is going on here? What does it say to jihadists around the world that a terrorist mastermind such as bin Laden can kill 3,000 Americans and remain alive and untouched 6 years later? What does it say that he and his allies are gaining strength?

There can be only one conclusion: The President got our priorities wrong. Before finishing with al-Qaida and capturing bin Laden, President Bush lost focus.

We know who attacked us on 9/11. It was Osama bin Laden and al-Qaida, not Saddam Hussein and Iraq. Yet the painful truth is the administration got our priorities wrong. The President pulled troops and intelligence specialists out of Afghanistan and the search for Osama bin Laden and the leaders of al-Qaida and instead attacked Iraq.

USA Today reported:

> In 2002, troops from the 5th Special Forces Group who specialize in the Middle East were pulled out of the hunt for Osama bin Laden in Afghanistan to prepare for their next assignment: Iraq. Their replacements were troops with expertise in Spanish culture.

Are people hearing this? We pulled experts in the Arab language and Middle East culture out of the hunt for Osama bin Laden, an Arabic speaker who led the attack on us, and we put those troops over into the hunt for Saddam Hussein in Iraq and replaced them with experts in Spanish culture. There are not many Spanish speakers in Afghanistan and Pakistan.

> The CIA, meanwhile, was stretched badly in its capacity to collect, translate, and analyze information coming from Afghanistan. When the White House raised a new priority, it took specialists away from the Afghanistan effort to ensure Iraq was covered.

I believe this will go down in history as a profound mistake. We lost focus. The President took us on a path that proved to be a distraction. Instead of following up on Osama bin Laden and al-Qaida, we got diverted and directed our energy and attention to Saddam Hussein and Iraq. I believe the priorities were wrong.

The former head of the CIA's bin Laden unit called the invasion of Iraq ''a godsend to Osama bin Laden.'' So I have to ask why—why did we allow our post-9/11 focus on bin Laden to be distracted? Why didn't we have enough forces on the ground at Tora Bora to get the job done and capture bin Laden and his al-Qaida allies? The answer, I believe, unfortunately is clear: The administration made a strategic error and shifted its focus from Afghanistan to Iraq. I believe, as I have said before, that that was a profound mistake.

I spent the last 2 years of my high school years living in the Arab culture. I attended an American Air Force base high school in Tripoli, Libya. In that culture, it is critically important not to allow someone to go uncaptured and unaccounted for who launched an attack. If you don't finish business with those who attack you, they only grow in the public mind. That is absolutely the wrong message to send.

Last September, the administration once again showed it is not focused on al-Qaida. President Bush's national strategy for combating terrorism includes only one passing reference to Osama bin Laden. Last September, the White House issued an updated strategy for counterterrorism. In a 23-page document, bin Laden's name appears only once.

This man ordered the killing of 3,000 innocent Americans, but in the administration's report on fighting terrorist threats, he is only an afterthought.

It has now been 2,130 days since President Bush said ''We will find those who did it; we will smoke them out of their holes . . . we will bring them to justice.'' Those were absolutely the right sentiments and the right plan. Unfortunately, the President's strategy has failed. He has not found Osama bin Laden. He has not smoked him out of his hole, and he has not been brought to justice. Osama bin Laden and al-Qaida operatives continue to threaten this Nation.

I believe that is unacceptable. We must capture or kill Osama bin Laden. We must bring his entire network of terrorists to justice. I believe deeply that stopping al-Qaida should be our top priority.

Our amendment makes that clear. It is very simple. It says that capturing or killing Osama bin Laden and dismantling al-Qaida should be our top priority.

Our amendment has two parts. First, it doubles the bounty on Osama bin Laden. Whether we capture or kill him, it is past time that he be brought to justice. I urge my colleagues to join us in sending that message.

Second, our amendment requires a clear report to Congress, laying out the administration's strategy for bringing bin Laden and al-Qaida operatives to justice.

I urge my colleagues to make it this Nation's top military priority to bring Osama bin Laden to the justice that he deserves as the world's most notorious terrorist.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

AMENDMENT NO. 2019 TO AMENDMENT NO. 2011

(Purpose: To provide for the care and management of wounded warriors)

Mr. LEVIN. Mr. President, I call up amendment No. 2019, the dignified treatment of wounded warriors amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

> The Senator from Michigan [Mr. LEVIN], for himself, Mr. MCCAIN, Mr. AKAKA, Mr. WARNER, Mrs. MURRAY, Mr. GRAHAM, Mr. KENNEDY, Mr. SESSIONS, Mr. ROCKEFELLER, Ms. COLLINS, Mr. BYRD, Mr. CHAMBLISS, Mr. OBAMA, Mrs. DOLE, Mr. LIEBERMAN, Mr. CORNYN, Mr. SANDERS, Mr. THUNE, Mr. REED, Mr. MARTINEZ, Mr. BROWN, Mr. NELSON of Florida, Mr. TESTER, Mr. NELSON of Nebraska, Mr. BAYH, Mrs. CLINTON, Mr. PRYOR, Mr. WEBB, Mrs. MCCASKILL, Mr. DURBIN, Ms. STABENOW, Mr. HARKIN, Mr. BINGAMAN, Ms. MIKULSKI, Mr. BOND, Mr. ISAKSON, Mr. SALAZAR, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. LOTT, Mr. DODD, Mrs. HUTCHISON, Mr. CARDIN, and Mr. BIDEN, proposes an amendment numbered 2019 to 2011.

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

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

(The amendment is printed in the RECORD of Monday, July 9, 2007, under ''Text of Amendments.'')

Mr. LEVIN. Mr. President, I am offering this with Senators MCCAIN, AKAKA, WARNER, MURRAY, GRAHAM, and about 40 other Senators who are listed on the amendment.

This amendment, in bill form, was introduced on June 13 of this year. It was marked up and unanimously agreed to by the Armed Services Committee on the 14th of June. It was reported to the full Senate on the 18th of June. As of now, as I indicated, we have over 40 cosponsors. The ideas of many Senators and parts of legislation championed by many Senators are incorporated in this amendment.

This is truly a bipartisan amendment. It is an amendment that has had a huge amount of input by many Senators. Although I would prefer the Senate consider this important legislation as a stand-alone provision, a stand-alone bill, because of the shortage of floor time, we now offer it as an amendment to the national defense authorization bill. If it is adopted as an amendment, and assuming that our Defense authorization bill is passed, we would then seek to have it introduced and passed immediately thereafter as stand-alone legislation, so we would have it in two forms—one as an amendment to the bill and the other as a stand-alone bill passed by the Senate, so it could go immediately to the House, without waiting for a conference on the authorization bill between the Senate and the House, which would delay the passage of this very important legislation.

Shortfalls in the care and treatment of our wounded warriors came to our

attention as a result of a series of articles in the Washington Post in February. These articles described deplorable living conditions for some servicemembers in an outpatient status. They described a bungled bureaucratic process for assigning disability ratings that determine whether a servicemember will be medically retired with health and other benefits for himself and his family. They describe a clumsy handoff between the Department of Defense and the Department of Veterans Affairs as the military member transitions from one department to another. The Nation's shock and dismay, when hearing about these problems, reflected the American people's support, the American people's respect, and the American people's gratitude to the men and women who put on our Nation's uniform. Those men and women deserve the best—not shoddy medical care and bureaucratic snafus.

The Armed Services Committee and the Committee on Veterans' Affairs held a rare joint hearing to identify the problems our wounded soldiers are facing. These committees have continued to work together to address these issues, culminating in the amendment we offer today. The Committee on Veterans' Affairs has also marked up separate legislation that will be offered as an amendment to our amendment. Their legislation will ensure that the Veterans' Administration appropriately addresses the problems our seriously wounded and injured servicemembers face after they transition to VA care.

The amendment we are introducing addresses the issues of inconsistent application of disability standards. It addresses disparate disability ratings, substandard facilities, lack of seamless transition from the Department of Defense to the Veterans' Administration, inadequacy of severance pay, care and treatment for traumatic brain injury and post-traumatic stress disorder, medical care for caregivers not eligible for TRICARE, and it addresses the need to share medical records between the Department of Defense and the Department of Veterans Affairs.

Our amendment addresses the issue of inconsistent disability ratings by requiring that the military departments use VA standards for rating disabilities, unless the Department of Defense rating is higher. So it would take the higher of the two ratings under our legislation. Our amendment adopts a more favorable statutory presumption for determining whether a disability is incident to military service. We do that by adopting the more favorable VA presumption.

We require two pilot programs to test the viability of using the VA to assign disability ratings for the Department of Defense. We also establish an independent board to review and, where appropriate, correct unjustifiably low Department of Defense disability ratings awarded since 2001.

Our amendment addresses the lack of a seamless transition from the military to the Veterans' Administration by requiring the Secretary of Defense and the Secretary of Veterans Affairs to jointly develop a comprehensive policy on the care and management of injured servicemembers who will transition from the Department of Defense to the VA.

We establish a Department of Defense and a Department of Veterans Affairs interagency program office to develop and implement a joint electronic health record.

The amendment authorizes $50 million for improved diagnosis, treatment, and rehabilitation of military members with traumatic brain injury, TBI, and post-traumatic stress disorder, PTSD. We require the establishment of centers of excellence for both TBI and PTSD to conduct research, train health care professionals, and a number of other things.

We provide guidance throughout the Department of Defense in the prevention, diagnosis, mitigation, treatment, and rehabilitation of TBI and PTSD. And the amendment requires that the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, report to Congress with comprehensive plans to prevent, diagnose, mitigate, and treat TBI and PTSD.

The amendment increases the minimum severance pay to 1 year's basic pay for those separated with disabilities incurred in a combat zone or combat-related activity and 6 months basic pay for all others. This is quadrupling or doubling, depending on the circumstance, of the current arrangement.

Our amendment also eliminates the requirement that severance pay be deducted from disability compensation for disabilities incurred in a combat zone.

Our amendment also addresses the problem that exists because medically retired servicemembers who are eligible for TRICARE as retirees do not have access to some of the cutting-edge treatments that are available to members still on active duty.

The amendment does that by authorizing medically retired servicemembers to receive the Active-Duty medical benefit for 3 years after the member leaves active duty, and this can be extended to 5 years where medically required.

The amendment authorizes military and VA health care providers to provide medical care and counseling to family members who leave their homes and often leave their jobs to help provide care to their wounded warriors.

The dignified treatment of wounded warriors amendment requires the Secretary of Defense to establish standards for the treatment of and housing for military outpatients. These standards will require compliance with Federal and other standards for military medical treatment facilities, speciality medical care facilities, and military housing for outpatients that will be uniform and consistent and high level throughout the Department of Defense.

In summary, the dignified treatment of wounded warriors amendment is a comprehensive approach that lays out a path for the Department of Defense and the Department of Veterans Affairs to address shortfalls in the care of our wounded warriors in the Department of Defense and through the transition to care in the VA system. With the amendment we will be discussing in a moment, that has been adopted by the Veterans' Affairs Committee under the chairmanship and leadership of Senator AKAKA, this bill will also address shortfalls in the VA system itself after the transition to the Veterans' Administration of our wounded warriors. Those warriors deserve the best care and support that we can muster. The American people rightly insist on no less.

There are a number of organizations which support this legislation. I will read from a release that was issued by one of those organizations. This is the Wounded Warrior Project:

> [This] is a nonprofit organization aimed at assisting those men and women of the United States armed forces who have been severely injured during the war on terrorism in Iraq, Afghanistan, and other hot spots around the world.

A description of this project is:

> Beginning at the bedside of the severely wounded, Wounded Warrior Project provides programs and services designated to ease the burdens of these heroes and their families, aid in the recovery process and smooth the transition back to civilian life.

Just one paragraph from their release is the following:

> With this legislation, the Senate is telling our nation's wounded warriors that they have heard their concerns and are ready to take appropriate actions to ensure that these brave men and women are taken care of in a manner befitting their sacrifices. . . . This wide ranging legislation will improve the provision of health care and benefits to injured military personnel and make the system much more efficient as well.

I ask unanimous consent that the statement of the Wounded Warrior Project and the statement of the Fleet Reserve Association be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. LEVIN. Mr. President, we have a number of amendments which have been cleared, 10 amendments which have been cleared which we will describe in a few moments after Senator MCCAIN speaks and after Senator AKAKA speaks. We will describe those second-degree amendments that have been cleared on both sides of the aisle.

Again, I especially thank my ranking member, Senator MCCAIN, and all the members of our committee for the extraordinary work they have put in on this legislation. It is, as I mentioned, comprehensive and desperately needed.

I also thank Senator AKAKA, who is chairman of our Veterans' Affairs Committee, for his leadership because that committee has worked very closely

with our committee on this joint project. This is truly not just a joint effort between two committees but just about every Member of this body has had a role and a voice in this legislation. It is one of the best examples, I believe, of not only bipartisan action that I have seen in the Senate, but also a very speedy action and, we believe, very thorough consideration as well.

I yield the floor.

EXHIBIT 1

WOUNDED WARRIOR PROJECT (WWP) APPLAUDS SENATE ARMED SERVICES COMMITTEE FOR NEW LEGISLATION TO ASSIST SEVERELY WOUNDED SERVICEMEMBERS

Jacksonville, FL, June 14, 2007.—Today, the Wounded Warrior Project (WWP) applauded the Senate Armed Services Committee for the introduction of the ''Dignified Treatment of Wounded Warriors Act'', a comprehensive piece of legislation that will greatly assist severely wounded servicemembers. WWP was particularly pleased to note that the bill included several of the legislative proposals that the organization has proposed and supported.

''With this legislation, the Senate is telling our nation's wounded warriors that they have heard their concerns and are ready to take appropriate actions to ensure that these brave men and women are taken care of in a manner befitting their sacrifices'', said WWP Executive Director, John Melia. ''This wide ranging legislation will improve the provision of health care and benefits to injured military personnel and make the system much more efficient as well''.

The ''Dignified Treatment of Wounded Warriors Act'' is sponsored by Senators Levin (D–MI), McCain (R–AZ), Akaka (D–HI), Warner (R–VA), Clinton (D–NY) and others. Among the provisions included in the legislation, the bill would require the Department of Defense (DOD) to adopt a Pre-Deployment Cognitive Assessment tool to help identify Traumatic Brain Injury or Post Traumatic Stress Disorder in returning servicemembers. Additionally, it would require DOD to work with the Department of Veterans Affairs (VA) on developing a caregiver training program for family members of brain injured servicemembers, and reform the disability evaluation and ratings system that military personnel must navigate prior to retirement from service. The bill would also create an overlap of DOD and VA benefits to allow wounded warriors to benefit from the strengths of both systems without having to choose access to one over the other.

In addition to these provisions, at this morning's Senate Armed Services Committee hearing, eight amendments suggested by WWP were adopted into the bill.

''These provisions have grown out of our direct interaction with our wounded warriors'', Melia said. ''We strongly encourage the Senate to pass this bill and to work with the House of Representatives to ensure these vital initiatives are included in the final version of the bill that will hopefully reach the President's desk. We stand committed to assisting in any way.''

ABOUT WOUNDED WARRIOR PROJECT

Wounded Warrior Project (WWP) is a nonprofit organization aimed at assisting those men and women of the United States armed forces who have been severely injured during the war on terrorism in Iraq, Afghanistan and other hot spots around the world. Beginning at the bedside of the severely wounded, WWP provides programs and services designated to ease the burdens of these heroes and their families, aid in the recovery process and smooth the transition back to civilian life. For more information, please call (904) 296–7350 or visit *www.woundedwarriorproject.org.*

FLEET RESERVE ASSOCIATION,
Alexandria, VA, July 11, 2007.

Hon. CARL LEVIN,
Chairman, Armed Services Committee,
U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEVIN: The Fleet Reserve Association (FRA) strongly supports your pending amendment to the FY 2008 Defense Authorization bill that include the provisions of ''The Dignified Treatment of Wounded Warriors Act'' (S. 1606), to improve the management of medical care, the disability rating system, and quality of life issues for wounded members of the Armed Forces. This amendment is important and will address significant long standing problems associated with the coordination of care between the Departments of Defense and Veterans Affairs.

FRA appreciates your leadership on this issue and shares your concern about adequate care for wounded service members. The Association stands ready to assist you in its passage in the 110th Congress. The FRA point of contact is John Davis, FRA' s Director of Legislative Programs at john@fra.org.

Sincerely,

JOSEPH L. BARNES,
National Executive Secretary.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I begin by echoing the remarks of the chairman of the committee that we appreciate the partnership with the Committee on Veterans' Affairs, a partnership led by Senator AKAKA and Senator CRAIG. We have worked closely together in trying to come up with one of the most aptly titled pieces of legislation that I have ever been involved in, the Dignified Treatment of Wounded Warriors Act.

It is important to point out that we are making this part of the Defense authorization bill, which we believe has a very good chance of being signed by the President, as the quickest way to get this legislation enacted. There was a great deal of discussion back and forth as to whether it should stand by itself or should be part of the Defense Authorization Act.

I know I speak for all of us, and that is if something happens to this legislation, we would come back with a separate piece of legislation so that we can make sure we act as quickly as possible.

We were all deeply disappointed by the conditions at Walter Reed that were reported in February of this year and the problems that our wounded warriors faced after their inpatient care was complete—living in substandard conditions at building 18, being treated poorly, battling a Cold-War disability evaluation process and, for some, falling through the cracks.

Since February of 2007, there have been many encouraging changes. First and foremost, Secretary Gates insisted on accountability for the leadership failures that led to the tragedy at Walter Reed.

In April of this year, the Army stood up a new warrior transition brigade at Walter Reed to attend to the needs of wounded and ill soldiers in both Active and Reserve components. This model of soldiers caring for soldiers is now spreading throughout the Army.

I think we are on the right track to address the problems at Walter Reed, but there is much more to be done. And I emphasize, we all recognize there is much more to be done. But I do believe this legislation is a very important and valuable contribution to the effort that must be ongoing. We must match the heroism of the wonderful young men and women who have given so much for our country.

Let me tell you who some of my heroes are: SGT Ted Wade was grievously wounded in Iraq in 2004, who together with his young wife Sara has bravely battled for 4 years the maze of health care and benefit evaluations of the Department of Defense, Veterans Affairs, and Social Security; lost medical records, confusing and conflicting medical and physical evaluations, and Sara even lost her job. These brave young people have also lost time. Four years is too much to ask of someone who has given so much for his country.

SFC Jeff Mittman is a brave Army soldier who was wounded 2 years ago by an RPG that tore away a significant portion of his face. Today, Jeff is still on active duty, though he returns to Walter Reed frequently for special surgery. Together with his wife Christy, they have continued to raise their children. Jeff is back at school. As a testament to his heroism, Jeff says of his extraordinary injuries: ''I got hit hard, but I'll walk it off.'' This weekend, he and his family will celebrate the second anniversary of his being alive.

SGT Eric Edmondson, a soldier who suffered severe traumatic brain injury in October 2005 and was thought to be without hope of recovery, today is standing on his own, thanks to the work of his remarkable therapist and his own strong determination to survive.

Petty Officer Mark Robbins is a Navy Seal who lost his eye from a sniper's bullet after saving the lives of his buddies in an RPG attack in Iraq in April of this year. Mark, who walked to the medical evacuation helicopter on his own after being wounded, is recovering today at his home in San Diego. His determination to carry on in the fight in spite of his injury is not the exception among our young men and women, it is a tribute.

I also think it is appropriate from time to time, even though what happened at Walter Reed was a disgrace and a scandal and a source of national shame, and it is important that we continue to emphasize that there are thousands and thousands of people who work in our armed services hospitals and clinics and also in veterans affairs who are present at our hospitals, who take care of our aging veterans from the ''greatest generation,'' Korea, and the Vietnam war. These people labor most of the time without credit, most

of the time without publicity, and do a magnificent job.

The system is broken, not the people—not the people—who serve with dedication and patience and care, and love our veterans in a way which should be an example to all of us, and we should never forget that as we try to fix a broken system.

As I mentioned, these are some of America's heroes, my heroes, who have sustained terrible wounds, whose lives have been saved by the finest medical professionals in the world, and who, with their families, face the challenge of a long recovery and rebuilding their lives.

This legislation, the Dignified Treatment of Wounded Warriors Act, will make a difference in the lives of our wounded warriors and their families. It bridges the gap in health care coverage for the severely wounded and ensures their access to the broadest possible range of health care options.

It authorizes additional care and support for families who are caring for the wounded. It requires the Secretary of Defense and Veterans Affairs to develop and implement new policies to better manage the care and transition of our wounded soldiers. It empowers a special board to review disability ratings of 20 percent or less and to restore to a wounded soldier, if appropriate, a higher disability rating or retired status.

Mr. President, that issue alone, of disability ratings, is one that, frankly, the Senator from Michigan and I cannot understand why it continued; that from one medical evaluation board, a certain level of disability and compensation would be adjudged while on active duty, go directly to the VA, and then another assessment is made with a different level of disability. It is just nonsensical. And I would like to say to all my colleagues, and I know we share a responsibility as well, we blamed the military, we blamed the VA, and we blamed a lot of people, but part of the responsibility lies right here with those of us who are supposed to have been paying better attention than we did. So I wish to make that perfectly clear, that I personally—and the Congress—share in the responsibility for having not fixed this system and some of the problems that have existed for a long time.

This legislation empowers a special board, as I mentioned, to review disability ratings. It authorizes additional funding for traumatic brain injury and post-traumatic stress disorder, encouraging public and private partnerships to address these signature injuries of the war, and supports efforts to erase the stigma associated with seeking care.

We found out, much to our sorrow, that in this kind of conflict, brain injuries are probably far more prevalent than almost any other conflict in which our Nation has engaged. We also have found out, thank God, that we are able to save a higher percentage of those wounded than we have in any other conflict—again, a testimony to the incredible professionalism of those who labor and work with dedication in our military medical health care system.

The legislation improves benefits related to the administrative separation from the military due to injury, increasing severance pay for servicemembers with disabilities incurred in a combat zone, and eliminating the requirement that severance pay be deducted from VA disability compensation for disabilities incurred in a combat zone—another remarkable situation which should have been fixed long ago. It requires the Secretary of Defense to immediately implement pilot projects to test improvements to the disability evaluation systems, to fundamentally change and improve those antiquated systems. It requires the Secretary of Defense to inspect and improve medical treatment in residential facilities and to study the accelerated construction of new facilities at the National Medical Center at Bethesda. The current facilities of Walter Reed have served the Nation well, but we can, and must, do better.

This legislation is an important step toward restoring trust for America's wounded and our veterans, but it is not our final destination. Our work also must be informed by the Presidential Commission on Care for America's Wounded, cochaired by one of my personal heroes, Senator DOLE, an enduring American hero. This report will be filed in another few weeks, and I am confident we will work to implement the recommendations of that report as quickly as possible.

I am pleased that the Senate Committees on Armed Services and Veterans' Affairs held a joint hearing on the care of the wounded earlier this year. On June 27, the Committee on Veterans' Affairs reported a bill, portions of which will be offered as an amendment to the underlying bill. These add new resources for traumatic brain injury and mental health evaluations provided by the VA and extend the eligibility for care for combat veterans from 2 to 5 years.

I believe additional conversation and legislation are needed to ensure that veterans with service-connected illnesses and disabilities have timely access to quality health care service through the Veterans' Administration. Given the strain on the veterans health system and the limits of our resources, I believe this can best be achieved through partnerships with civilian health care specialists, based on the health care needs of our wounded veterans. I don't think there is anybody in the world who is better qualified and better trained to address direct combat injuries. I do believe there are many areas of health care in America that are better at certain types of illnesses, certain types of mental therapy that is required, and other areas where health care specialists exist. Those health care specialists should be made available to our veterans. I am a fiscal conservative, as everybody knows, but in this area, the care and treatment of wounded warriors and veterans, we cannot retreat, no matter what the cost.

I wish to again thank the distinguished chairman of this committee for his leadership. I again thank Senator AKAKA, Senator CRAIG, and every member of the Veterans' Affairs Committee as well as the Armed Services Committee for our coming together and coming forward with this legislation. I only regret that it was needed.

I repeat the words of President George Washington in 1789, as I have so often during these times:

> The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional as to how they perceive the veterans of earlier wars were treated and appreciated by their country.

Again, I thank all the members of the committee, and I thank Ted and Sara Wade, Jeff and Christy Mittman, Eric Edmondson, Mark Robbins and his parents, and all of our wounded and their families. The solution to your trials requires cooperation among us all—in Congress, within the executive branch, and among veterans in military service organizations. With this amendment, I believe we are on the right path.

Again, I want to add my appreciation for the veterans service organizations—the VFW, the DAV, the AMVETS, the American Legion, and so many veterans organizations that labored day after day, in obscurity but with courage and with dedication on behalf of our veterans. Without them, we would not have received the valuable guidance and information and knowledge they have provided us as they address these challenges every single day.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. LEVIN. Mr. President, I wonder if the Senator from Hawaii would yield for a unanimous consent request.

The PRESIDING OFFICER. Does the Senator yield?

Mr. AKAKA. Certainly.

Mr. LEVIN. Mr. President, I ask unanimous consent that following the remarks of the Senator from Hawaii, the Senator from Washington and the Senator from New York be recognized on this side to speak, and if there are Senators on the Republican side who wish to speak, that they be interspersed with those three Senators.

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

The Senator from Hawaii.

AMENDMENT NO. 2019

Mr. AKAKA. Mr. President, I thank the chairman and the ranking member for their leadership in bringing about changes that will make a huge difference in the military and in our country as well. Later today, I intend to offer, along with my good friend and

ranking member of the Committee on Veterans' Affairs, Senator CRAIG, an amendment to the National Defense Authorization Act for Fiscal Year 2008 that would complement the outstanding work already done by the Armed Services Committee with the dignified treatment of wounded warriors amendment.

Our amendment seeks to enhance the care servicemembers receive once they transition to veteran status. It would improve the capability of the Department of Veterans Affairs to care for veterans with traumatic brain injuries. It would also improve access to VA mental health and dental care, address the issue of homelessness among newly discharged servicemembers, and recognize the importance of the National Guard and Reserve in the VA's outreach programs.

This amendment is a direct outcome of the close collaboration between the Veterans' Affairs Committee and the Armed Services Committee following our April 12 joint hearing. I was delighted to work with Chairman LEVIN of the Armed Services Committee, Ranking Member CRAIG of the Veterans' Affairs Committee, and others on this important amendment. I also thank Senators ROCKEFELLER, MURRAY, OBAMA, BROWN, and MIKULSKI for their cosponsorship of the amendment.

Our amendment includes provisions recently approved by the Committee on Veterans' Affairs at our markup on June 27 and represents the VA Committee's work to address the seamless-transition issues in collaboration with the Armed Services Committee's work on S. 1606, the Dignified Treatment of Wounded Warriors Act. Our actions here today, Mr. President, represent true collaboration between the two committees—a model for how the Department of Veterans Affairs and Defense should be working together.

At the heart of our amendment are improvements to TBI care. Ranking Member CRAIG and I worked on these TBI provisions, and they have garnered the support of many organizations, including the American Academy of Neurology, the Brain Injury Association of America, the Commission on Accreditation of Rehabilitation Facilities, and the Disabled American Veterans.

The VA was caught flatfooted by the large number of devastating TBIs resulting from the conflicts in Iraq and Afghanistan. Our amendment would require individual rehabilitation plans for veterans with TBI and authorize the use of non-VA facilities for the best TBI care available. It would require the VA to implement and research an education program for severe TBI through coordination with other Federal entities conducting similar research. There is also a pilot program for assisted-living services for veterans with TBI. This is comprehensive TBI legislation.

The amendment also addresses the amount of time a newly discharged servicemember has to take advantage of the unfettered access to VA care for which they are eligible. Under current law, any Active-Duty servicemember who is discharged or separated from active duty following deployment to a theater of combat operations, including members of the Guard and Reserve, is eligible for VA health care for a 2-year period without reference to any other criteria. Our amendment would extend this period to 5 years.

There are two primary reasons for allowing a greater period of eligibility: protection from budget cuts and ensuring access to care for health concerns—such as mental health or readjustment problems—that may not be readily apparent when a servicemember leaves active duty. In recent years, funding for VA health care has too often been delayed by the legislative and appropriations process, leading to delayed or denied care for veterans with lower priorities for VA care. Veterans who have served in a combat theater deserve to have their health care guaranteed for at least the 5 years immediately following their discharge.

With regard specifically to mental health and readjustment issues, 2 years is often insufficient time for symptoms related to PTSD and other mental illnesses to manifest themselves. In many cases, it takes years for these invisible wounds to present themselves, and many servicemembers do not immediately seek care. Experts predict that up to 30 percent of OIF and OEF servicemembers will need some type of readjustment service. Five years would provide a more appropriate window in which to address these risks. With over 1.4 million Americans having served in OIF and OEF and with over 600,000 of those members already eligible for VA health care because they have left active duty or, in the case of Reserve Forces, have been demobilized, extending this eligibility will help smooth their transition to civilian life.

To further address the mental health needs of separating servicemembers, we have included a provision in our amendment that would require the VA to provide a preliminary mental health examination within 30 days of a veteran's request for it.

I thank Senator OBAMA for his work on this provision.

We have learned from past wars that the longer mental health needs go unmet, the more difficult and extended the recovery.

Additionally, as servicemembers separate from active duty and become veterans, the threat of homelessness always exists as they reintegrate into society.

We have all heard the sad and shocking statistic that one out of every three homeless persons on the street at any given time is a veteran.

To further assist transitioning service members, our amendment requires the VA to conduct a demonstration project to identify those who are at risk of becoming homeless upon discharge or release from active duty. The demonstration project would provide referral, counseling, and support services for these individuals.

It has been proven through previous VA efforts that this process can reduce the incidence of homelessness and other problems among veterans.

This amendment also addresses the issue of the VA's outreach to members of the Guard and Reserves.

In the ongoing global operations, the reserve components have been used on an unprecedented scale. When these citizen soldiers redeploy and demobilize it is essential that the VA include them in outreach efforts.

To recognize the importance of the Guard and Reserve, and to acknowledge their contribution to the Nation's efforts, this amendment would redefine the VA's definition of outreach to include specific reference to the Guard and Reserve.

Finally, the amendment also addresses VA dental care for separating servicemembers by extending the window to apply for VA dental benefits following discharge from active duty. This amendment extends from 90 days to 180 days the application period for such benefits.

Recently returned servicemembers face significant readjustment, and dental concerns may not be a top priority. In addition, members of the National Guard and Reserve are often given 90 days of leave following discharge from active duty, and, upon return to their units, the opportunity to apply for dental benefits has passed.

The extension to 180 days would improve access to care and facilitate smoother transition from military to civilian life.

Our amendment touches on many of the issues that are affecting transitioning servicemembers and newest veterans. It truly complements the outstanding work that was done by the Armed Services Committee to take care of wounded warriors. I urge all of my colleagues to support this amendment when it comes before the Senate. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I know Senator MURRAY is going to be recognized now under our existing unanimous consent agreement. I ask, after she is recognized and after Senator SCHUMER, who is also in the sequence, is recognized, that Senator CARPER of Delaware be recognized following Senator SCHUMER.

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

The Senator from Hawaii.

Mr. AKAKA. Mr. President, I ask unanimous consent that Senator ISAKSON be added as a cosponsor of this amendment.

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

The Senator from Washington.

Mrs. MURRAY. Madam President, it is an honor to me to be here today to speak about the amendment that is currently before the Senate, the Dignified Treatment of Wounded Warriors

Act. This is a critically important amendment for the Senate and a critically important action for Congress and for the United States of America in finally making sure that we take care of those who have served this country so honorably, the men and women who are serving us overseas.

Madam President, 4½ years ago, the President asked Congress to go to war in Iraq. I stood on this floor as one of a handful of Senators, 23 of us who, at that time, said no. I said no because I didn't believe we had a clear mission. I didn't believe we should take our eye off the ball of the war on terror and the al-Qaida threat that was confronting our Nation, and I believed we did not have in place a long-term plan for military action in Iraq. I have never regretted that vote.

But when I spoke on the floor opposing the action of the President, I said once our troops were sent to war, no matter how we voted on it, it was our responsibility to make sure we took care of them when they came home. This country has failed to do that.

I had to sit out here on the Senate floor and fight, literally, vote after vote to get this Senate to pay attention to the fact that we had men and women coming home, waiting in long lines to get their VA benefits, who were not able to get an appointment to see a doctor, who were unemployed, who were being sent back to the front time and time again, whose families were falling through the cracks because of the long deployments, and that we had military facilities that were incapable of dealing with the thousands of men and women who were coming home and who were injured.

Today, finally, we are coming to a point where, through the hard work of our VA Committee, Armed Services, and others, we have brought to the Senate a bipartisan amendment that I hope passes overwhelmingly this afternoon, that begins to address the critical needs which our soldiers are facing.

Since this war began 4½ years ago, I have taken the time to stop and talk to our men and women when they have come home. I have seen the tears in their eyes as they wait on medical hold not for days, not for months, but for more than a year, fighting the very service they swore to serve, to get their benefits. They were given ratings that were far too low in order to keep them in the military rather than allowing them to get out and get on with their lives. I have talked to men and women on medical hold, who were trying to get through a complex system of ratings for help, whose advocates themselves, advocates to help them get through the system, were soldiers who had post-traumatic stress syndrome and had difficulty themselves dealing with their own lives, let alone advocating for a servicemember who is trying to get through a complex system.

I have talked personally to men and women who, after not once, not twice, but maybe dozens, if not more than 100 times, being close to explosives, came home and couldn't understand why they couldn't remember their children's names or where they put their car keys or even where they lived because they had traumatic brain injury, but no one had diagnosed it correctly.

I have talked to too many parents and spouses and family members who have told me horrific stories of their very proud servicemember who has come home, left the service, and been left at home medically dealing themselves drugs because they have post-traumatic stress syndrome and no one had taken the time to find them or their family to educate them about the services they need.

When we agree to this legislation, this amendment today, we will finally have taken a very direct step in helping the men and women who have served this country so honorably.

Madam President, 4½ years ago, when the President asked us to go to war in Iraq, he talked about weapons of mass destruction, he talked about al-Qaida, he talked about the mission to fight the war on terror—but what he has never talked about, in my opinion, is taking care of those men and women who have served us honorably. Today, the Senate is going to talk about those men and women who have served us and what we need to do for them.

Several months ago, Bob Woodruff presented an amazing television series to us about traumatic brain injury and its impact on men and women as they make their way through medical hold and finally go out and get into communities and are lost in the system. Traumatic brain injury is not something that can be treated today and you are fine tomorrow. It is a lifelong, debilitating injury. We do not have out in the country today the capability of making sure those men and women are not lost.

We have seen too many times, when men and women who have post-traumatic stress syndrome can't keep a job, and they find themselves at home and, tragically, cases of suicide because of that.

We have to address the costs and the issues that face our men and women, and proudly stand here and make sure we are doing everything we can. This year, with the Democratically controlled majority, we have finally moved forward for the first time to put in place a strong budget to take care of our veterans. We have finally, for the first time when we passed the supplemental war spending, actually added dollars to care for our veterans.

Today the step we are taking has more to do with the policies these men and women fight when they come home. They are in a system in the service that rates them one way, and when they finally get discharged, they go through a veterans system that rates them in an entirely different way. The two systems do not talk to each other. They do not electronically talk to each other. Soldiers lose their medical forms. They are fighting systems. They can't get the benefits they deserve because they are fighting paperwork.

No one should fight for our country overseas and come home and have to fight paperwork. That is what this amendment will do, is make sure, finally, that the VA and the DOD speak in the same language and treat these men and women as a single person and not just a pile of paperwork.

This amendment has teeth. It will require the Department of Defense and the Department of Veterans Affairs for the very first time to come back to us by January 1 of next year with a series of comprehensive policies that will make sure our rating systems are the same; that their electronic systems that track our men and women speak to each other; that no one gets lost because their advocate is dealing with his or her own health care issues. It will make sure we can go back with pride to the men and women who have served us and say we have made a tremendous effort for them.

We have seen partisan battles through many years on the floor of the Senate. Today we are going to see a time when we come together as Republicans and Democrats to say there is one group of Americans who deserve us to speak with one voice, and that is the men and women who have served us. Regardless of how we feel about this war, regardless of how we want to end it—I want to end it more than anyone—I want to make sure the men and women who served us are taken care of. This amendment makes a dramatic step forward.

I think it is important to know, even if we were able to get enough votes to end this war today, the men and women who have served us will need our help and our support and our dollars for years to come—whether they have lost a limb, whether they have traumatic brain injury, whether they have post-traumatic stress syndrome. They have borne the burden of this war. It is incumbent upon this country to bear the burden of their care. This amendment takes a major step forward, and I hope today we have 100 percent of the Senators on the floor saying yes to the men and women who served us so honorably.

I yield the floor.

Mr. LEVIN. Madam President, before the Senator from New York is recognized under our unanimous consent agreement, I especially thank the Senator from Washington. She has been one extraordinary advocate for this cause of our veterans. She is a symbol of the effort that so many people in this Senate have put into this legislation, but I just want to especially identify her because she, along with Senator AKAKA and other members of the Veterans' Affairs Committee, has joined with us as one. I thank her particularly.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I would ask my friend, the chairman, if perhaps we might, after the Senator from Washington is recognized, by unanimous consent, go through the managers' amendments following that and then proceed with the debate, or is the Senator from New York also recognized?

Mr. LEVIN. The sequence is the Senator from New York, then the Senator from Delaware. But how long will this take?

Mr. MCCAIN. For us to go through the package, a maximum of 3 or 4 minutes.

Mr. LEVIN. Are we ready with the list?

Mr. MCCAIN. If that is all right, maybe between the two Senators we can do it.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. Madam President, first, I wish to thank both my colleague from Michigan, who does such a profoundly great effort on these proposals and these bills, for the thought and the care and the sensibility that goes into it. I also wished to say that my colleague from Washington, I wished to add my voice, she has been a clarion voice, talking about veterans and their needs and their care long before the issue was front and center, long before the Walter Reed scandal emerged, long before we were able to take over the Senate and put the money of this Nation where its voice has been, and that is behind our veterans.

Now, the amendment that was offered that my colleague from Washington talked about, the dignified treatment of wounded warriors, to honor those who serve us with medical care and treatment they need is another opportunity to demonstrate our support for our troops.

I hope my colleagues will all join us in this amendment and do what is right for those who serve. Unfortunately, yesterday, my colleagues on the other side of the aisle blocked another effort to support our troops with appropriate time at home between deployments. Yesterday they blocked Senator WEBB's amendment addressing the serious challenges our military is facing both abroad and home.

I am disappointed that most of my colleagues on the other side of the aisle felt it was more important to simply go along with the wishes of the President than support our troops, the brave men and women who are fighting for us in Afghanistan and Iraq.

We are putting our most valuable military resource at risk by failing to provide our troops with the resources they need to complete their mission. By that, I mean we are not allowing them enough time to recover in between their deployments to Afghanistan and Iraq.

My State is home to one of the Nation's finest military academies, if not the finest in the United States, the U.S. Military Academy at West Point. West Point produces many of our military's finest leaders.

But while West Point continues to produce excellent soldiers, the Army is unable to keep them. Unfortunately, graduates of West Point are leaving the military at five times the rate they did before the Iraq war. Roughly half of the West Point classes of 2000 and 2001 have left the Army. That is an extremely severe indictment of the President's policies in Iraq.

When these patriots, these young men and women who want to serve their country and enroll in this great institution leave so quickly, which has been uncharacteristic, it says something very severe about the wrong direction our Nation's military policy is pursuing.

That is not all. This January, 3,200 members of the valiant 10th Mountain Division, 3rd Brigade Combat Team, stationed in Fort Drum, NY, learned that their tour had been extended by 4 months. They had been fighting in Afghanistan for nearly 12 months and found out, right as they were to come home, they would have to remain in Afghanistan for an additional 4 months.

That is why I supported Senator WEBB's amendment. We have asked so much our of our brave men and women who continue to sacrifice their lives and place themselves in harm's way to defend our Nation. At the current troop rotation rate, we are simply running our troops into the ground.

This hurts us at home, both in declining retention rates and the rise of mental health issues associated with multiple deployments to Iraq and Afghanistan.

As I have said before, I am disappointed that some have felt it was more important to support the President than to support the troops, the brave men and women who are fighting for us in Afghanistan and Iraq.

But despite the refusal of the other side to join us in the Webb amendment, Congress will not stop supporting our troops, as we carry on the fight to transform our failing policy in Iraq to a mission that reflects the current situation on the ground.

When the President vetoed our supplemental spending bill, we vowed that we would continue to ratchet up the pressure as the President becomes more and more isolated in his views. Well, here we are. This week we in Congress continue to work toward a solution in Iraq that changes our mission from policing a civil war to more on what should be our first and foremost goal, counterterrorism. Now the pressure on this administration is rising as the people speak out and demand change and more and more Republicans are joining with us and the Democratic Congress in looking toward a change in mission for our troops.

As more Republicans join us in our fight to transform the mission on the ground, the President has only responded with threats and empty rhetoric. So let me be clear: President Bush has to realize we are not going to give up our goal of changing our mission. We will not back down, we will not be deterred, we will not rest until the mission changes; that mission that costs $10 billion a month, because this administration has continued to pursue its policy in fear, empty words, charges that people are not patriotic, charges that people are not supporting the troops, even though that is exactly what we are trying to do here and have been doing. That is not going to work. This debate is not going away.

Even though the President continues to stall, telling the country to wait until September when his general issues a report that everyone else in our country and around the world already seems to know, that our current policy in Iraq is not working, we will move now to change the course in Iraq.

The President would be wise to work with us to change the mission now, not wait until September when this report is issued. If the report had any degree of honesty or integrity, it will show that the mission is not working.

I speak to soldiers all the time, from NCOs and privates to one- and two-star generals. So many of them, when they talk to you privately, believe the mission is not, cannot, and will not work. It seems almost everyone knows this. There are many in the military, particularly in the higher ranks, who are loyal to the President, as they should be; he is the Commander in Chief, but in the hearts and minds of so many of our soldiers, they know the policy is not working.

Every day that we wait, our troops continue to be caught in the dangerous crosshairs of a civil war; every day that we wait, the American people grow more dissatisfied with our failed strategy; every day we wait, more members of your party realize we must change course and call for it.

So the Senate, led by Chairman LEVIN and our great military expert in this body, the only West Point graduate in this body, Senator JACK REED of Rhode Island, the Senate has an opportunity to send the President even tougher language regarding our policies regarding Iraq.

This amendment does all the right things. It changes the current mission to force protection, training Iraqi security forces, and performing targeted counterterrorism operations. But it also calls for a substantial reduction in our forces in Iraq by next April, and it requires these changes. It is not laudatory, wishful thinking such as some of the other amendments. It is the only amendment that is before us that requires a change of course in Iraq.

That is the right policy for many reasons. First, our troops are caught in the middle of a civil war in Iraq. They patrol the streets of Baghdad, while Sunnis and Shias shoot at one another. Our soldiers are caught in the crossfire. That is not where they belong; a point

that I, along with many of my colleagues, have been making for a long time.

It is clear the Sunnis, the Shias, and the Kurds dislike each other more than they like any central government of Iraq. No number of American troops will change that no matter how hard they try and how valiant they are. The Sunnis, Shias and Kurds also have to work this out for themselves.

Second, we need to focus on Afghanistan, where the planning for 9/11 took place, where al-Qaida is growing in strength. We are not nearly doing enough in Afghanistan to counteract the ever-increasing production of opium there, a problem that threatens the ever fragile Government.

Not only does opium production fuel the heroin trade around the globe, but the heroin funds terrorists who aim to attack the United States and our allies around the world.

Our soldiers have fought long and hard to rid Afghanistan of terrorists and Taliban. However, as the drug trade continues to surge and consume the Nation, their heroic efforts may be undone. The Taliban draws its strength from the drug trade in order to prevent them from reclaiming the country. We need to crack down on the drugs that fuel their regime.

Secretary Chertoff's report said al-Qaida is stronger today than it was before 9/11. That is as severe an indictment of the President's Iraq policy as there could be. The very forces who struck us on 9/11 are growing stronger in Afghanistan, in Pakistan, and around the world, while we are bogged down in Iraq.

Could there be any fact that demands change more than that? We were attacked on 9/11 by al-Qaida. The next day, 2 days, 3 days later, I was there as the President stood on that pile of rubble and took the megaphone from the firefighter and said: We will beat al-Qaida and we will beat the terrorists.

They are now stronger than they were before that day. What is wrong? Characteristically and depressingly, the President said al-Qaida is actually weaker than before 9/11, contradicting the report released by his Secretary of Homeland Security.

The President says al-Qaida is weaker. The Secretary of Homeland Security has issued a report saying they are stronger. This is so typically unfortunate of this administration. This is a rerun of the weapons of mass destruction issue that occurred long ago. Make up your mind on what you want to do, ignore all the facts, and no matter what the people around you say, no matter what the American people say, vote for it.

Unfortunately, we have become bogged down in a civil war in Iraq no one has bargained for, as al-Qaida grows stronger in other parts of the world. Being caught in the crosshairs of a sectarian struggle not only puts our troops in harm's way, it means we are not focusing our resources, our energy, and our soldiers on what is the most important thing, which is defeating al-Qaida and terrorists.

Our mission today was not the original mission, and that is why we must change, why it must change to put the focus back on counterterrorism. Every day we continue to follow the President's Iraq policy is another day al-Qaida can strengthen.

That is not just my assessment. That is the feeling of this Congress, including more and more Members on the other side of the aisle; it is the feeling of a majority of the American people and so many in the intelligence agencies.

Today, the President claimed there are some signs of success in Iraq. But this administration's sign of success is very different than most peoples'. The Government of Iraq has failed to meet few of the legislative benchmarks set out by the administration itself. Violence in Baghdad and across Iraq continues unabated. Thousands of refugees are fleeing Iraq every day. Iran continues to support efforts to destabilize the region. Yet the administration still refuses to admit we need to change our failing policy in Iraq.

President Bush and his few remaining allies continue to cling to the fiction that our present course can somehow turn the situation around. The American people know better. This Congress knows better. That is why we keep pushing and pushing and pushing to change the mission in Iraq to one that reflects the reality on the ground.

I urge all my colleagues to support the Levin-Reed amendment. It is the only amendment that requires a change in direction in Iraq. All of the others have good intentions, but they are hortatory. They are offered with good intentions, but they allow people to say: I want a change in policy, but I am not going to force the President to do so. The American people know better. They know that if you really want to change the course of what we are doing in Iraq and change the course in the war on terror, then you must support Levin-Reed. You can't stand for something that says: Well, please, Mr. President, consider doing this, as the other amendments do, because the President won't. The President has been intransigent despite all of the facts on the ground. It is clear this administration has lost its way in Iraq, and this amendment charts the right course forward and requires them to follow it. Despite the stubbornness of the administration, despite their continuing to ignore what is happening in this world, we need to transform our mission in Iraq, and we must do it now.

I hope, I pray, for the future of our war on terror and for the future of this country, that the Levin-Reed amendment gets the required 60 votes and we move forward as a nation together and set our policy right once and for all.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, Senator CARPER had to leave the Chamber for a moment. I ask unanimous consent that Senator DURBIN now be recognized and then Senator CARPER be recognized under the sequence previously ordered. That is always subject to a Republican coming because they would be interspersed among the listed Senators on this side of the aisle.

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

The Senator from Illinois.

Mr. DURBIN. Madam President, I salute the Senator from Michigan. As chairman of the Armed Services Committee, he brings an important bill to the floor. This is a bill which decides how we are going to authorize funds for America's military. We are enjoying the blessings of liberty in this country because of men and women in uniform who are willing to fight and die and keep this land free. This bill each year tries to make certain they have the resources to fight and be effective, to keep America safe. It is a huge responsibility with which this committee and this chairman have been entrusted. I thank the chairman, Senator LEVIN, and his Republican counterpart, Senator MCCAIN, for their fine work.

I wish to echo the words said by Senator SCHUMER about the amendments before us. One of the most important elements of this debate is what is going to happen in Iraq. If we don't make a decision in Congress to change the direction in Iraq, we all know what will occur. President Bush has made it clear. He has said he will leave it to the next President to start removing troops. That means 18 more months of war. It means 18 more months of American casualties. It means 18 more months of expense for American taxpayers. It means a war that will continue with no end in sight. We have it within our power in the Senate through this bill to change that course, to have a new direction in Iraq.

I will support the amendment offered by Senator LEVIN and Senator JACK REED of Rhode Island. They have been two of our best leaders on this issue because they are so committed to it and study it so carefully. They have it right.

The Levin-Reed amendment says that within 120 days, American soldiers will start coming home. It says that by April 1 of next year, our mission will change. We will no longer have a combat force protecting Iraq. We will have specific, defined missions. Our combat forces will come out. We will be there to fight the al-Qaida terrorists, to train Iraqi soldiers, and to protect American assets and the American soldiers who are coming home. That is it. At that point, the Iraqis have to take over. It is their country. It is their future. At some point, they have to stand up and assume the responsibility. The Levin-Reed amendment says explicitly that is what we are going to do.

There are many other amendments that will be considered. Some of my

closest friends are going to offer amendments. Senator KEN SALAZAR and Senator LAMAR ALEXANDER have a bipartisan amendment to bring in the Iraq Study Group approach. There is nothing wrong with the Iraq Study Group. We praised the Iraq Study Group when they made their report last December. Had the President lived by their recommendations, we might be in a different place at this moment in time. But we are not. We are embroiled in this war, and we need to change it.

I have read the Salazar-Alexander amendment in its entirety. I can tell you that if you vote for this amendment, not a single soldier will come home, not one. They leave to the President the authority to make the decision about when to end this war. We know what his view is. This President is out of touch with the reality in Iraq. He is out of touch with the American people. The Salazar-Alexander amendment will not change that. The Levin-Reed amendment will. It will say to the President that the American people, through their elected representatives in the Senate, want to change this policy, and we will do it by law. That is the way to change it, not by sending a message to the President hoping for the best.

I will support the Levin-Reed amendment. I believe the Salazar-Alexander amendment would have been a good thing to do a year ago when the Iraq Study Group issued its report. Today, it doesn't reach the result we want to reach in an effective time.

AMENDMENT NO. 2019

I would like to thank the chairman and ranking member for their work on the Dignified Treatment of Wounded Warriors Act being offered today as an amendment to the Defense authorization bill. I am proud to be a cosponsor of this effort.

I also would like to thank Senators WARNER, MURRAY, GRAHAM, OBAMA, WEBB, HAGEL, CANTWELL, CLINTON, and BAUCUS, who are co-sponsors of my Military and Veterans Traumatic Brain Injury Treatment Act—much of which is included in the amendment before us today.

Traumatic brain injury is the signature injury of the Iraq war. The widespread use of Improvised Explosive Devices, IEDs, has taken a terrible toll. Even those who have walked off the battlefield without visible scars often find they have suffered the internal trauma of a traumatic brain injury.

The provisions from my bill that have been included in this amendment will reduce the number of our wounded soldiers who fall through the cracks and are left to fend for themselves as they struggle to recover from a traumatic brain injury.

We have made tremendous progress in battlefield medical care.

During Vietnam, one in three service members who were injured died. In Iraq and Afghanistan, 1 in 16 who are injured die. But with the changes in warfare and in medical technology, more of our service members are coming home with serious brain injuries from Iraq and Afghanistan than from any other recent conflicts.

For some of these wounded warriors, the greatest battle comes at home when they seek care. Many of these returning troops need long-term treatment and rehabilitation long after their discharge from active duty, as they fight to overcome the severe disabilities that a traumatic brain injury can cause.

For others, there is a different story. Some service members don't even realize they have suffered a traumatic brain injury until long after their discharge, because we don't do a very good job of identifying and treating those who may have suffered a brain injury.

Fortunately, many of those who suffer a brain injury are able to recover fairly quickly. But for some, the experience is life-altering, even life-shattering. We must not fail them in their time of need.

Consider the case of SGT Eric Edmundson. In October 2005, he suffered a severe head concussion when a roadside bomb exploded near him. He was cared for at Walter Reed Hospital, but then was transferred to a VA facility where he and his family felt he was not receiving the kind of treatment that would allow him to continue to make progress in rehabilitation.

He would have been stuck there if the family had not found a creative way to obtain the care he needed by ensuring that Eric could receive treatment and rehabilitation at one of the premiere rehabilitation hospitals in the nation: the Rehabilitation Institute of Chicago. Two weeks ago, I attended a ceremony at the Rehabilitation Institute of Chicago in which Eric walked out of the hospital.

Now consider the case of SGT Garrett Anderson of Champaign, IL. Garrett went to Iraq with the Illinois National Guard. After 4 months there, an IED exploded next to his armored humvee in Baghdad. The blast tore off his right arm below the elbow, shattered his jaw, severed part of his tongue, damaged his hearing, and punctured his body with shrapnel.

He spent 7 months at Walter Reed, where he received excellent care in Ward 57, the famous amputee ward. However, the outpatient care that followed has been filled with paperwork and redtape. It was months before the VA recognized that Garrett had suffered a traumatic brain injury, and he has not received the kind of treatment for brain injury that could make a significant difference in the trajectory of his rehabilitation.

We need to change the way we handle patients with traumatic brain injury, so that they receive the care they need at the time they need it, and the provisions from my Military and Veterans Traumatic Brain Injury Treatment Act that have been included in this amendment will do just that.

These provisions include: requiring the Secretary of Defense, in consultation with the Secretary of the Veterans Administration, to develop a comprehensive program to prevent, diagnose, mitigate, treat, and otherwise respond to traumatic brain injury and post-traumatic stress disorder; and requiring predeployment cognitive screening as a baseline for evaluating potential brain injuries.

Other principles from my bill have been included in this broader amendment to apply to all service members, and not only those who have suffered from traumatic brain injuries. For example, this amendment would require: a uniform policy and procedures to ease a service member's transition from the DOD to VA; a 3-year period in which a medically retired service member can obtain the same medical benefits as those on active duty; a joint electronic health record for DOD and VA; and outreach to members and their families regarding the benefits to which they are entitled.

Indeed, we must do much more for all of our wounded warriors, and the dignified treatment of wounded warriors amendment is a comprehensive policy governing their care. This bipartisan amendment also would require: medical care and job placement services for family members providing care for severely injured service members; establishment of Centers of Excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of traumatic brain injury and post-traumatic stress disorder; improvements in the disability system for service members; and improved housing facilities for injured patients.

Our Nation's service members deserve swift action on this effort to improve the treatment they will receive if they are wounded or suffer a traumatic brain injury.

I can't imagine the anguish that must be associated with such an injury, but I can imagine the kind of medical system I would like to have in place if it were my son or daughter struggling to recover from such an injury. This legislation reflects that vision.

I thank all of my colleagues who have contributed to this legislation and I urge all Senators to support this measure.

I wish to elaborate on a story as to why I have added provisions in this amendment. This is about American soldiers coming home who are wounded and how they are treated. Those of us—and I think it includes almost everyone in the Senate who has taken the time to go to military hospitals and VA hospitals—know that, sadly, after promising to these men and women that if they will take the oath to defend America, we will stand by them when they come home, we have broken our promise time and again.

This story illustrates why this is needed and why I have added some language which I hope will help. It is the

story of a brave young soldier named Eric Edmundson, 7 years in the Army, 27 years of age, who suffered a traumatic brain injury in Iraq. As a result of that injury, he went through surgery, and during the course of surgery, there was a problem: His brain was deprived of oxygen for a period of time. He was rushed to Walter Reed Hospital, where he went through more surgery and more effort and then finally was discharged from Walter Reed to Richmond, VA, to the VA hospital. Eric went into that hospital in a very bad state. He really hadn't made much of a recovery. His father, his mother, his wife, and his sister were all by his side praying for the best and hoping for the best treatment.

After a period of time, the people at the Richmond VA hospital came to the family and said: We have bad news about Eric. We need for you to pick out a wheelchair because he is going to spend the rest of his life in a wheelchair in a nursing home. His father says not only no, but hell no; I am going to fight for my son; he is not going to spend the rest of his life sitting in this wheelchair. His father quit his job in North Carolina and became a full-time advocate for his son, this fallen soldier. He fought the Government to make sure his son had the best. Let me tell you what happened.

Eventually, he went on the Internet and found the Rehab Institute of Chicago, one of the best. He insisted that his son go to this rehab institute. The Government said they wouldn't pay for it. He said: I am sending him anyway. He had him admitted and finally persuaded the Government to start paying for his treatment.

Ten weeks ago, I walked into the hospital room of Eric Edmundson. Here was this bright, smiling young man sitting in a wheelchair. He followed me with his eyes as I walked into the room, and I stood before him and said: Eric, how are you doing? He can't speak. He just smiled, looked at me, and nothing happened.

Four weeks ago, I went back to that hospital room to visit with the family and this young soldier. His mom and dad said: Eric has a present for you. I thought: What could this be? They walked over and they propped him up by his elbows, and he took four steps. There wasn't a dry eye in that hospital room. We were all crying, including Eric. He was walking.

His dad said to me—and this was right before Memorial Day: A month from now, he is going to walk out of the front door of this hospital. I was there on June 30, the day of his official discharge. Eric Edmundson walked out of the front door of that hospital. He had been given up on by a VA system that didn't have the 35 years of experience the Rehab Institute of Chicago has. He had been given up on by so many others. But America can't give up on these soldiers. We can't relegate a 27-year-old soldier to a lifetime in a nursing home because we are afraid to refer him to the best hospital in America. That is wrong.

This amendment will help. This amendment for our wounded warriors will help them move forward in the system and have greater opportunities. Sad to say, it doesn't go far enough. There has to be a point in this system where the military hospitals of America and the VA hospitals will concede there may be a better hospital for this soldier, this sailor, this marine, this airman, and we cannot deny them that care. We have to give them that care. This bill doesn't include that. I am disappointed.

We asked these brave young men and women to fight our enemies overseas. They shouldn't come home wounded and have to fight their Government. That is what the Edmundson family had to do. We should make certain no other family of any other soldier ever faces that in the future.

I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Michigan.

Mr. LEVIN. Mr. President, there was an agreement previously that we would alternate back and forth. If that is what Senator ISAKSON is seeking to implement, they have a right to do so. I would note to Senator CARPER that we did agree that if a Republican did wish to speak, they would be recognized in an alternate way.

I ask unanimous consent that the following sequence be accepted for the Democratic Senators, subject to that same understanding that Republican Senators would be interspersed: After Senator CARPER, Senator MCCASKILL, Senator BROWN, and then Senator LINCOLN would be the order on this side.

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

The Senator from Georgia.

Mr. ISAKSON. Mr. President, in relation to that unanimous consent, I ask unanimous consent that following the presentation by Senator CARPER from Delaware, Senator HUTCHISON of Texas be the next one recognized on our side.

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

Mr. ISAKSON. Mr. President, we have had a tenuous debate, and it is going to go a while. I first commend Senator LEVIN on this amendment. I am proud to be a cosponsor of it. Although we have differences on many things, I don't think there is a difference in this Chamber on the provision of services and health care to our wounded warriors as they come home. As a member of the Veterans' Affairs Committee, I have been pleased to work with Senator AKAKA and Senator CRAIG on many of the provisions in this legislation. I thank Senator CARPER for allowing me to take a few minutes.

I appreciate the remarks by the Senator from Illinois about what he has done in this bill. As I listened to many of the discussions about the things we need to fix, I think sometimes we forget to remember all the things we are doing well. I wish to talk about two things.

One, I wish to let the men and women of the U.S. Department of Defense medical services and the Veterans' Administration know how much I appreciate what they are trying to do and what they have been trying to do. Let me illustrate that by telling a very brief story.

I go to Walter Reed periodically anytime there is a wounded Georgia veteran there. I also see other veterans, but I make it a point to make sure that the parents or a spouse of every one of those veterans has my phone number and knows they have an advocate in Washington as long as they are at Walter Reed.

One of my visits to Walter Reed just happened to be on the Monday following the breakout of the story about building 19 or 18, the building that was in bad shape. That was a national story and reflected poorly on Walter Reed and on us.

When I got there, I first went to visit Corporal Pearson, a Georgian, actually from my home county, who had been wounded. I gave him my phone number, and asked for his father's phone number. I left from there to go to see Building 18. I went over there and saw the condition Building 18 was in, and I, too, knew we could do much better.

On the way to my office at Russell, I called from my car on my cell phone to the corporal's father and left a message for him to call me back. He called me that night. I told him how much I appreciated his son's service, and I wanted him to know, while he and his wife were in Georgia and his son was at Walter Reed, they could use me as a family member, if they would, to give them any assistance he might need at the hospital.

He thanked me for that. He said: Senator ISAKSON, just do one thing for me. I have been watching all this on the news about that building, and I am sorry about that, but if anybody asks you, tell them my son has been in Walter Reed for 10 days, and my wife and I were with him every day until yesterday, and I have never seen anybody receive finer care.

I pass that on not to in any way mask those places where we do have difficulties and need improvement—many of them recognized in this particular amendment—but as we talk about things we want to make better, we cannot forget that day in and day out the loyal American service men and women in the U.S. Armed Forces medical corps at Walter Reed and in the VA who are doing a phenomenal, lifesaving job, a better job than has ever been done in the history of warfare. I want to put in that compliment and pat on the back for them.

Secondly, with regard to the wounded warrior amendment, this addresses so many things we have learned from the trauma of the types of wounds that are coming from the type of warfare we are fighting in Iraq. We are saving so many more of our wounded warriors on the battlefield, but because of that we

have many more who need long-time care, long-time attention, and specific attention. This wounded warrior amendment goes a long way toward doing that.

I particularly compliment the authors of the amendment, and all of us on the Veterans Committee, on the new referral system that is put in here for the diagnosis of PTSD, and how that has been greatly improved in the number of people who can actually make that referral back to Veterans Affairs or the Veterans' Administration or back to DOD, if they are still on active duty.

I also want to brag for a second about General Shoomaker at Walter Reed. One of the things we talk about—and Senator DURBIN's remarks addressed this—is the difficulty we have been having with the handoff of health care from leaving DOD to going to the VA. That has been a problem, and we have a record number of people who are being handed off once their service is over, while they still have treatment necessary, from DOD to VA.

General Shoomaker was at Fort Gordon in Georgia prior to coming to Walter Reed, when he was asked to come in and straighten out the difficulties Walter Reed had. While at Fort Gordon, General Schoomaker had been the real catalyst for what is said in the military to be the best seamless transfer of wounded warriors from DOD to the Veterans Administration.

Today, now, for those who are coming home with amputations, who are in need of long-term therapy, long-term treatment, long-term care, who go from active duty, are severed honorably, to go into veterans status, they have created a seamless transfer in that rehab at Augusta, which is recognized as second to none. I know the recommendations in this amendment which will be adopted by this body will go a long way toward improving the systems by which those transfers take place.

I am pleased to rise to thank those in our military and the care they give, and know there are areas where we can do better. I commend Senator LEVIN and the many cosponsors of this particular amendment for all the work and time that has gone into it.

As we have a very tenuous and difficult debate, it is important for the American people to know every Member of this Congress appreciates the care that is given by our military doctors and our military medical personnel and understands we can do better. As we deal with the trauma that comes from the type of conflict we are now in, this wounded warriors amendment will see to it that the care, the referral, the diagnosis, the treatment, and the transfer are better now than they have ever been before.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I ask to be advised when I have consumed 20 minutes of my time.

The PRESIDING OFFICER. The Chair will so notify the Senator from Delaware.

Mr. CARPER. Thank you, Mr. President.

I come today to address the Chamber and our colleagues on the subject of cost-effective airlift in the 21st century. Before I do that, though, I wish to preface my remarks with this:

Today, we have received an interim report from the administration on whether progress is being made in Iraq—specifically, progress with respect to the 18 benchmarks that were required in legislation we enacted in May of this year. From the news accounts this morning, there are few surprises. The U.S. military, as expected, is doing its job—a tough job. The problem is, the Iraqi Government and too many of its elected leaders are not.

The Iraqi Parliament remains hamstrung by profound, seemingly irreconcilable differences. Despite months of American prodding, the Iraqi lawmakers have yet to agree on any of the major issues before them: how to share oil wealth, how to share power, when to schedule elections, de-Baathification, how to settle the sectarian differences that so badly divide their country.

We also have news this morning that al-Qaida is once again on the move, bringing to the forefront how the President's policies in Iraq have effectively created not fewer terrorists but more and, unfortunately, made our country, I fear, less safe.

According to U.S. intelligence estimates, al-Qaida has rebuilt its operations to levels we have not seen since just before the September 11 attacks. These reports indicate that the al-Qaida network is regrouping along the Afghan-Pakistani border. The CIA says there is evidence of more training, more money, more communications, and increased activity among al-Qaida. The results of such activity, as we know too well, could be deadly.

This new report tells me we have diverted too many of our resources to fighting a war that simply cannot be won by military might alone, and in doing so we have lost ground on the war on terror. Osama bin Laden remains at large 6 years after 9/11, and has seemingly taken peaceful refuge somewhere in Afghanistan or Pakistan. That is unacceptable.

This week and next, we are going to be taking a series of votes on how best to change the course in Iraq and refocus our energy on where it belongs—rooting out al-Qaida and going after their terrorist networks abroad and at home in a way that makes sense and will better guarantee success.

Part of that means, beginning later this year, that we begin to redeploy a portion of our troops from Iraq to put additional pressure on, and encouragement for, the Iraqi Government to do what it must do to help bring peace to their nation. Part of that means refocusing our efforts on how to win the war on terror, smoke out Osama bin Laden, and, in doing so, make our world a safer place.

I hope our President will work with our colleagues and with me to chart a winning course on the war on terror. We cannot get there alone. This is something we must do together.

Having said that, I want to now focus on cost-effective airlift in the 21st century.

The Senate is writing legislation this week intended to equip our Armed Forces to meet our national security threats and keep our country safe. Doing so is one of the foremost responsibilities of this body.

Our Armed Forces are charged with providing our Commander in Chief with flexible options for responding to a wide variety of threats across the globe. In Iraq, our Armed Forces are keeping the lid on a civil war and protecting civilians from terrorists.

In Korea, our Armed Forces are charged with guarding an ally's border and deterring aggression on the part of a large conventional military.

In the Pacific and the Persian Gulf, our Armed Forces protect American interests through the projection of naval power and carrier-based air power.

At home, our National Guard provides our Nation's Governors with critical response capability to cope with natural disaster, such as Hurricane Katrina.

At times, it can seem as though the demands on our military are practically limitless. Unfortunately, the resources available for equipping our military to meet these demands are not. At a time when our Federal budget remains mired in the red, we need to be looking for ways to meet our military requirements in a fiscally responsible manner.

I have come to the floor today to talk about one way we can do that. I have come to the floor, as I have said, to discuss cost-effective airlift in the 21st century.

Although the air men and women of our strategic airlift fleet rarely receive the attention they deserve, the reality is our military could not perform any of their missions I described if it were not for their hard work and dedication. Strategic airlift involves the use of cargo aircraft to move personnel, weaponry, and material over long distances—often to combat theaters on the other side of the globe. During Operation Desert Storm, U.S. aircraft moved over 500,000 troops and more than 540,000 tons of cargo. During the current war in Iraq, airlift sorties have made up the majority of the nearly 30,000 total sorties flown by U.S. military aircraft.

Strategic airlift enables our military to respond to threats wherever they occur in the world real time. Not only must our fighting men and women be transported to the fight, they must be continuously resupplied. Airlift makes that possible.

Most of the supplies, materiel, and weaponry moves abroad aboard ships. Almost all of our personnel and a good deal of cargo, however, are transported by aircraft. That airlift is provided by a combination of U.S. military airlift and commercial aircraft. The three military aircraft doing most of the heavy lifting are the C–5, the C–17, and the C–130. Together, they provide what I call an ''air bridge''—an ''air bridge''—to Iraq, Afghanistan, and to other troubled spots around the world.

Over the past 10 years, the United States has reduced its Cold War infrastructure and closed some two-thirds of its forward bases. Therefore, to maintain the same level of global engagement, U.S. forces must now deploy more frequently and over greater distances. Since 9/11, the scale and pace of operations has increased dramatically.

There have been several efforts in recent years to quantify our military's strategic airlift requirement. The most recent one is the Mobility Capabilities Study, which was commissioned by the Pentagon, and was completed in February of last year. It concluded that the Nation's airlift requirement could be met with a fleet of 112 C–5s and 180 C–17s.

Our current strategic airlift fleet—including aircraft currently flying and aircraft on order—consists of 111 C–5s and 190 C–17s. An update to the Mobility Capabilities Study included in the President's budget this year confirmed that this mix is sufficient to meet our airlift needs.

The problem at the moment is not that we have too few aircraft; the problem is that most of the C–5s in our airlift fleet are not as reliable as they could be. There are two ways in which we could choose to address this problem: One, we could fix the aircraft we have, or, two, we could purchase new aircraft.

Families face a similar choice when they have a problem with their car. Should they fix their car or should they buy a new one? Usually families make this decision based on one of three factors: Can the car they have be fixed? If it can, is it cheaper to fix than buying a new one? If the car can be fixed, and it is cheaper to fix than buying a new one, do they have so much money that they can afford—in spite of the greater cost—to go ahead and buy a new car anyhow?

We should ask ourselves the same question when it comes to paying for military aircraft within the confines of a responsible Federal budget.

Let's look at this first chart about meeting our Nation's airlift needs. We pose on the chart three questions: Can the aircraft we have be fixed? Can they be fixed for less than the cost of purchasing new aircraft? Or, finally, can we afford to buy new aircraft anyhow, even if it is unnecessary and more costly?

The answer to the first question is, yes, the aircraft can be fixed. The answer to the second question—can it be fixed for less than purchasing a new aircraft—is, yes, it can. Can we afford to buy new aircraft anyhow, even though it is unnecessary and may be more costly? The answer to that, I believe, is no.

First, let's consider the question of whether the aircraft we have can be fixed. There are currently programs in place to fix C–5s. The C–5s are being upgraded with new engines, new hydraulics, new avionics, and more than 70 other improvements throughout the aircraft. The contractor responsible for these upgrades has committed to the Air Force that the improvements to these aircraft will result in at least a 75-percent mission capable rate. That is up from 60, 65 percent today.

If that level of reliability can be achieved, our current fleet of C–5s and C–17s is sufficient to meet our airlift needs now and for the foreseeable future. That is the conclusion of both the military's latest analyses of our airlift needs and an independent study done by the Institute for Defense Analyses. To date, 3 C–5s—one a C–5A and two of them C–5Bs—have received the complete upgrades that are eventually planned for the entire C–5 fleet. General Schwartz, who is commander of the U.S. Transportation Command, has said he is encouraged by the performance of these aircraft and believes the target mission-capable rate of at least 75 percent will be met and possibly exceeded. General Schwartz isn't the only one giving the modernized flights high praise.

One of the modernized B models came to the Dover Air Force Base about 2 months ago for their annual inspection. I had the opportunity to see it and talk to the crew. I asked one of the pilots aboard the aircraft who has some 4,000 flight hours on the C–5, ''How does it fly?'' His response: ''Like a rocket.''

While most acknowledge that C–5s can be fixed, there are those who argue that many of them are not worth fixing. I have heard two versions of this argument. The first is that even if most of the fleet can and should be fixed, at least 25 or 30 of the older C–5As are such ''bad actors'' that they should be retired. Unfortunately, those who have made this claim have done little to substantiate their claim. Congress has asked the Air Force to provide a list of these bad actors by tail number. To date, as far as I know, the Air Force has not done so. A recent analysis by the Congressional Research Service suggests a possible reason why. Perhaps these bad actors do not exist.

Let's look at this chart, my second chart here: The C–5 reliability argument. These are the words paraphrased from the Congressional Research Service: An examination of C–5 reliability and maintainability statistics for the past three fiscal years does not identify any obvious subset of the C–5 fleet that stands out as notably 'bad actors.'

The other version of the ''some of the C–5s are not worth saving'' argument draws a line in the sand, not between a set of bad actors and the rest of the fleet but between the older C–5As and the newer C–5Bs. It is a common perception that the C–5As do not perform as well as the C–5Bs, but that perception again is contradicted by the facts. Again, to quote the CRS study, the recent CRS study—I think it was released a couple of months ago:

> C–5A performance and reliability is not uniformly inferior to C–5B performance. Over the past three years, for example, the C–5A fleet has averaged a higher mission departure reliability rate of over 83 percent than the C–5B fleet, which is right around 81 percent.

However, some claim that even if C–5As are not uniformly less reliable, inevitably they will incur structural problems because they are older than the C–5B models. This claim continues to be made even after the Air Force established a Fleet Viability Board in 2003 to evaluate the C–5A fleet and render judgment on the suitability for its continued service. The board 4 years ago reviewed all the relevant data and concluded that the C–5A fleet is structurally sound and viable for at least 25 years and probably longer. To be sure—to be sure—the Air Force actually tore a C–5A apart in late 2005 to inspect it from top to bottom and end to end. The aircraft was given a clean bill of health.

The evidence at hand strongly suggests, at least to me, that we could fix the aircraft we have. Here is the question, though: Can we fix them for less than it would cost to replace them with new aircraft? On this point, it is not even close.

Before I go on to explain why that is the case, let me pause for a moment to say that as a former naval flight officer—I served 5 years active duty, 18 years in the Reserve; I have about 3,500 hours in a P–3 Navy aircraft. Let me say I am a great admirer of the C–17 aircraft. I have supported, and I suspect the Presiding Officer has supported, acquisition of additional C–17 aircraft out of the 190 that have been bought so far. Having said that, it is a highly reliable workhorse. Its mission-capable rate hovers around 85 percent. It can land on large airfields and small airstrips, all of which highly commend the aircraft to us, and that is why we ordered and bought so many of them. In my own State, the Dover Air Force Base has begun receiving a squadron of 13 C–17s. We are delighted. We are excited. We are enthusiastic about their arrival.

Having said that, let me add that the cost of modernizing a C–5 is roughly one-third—let me say that again—the cost of modernizing a C–5 is roughly one-third the cost of purchasing a new C–17. Modernizing a C–5 is roughly one-third of the cost of purchasing a new C–17. Moreover, the C–5 can carry twice as much cargo as the C–17. By modernizing a C–5, we buy twice as much hauling capacity for one-third the cost. Let me say that again. By modernizing a C–5, we can buy twice as much hauling capacity for one-third the cost.

Now, I know some dispute these figures. First, they argue that modernizing a C–5 costs more than one-third of the cost of purchasing a new C–17. They do so by suggesting that the C–5 reengineering program is experiencing dramatic cost growth. Again, the facts say otherwise. According to CRS, claims that the cost of C–5 modernization has risen substantially—and this is what CRS says; this is a quote—''appear to be somewhat at odds with official cost reports from the Department of Defense Comptroller.''

The Defense 2006 Select Acquisition Report for the C–5 reengineering program showed average procurement unit cost growth of under 3 percent. Now, it is never good news when a program cost growth goes over expectation, even by a little. However, 2.9 percent cost growth is not particularly remarkable when compared to other Defense acquisition programs.

Moreover, CRS reports that:

> Projections of future cost growth are driven in large part by the Air Force's decision to slow down the C–5 modernization production and to extend it by two years.

Over the last 5 years, the Air Force has pushed this program further and further out into the future—not 2 years but 5 years. Because stretching out the program leads to insufficient production rates, costs have increased.

The contractor responsible for modernizing C–5s has offered the Air Force a firm fixed-price contract in order to guarantee no more cost overruns. All the Air Force has to do to nail down a definite, affordable price is not stretch out the program any further. The ball is in the Air Force's court. If the Air Force does not choose to keep the program on schedule, thereby securing an affordable, fixed price, one has to wonder—at least I wonder—whether the Air Force is interested in making the most cost-effective choice for taxpayers.

Advocates of retiring C–5s have also disputed the fact that a C–5 can carry twice as much as the C–17. In fact, they have begun to refer to C–5s as ''C–17 equivalents'' for purposes of meeting our airlift needs.

However, the C–5 clearly boasts a greater payload capacity than the C–17, as this chart shows. This is the C–5 and C–17 capabilities comparison. Let's look at it: The C–5 and the C–17. MA tanks, the C–5 carries two, the C–17 carries one; Bradleys, the C–5 carries four, the C–17 carries two; Apache helicopters, the C–5 carries six, the C–17 carries three; multiple launch rocket systems, the C–5 carries four, the C–17 carries two. And Patriot missile launchers, the C–5 carries two and the C–17 carries one.

Despite the fact its cargo capacity in cubic feet for the C–5 is only 60 percent greater than the C–17, the C–5 hauls double the load in several cases and actually makes more efficient use of its cargo space when transporting large weapons systems, I think as we see here. Despite the size advantage of the C–5, advocates of retiring the C–5 still make two arguments to ignore the vehicle's greater hauling capacity.

First, they point out the C–5s currently have reliability problems that negate the C–5s' greater size and capacity. The problem with this argument is we are addressing C–5 reliability problems through the modernization process that our friends in the Air Force continue to delay. The second argument I hear for overlooking the C–5's superior hauling capacity is it doesn't actually matter in practice. Some claim that since both C–5s and C–17s generally fly missions carrying less than the full weight they are capable of carrying, it makes little sense to compare what they are capable of carrying when fully loaded. Well, my office was told the reason C–5s and C–17s generally carry less than the capacity is they ''cube out'' first. That means the limiting factor is more often the number of pallets these aircraft can carry, rather than the weight they carry. However—here is an important point—this point reinforces that C–5s actually carry twice as much as the C–17s, since C–5s have 36 pallet positions and C–17s have only 18.

So can we fix the aircraft we have for less than the cost of replacing them with new aircraft? I believe the answer is yes.

Let's look at this last chart, some of the benefits of the C–5. This is a paraphrase of the CRS report that came out a couple months ago. This is what the paraphrase is. It says: Current cost estimates of modernizing the C–5 are about one-third that of a new C–17, and the C–5 will carry twice the payload of the C–17.

Not my words but those of CRS.

We can fix the aircraft, the C–5As and Bs that we have, and it is clearly less expensive to do that than to buy new aircraft. But can we afford to purchase new aircraft anyhow, even though it is unnecessary and exceedingly costly? In 2006, the Federal Government, our Federal Government, ran a deficit of just under a quarter of a trillion dollars. OMB tells us the deficit for 2007 this year will be around $200 billion. We are rapidly approaching the retirement of the baby boomers, which will put unprecedented strain on Social Security, on Medicare, and on Medicaid. In short, we are spending beyond our means, and we are using the Social Security surplus to mask an even larger operational deficit.

The Defense Science Board tells us that:

> Each year of additional C–17 production beyond 2008 will represent an additional $2.4 billion acquisition and $2 billion to $3 billion life cycle cost commitment.

I would ask: Aren't there better ways we could use some of this money than purchasing aircraft the military has not requested, credible studies suggest to me—and I think to others—that we don't need?

Even if we confine our focus on the Air Force budget, it is clear there are better uses for this money. The strategic airlift fleet—C–5s and C–17s—is the youngest of the Air Force's aircraft fleets—the youngest—not the oldest, the youngest. If we have several billion dollars lying around, I would suggest there are other fleets in the Air Force inventory in more urgent need of new aircraft than the strategic airlift fleet, including tankers, C–130s, to name a few. Yet if you ask the Chief of Staff of the Air Force, he will tell you this is the reason the Air Force is not and will probably not put money in its own budget to retire C–5s and replace them with new aircraft.

When we actually sit down and do the math, it is difficult to argue that C–5s, with wings and fuselages that have another 30 or 40 years of useful life, should be retired and replaced with new C–17s. It is even more difficult to argue that it is cost-effective to do so.

The only reason left to consider for why we would possibly want to retire C–5s and replace them with new C–17s is that the C–17s can perform missions that C–5s cannot.

It is true that C–17s and C–5s have different attributes. The C–17 can land on short, austere runways that the C–5 cannot. But it is important to keep in mind that only a small minority of strategic airlift missions involve taking off from or landing on short, austere runways. On the other hand, the C–5 can carry outsized cargo that the C–17 cannot carry.

In fact, the evidence suggests that if we have a deficit, in terms of matching our capabilities with our needs, it is that we have too few modernized C–5s, not too few C–17s. For instance, during Operation Enduring Freedom and Iraqi Freedom, the Department of Defense has been forced to lease a Russian aircraft called the An-124 to carry outsize and oversize cargo because C–17s cannot carry this cargo, and not enough C–5 aircraft have been available.

An-124s are Russian aircraft that are comparable to the C–5s. Actually, they are a little bigger than C–5s. It is ironic that some are talking about retiring C–5s when the C–5s we have are insufficient to meet our needs and we must rely on an even larger Russian aircraft to help fill the gap.

Mr. President, I have come to the floor on more than one occasion during my time in the Senate to discuss this issue. I want to be honest with you; sometimes we act as though our usual obligation to be careful stewards of the taxpayers' dollars does not apply when it comes to defense spending. I want to remind my colleagues of this: When we spend beyond our needs, there is an opportunity cost. We end up shortchanging our troops in the field, failing to provide them with the body armor and up-armored vehicles they need, or we end up shortchanging our troops when they come home, failing to actually tend to their physical and psychological needs, which is a problem and concern we hope to address by the

amendment that was discussed before me.

Let me finish today by commending the leadership of the Armed Services Committee and its SeaPower Subcommittee, which has jurisdiction over this issue. They have shown a commitment over the years to identifying the facts on this issue and making decisions based on the facts.

The Defense bill reported out of the Armed Services Committee—the bill before us today—retains the requirement in current law that we fully flight-test three C–5s that have been modernized before making any further C–5 retirement decisions. The committee also approved report language requiring the Air Force to provide Congress with a report this year, giving us an up-to-date assessment on the performance of these three C–5s which have undergone modernization upgrades, as well as the projected cost of upgrading of the rest of the C–5 fleet.

I thank the members of the committee and the chairman and Senator MCCAIN, as well as their staffs, for their work on this issue. I hope we pass this Defense authorization bill which is before us. I hope the Senate will insist on its position in this regard in the conference with the House.

I yield back my time.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I ask unanimous consent that following Senator MCCASKILL's remarks, Senator COLLINS be recognized on the Republican side.

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

The Senator from Missouri is recognized.

Mrs. MCCASKILL. Mr. President, I thank Chairman LEVIN and Senator MCCAIN for making this amendment a priority. I also thank Chairman AKAKA, Senator MURRAY, and many others who worked on this issue for a long time.

I was honored to have the opportunity to be one of the first in the Senate to file a bill on the subject of wounded warriors after the Walter Reed scandal broke. It was an interesting process for me because I spent time at Walter Reed and, of course, I got the official tour. Then I sat down and talked to the soldiers there. It was in those conversations that I learned about some of the problems we are trying to address in this important amendment. Many of the things Senator OBAMA and I included in our legislation have, in fact, been included in this amendment. Overall, it is going to make a real difference in these warriors' lives and their families' lives—how they are treated within our health care system as they return from battle, as they return from their service, while they are still in the Active military.

I won't go into the details of the amendment. Many others have spoken about it. Suffice it to say that, overall, it is going to make a huge improvement in the physical disability system and being able to maneuver through the system in a way that is not punitive, making that transition from the Active military to the veterans system much smoother and easier to navigate. It is going to support the families of these men and women. That was what struck me. Some of these family members who are going to Walter Reed to care for these men and women who have given so much for us—they were not being treated with consistency, not getting some of the benefits they deserved because, frankly, they were doing us a favor by being there and caring for their loved ones. We also address that.

Certainly, we have more assistance and advocacy for outpatients. That was the meat of the problem at Walter Reed. It wasn't the quality of the medical care they were receiving; it was the way the outpatients were being treated, the facilities they were in, the priority they were being given, and were their needs being met, particularly in the area of substance abuse, and were they being met in the area of mental health care. I think this amendment will go a long way toward correcting the underlying problems in the system that allowed the scandal at Walter Reed to become the focus of the American public for so many weeks early in the year.

I also, with some regret, repeat some words I have said before. The reason I regret having to repeat these words is because when I gave this speech 14 months ago, I believed at the time I gave this speech that there would be change after the election. I believed in my heart that the people in Washington would listen like they had not listened before. But because they have not, I think it is important to repeat part of the speech I gave on Harry Truman's birthday, in May of last year, as I talked about the war in Iraq and the reasons I thought it was important to make a change in the Senate.

I grew up in rural Missouri, in the heart of a Nation that I was raised to love and revere. I grew up surrounded by strong men and women who had won a great world war, a war fought against tyranny. My father was a decorated veteran of that war whom I rarely recall ever hearing speak about combat. As I grew older, his silence spoke volumes to me, not only about the modesty of his generation but about what Dwight Eisenhower later called the ''agony of the battlefield.''

I grew up in a family of Missouri Democrats, Roosevelt people, Truman people, but one of the first political speeches my father asked me to read was President Eisenhower's farewell address that he gave in 1961. Reading his speech again later in my life, I found myself deeply moved by his words. I respect his eloquence as he spoke of this country's fundamental decency and greatness. He called upon America to live up to its ideals by always using our greatest strength wisely in the service of peace and liberty. He warned us to be aware of arrogance, yet maintain our readiness to sacrifice.

I was raised to believe that sacrifice in the defense of our freedom is an American ideal and that from our earliest days, Americans have willingly given of themselves in our defense and in the defense of others. I have always known and felt and believed that, through generation after generation, that willingness has made us safe.

So as I grew up in Missouri, our country seemed on the verge of its greatest period, a time of joy and growth and undeniable strength; a time when all would finally share in our Nation's great bounty, when our military would be used wisely to benefit ourselves and the world; a time, too, when long-closed doors would finally open and we would live up to the ideal of America that lit all the continents with hope and promise and made us admired and respected across so much of the globe. I did not think then that an American leader would ever squander the trust of our people or the admiration of the world that had been won with such courage and at such a cost. But that is what has happened.

In the days after 9/11, this Nation was united, as it was after Pearl Harbor. The world bled for us and stood at our side. Our historic allies offered all possible aid. New allies in Asia and the Middle East emerged, all agreeing to support us in a war on terror.

But that has changed. America was misled into a different war, not against al-Qaida. Instead, we went to war with Iraq. Fearful of weapons of mass destruction, we believed they were a threat to the world. We had a plan to destroy the terrorists. We were strong. But there were no weapons of mass destruction. We did not have a plan to destroy the terrorists. We did not even have a plan to take care of Iraq.

Now our strength has been compromised. The President and his administration have led us into a quagmire, alienated our allies, diminished our national morale, cost us billions of dollars, thousands of precious lives, and maimed many thousands more. Even our Nation's top military authorities have cited enormous mistakes, while this administration refuses to listen to them.

Those were words of a speech I gave 14 months ago, and this administration still refuses to listen. I have listened. I have listened to Missourians. I have listened to General Petraeus. I have listened to the President. I have listened to the experts who have come in front of our Committee on Armed Services, including former generals, generals who have served in Iraq, and maybe most importantly, I have listened to brave soldiers in Iraq.

I sat across a breakfast table and looked at a young man and said: But are you worried if we begin pulling out of Iraq that it will be chaos?

And this young man from Missouri, from a State that I love and he loves, and a country that we want to protect

more than anything, looked at me and said: Ma'am, we are in chaos. We need to get out of here.

I implore the Commander in Chief to listen to America, to listen to the people of this country who figured this out months ago. We are stuck in a situation that is squandering the lives of our bravest, and it is also squandering the future of our Nation because of the financial toll it is taking on our budget.

It is time that we change course in Iraq. We have an opportunity to speak louder than any American voice can speak. We have an opportunity to say to the President of the United States: You must change course. It is time to bring our combat troops home from Iraq.

We need to begin that process quickly, and we need to begin to refocus our efforts on fighting terrorism around the world, going after al-Qaida, making our military strong, restoring our prominence in the world with allies that matter, understanding that the strength of our Nation rests with a strong military that we must protect and not wear thin, and, finally, realize that America is speaking with a strong voice. This is a democracy. If we cannot listen to those who sent us here, we have failed our duty in this great Chamber.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. WEBB). The Senator from Maine.

Ms. COLLINS. Mr. President, I rise in strong support of the amendment that is being offered by Senator LEVIN and Senator MCCAIN that will add to this legislation the wounded warriors bill that we worked so hard on in the Armed Services Committee.

I also wish to acknowledge the great leadership of the Veterans' Affairs Committee, Senator LARRY CRAIG and Senator DANIEL AKAKA.

This is an unusual case where two Senate committees worked together in a bipartisan way to produce legislation that will help improve the care of our veterans, our wounded warriors, and their families.

All of us were outraged by the reports of substandard conditions at Walter Reed Hospital. But our investigation of those conditions revealed other problems with the system—disparities in the award of disability ratings, poor treatment of our soldiers and marines after they had left the military hospitals, a lack of a smooth transition into the VA medical system. These are just some of the problems that were uncovered. I believe this legislation contains the reforms that are going to make a real difference in ensuring high quality, consistent medical care for those who have given so much.

I have become particularly concerned about the treatment of those who are suffering from traumatic brain injury. Traumatic brain injury, or TBI, has emerged as the signature injury of the Iraq war. Bomb blasts are the most common cause of injury and death in Iraq. While improvements in body armor and protective gear have enabled our troops to survive attacks that once would have proven deadly, they still do not fully protect against damage from blasts from roadside explosives or suicide bombers.

As many as 28 percent of the 1.4 million troops who have served in Iraq and Afghanistan have been exposed to bomb blasts and may have suffered at least some form of traumatic brain injury. Mr. President, 60 percent of the blast victims treated at Walter Reed have been diagnosed with mild, moderate, or severe traumatic brain injury.

I visited one such soldier recently at Walter Reed, a 19-year-old soldier from Maine who is faced with making an agonizing medical decision while he is suffering the effects of a mild case of TBI. I thought: How terribly difficult it was for this brave young man to be faced with making a decision about whether to amputate his foot while his judgment is impaired by a traumatic brain injury, an injury that was not initially diagnosed. And that is one of the problems.

I have worked very closely with the Senator from New York, Mrs. CLINTON, to come up with a better system for screening soldiers for TBI because while the evidence of brain injury may be dramatically clear in some cases, in others there may be no outward or visible sign of the trauma. It can take days, weeks, or even months before the symptoms of TBI are readily apparent. As a consequence, as with this soldier, a mild case of TBI may go misdiagnosed or untreated, particularly if the servicemember has sustained more obvious injuries.

Soldiers with TBI often have symptoms affecting several areas of brain function. Headaches, sleep disorders, and sensitivity to light and noise are common. Attention, memory, language, and problem-solving abilities can be affected. Some of the more troubling symptoms can be behavioral: mood changes, depression, anxiety, emotional symptoms. Moreover, sometimes the symptoms of TBI overlap with post-traumatic stress disorder, making it difficult to distinguish between the two.

Sadly, failure to accurately diagnose or treat TBI can result in frustration, inadequate medical treatment, and a series—an endless series—of hardships for our returning veterans and their families.

So I am very pleased the wounded warriors bill includes an expansion of research into TBI and, perhaps most important, provisions authored by Senator CLINTON and myself that will address problems resulting from the misdiagnosis, or the failure to diagnose at all, cases of TBI. The bill will improve the screening process that our troops go through before deployment to improve TBI diagnoses after deployment.

While many wounded servicemembers receive cognitive evaluations upon their return, if there is no baseline test conducted prior to the injury, it can be very difficult to assess the injury, and it can lead to questions about the validity of postdeployment assessment. So our amendment requires a baseline assessment to be done prior to the deployment.

I end by saying that the idea for this predeployment assessment came to me from a neurologist in Maine who treated a soldier back from Iraq who had a traumatic brain injury that had been missed. It was severely interfering with his recovery. Fortunately, this neurologist was able to make the correct diagnosis and see that this brave soldier who had sacrificed so much got the care and treatment he needed.

I believe the provisions in the wounded warriors bill, the amendment before us, will greatly reduce the chances of misdiagnosis in the future. There are many other provisions in this bill that are going to improve the treatment and care for those who have served their country so well and sacrificed so much, but I did want to highlight these provisions of special interest to me.

Again, I salute the leaders of the Armed Services Committee and the Veterans' Affairs Committee for their dedication and hard work. All of us have learned so much, and each and every one of us is committed to ensuring the highest quality of care for those who have sacrificed so much.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, in November, voters in my State of Ohio and across this Nation shouted from the ballot box: The Iraq war must end. They demanded we refocus our efforts on securing our homeland so that the darkest day in our Nation's history, 9/11, is never repeated. With Democrats in control of Congress this session, we immediately began to work to end the war. We set out to implement the full recommendations of the 9/11 Commission, recommendations that will go a long way toward making our country safer.

By working to end the war in Iraq and passing the commission's recommendations, we are executing a strategy to combat terrorism. Make no mistake, ending the war in Iraq is a counterterrorism strategy. Global terrorist attacks have increased sevenfold since we invaded Iraq—sevenfold. Unfortunately and tragically, our continued engagement in Iraq is the best thing that ever happened to jihadist recruitment.

Democrats brought to this Chamber not just one piece of legislation to redeploy our troops out of Iraq but many. And each time, every time, either Republicans defeated the measure in Congress by threatening filibuster or the President vetoed it in the White House—each time, every time.

Two days ago, the President was in my State in Cleveland trying to buy more time for this war. The President has yet to define ''victory.'' He has yet to tell us how many years it will take

to achieve whatever his definition of ''victory'' is. Will we be in Iraq for 5 more years, for 10 more years, for 15 more years? Will more thousands of U.S. service men and women die, tens of thousands? The President has yet to hold himself and his administration accountable for fomenting a civil war and breeding more global terrorism.

The President is proud of his stubbornness. He should be ashamed.

The path he is wed to has simultaneously increased the threat of terrorism and reduced our Nation's capacity to protect against it. Stubbornness is not leadership. Defensiveness is not leadership. Finger-pointing is not leadership. Supporting the President's strategy in Iraq because you support the President is not leadership. Lives are at stake. Our homeland security is at stake. Global stability and security are at stake.

Yesterday we learned that al-Qaida is at pre-9/11 strength. That is frightening news, and it is cause for outrage because it did not have to be that way, and it does not have to be that way.

We learned yesterday that the border between Afghanistan and Pakistan is fostering the next generation of al-Qaida at an alarming rate. What kind of signal exactly does the President and his supporters think we send by failing to secure the region where we know al-Qaida lives and trains and plans, according to military analysts, with relative freedom—the same region that served as the breeding ground for global terrorism through al-Qaida before 9/11, the same region we now know that al-Qaida trained in for the deadliest attack on our Nation's soil, the same region where Osama bin Laden, the mastermind behind 9/11, is believed to be hiding, free to plot the next attack on our homeland.

Over the objection of military advisers, the 9/11 Commission, and the voice of a nation, the President stubbornly insists upon staying the course with a failed policy in Iraq. Staying the course with the President's failed Iraq policy hasn't forced our Government to take its eye off the ball, it has caused us to drop it.

Prior to World War II, the French built the Maginot Line, assuming this line would prevent Germany from attacking France. History proved the French wrong. The President's strategy in Iraq is the Maginot Line of the 21st century. It imperils our Nation by mistakenly focusing our attention in the wrong direction.

We have dropped the ball on capturing Osama bin Laden. We have dropped the ball on securing Afghanistan. We have dropped the ball on implementing the 9/11 Commission recommendations. Anyone who thinks those aren't signals al-Qaida is paying close attention to is sorely mistaken.

Supporting the President's policy doesn't just fail to effectively target terrorism, it puts a bull's-eye squarely on our Nation. Ending the war in Iraq isn't just about bringing our troops home. It isn't just about ensuring veterans get the health care and the benefits they have long been denied. It isn't just about a new direction in our foreign policy. It is about returning our focus to where it must be if our Nation, our communities, and our families are to remain safe. Ending the war in Iraq is about reengaging in full force on the war on terror.

I applaud my Republican friends who have chosen to stand up to the President. More and more of them have taken steps of bravery with every vote we bring to the floor. But it is not enough. With every lost vote, we add more lives to the list of the men and women lost in Iraq. With every lost vote, we empower al-Qaida.

In the Senate, those of us committed to ending this war of choice and securing our Nation will keep fighting to end the war. I appreciate the leadership of Senator WEBB, of Senator HAGEL, Senator REID, and Senator LEVIN, all of whom have shown courageous leadership on this crisis of a generation. Together, we are going to change this policy. The safety of every American depends on it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. LEVIN. Will the Senator from Idaho yield for a unanimous consent request?

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I ask unanimous consent that after the Senator from Idaho has completed his remarks, the Senator from Massachusetts, Mr. KERRY, be recognized; after Senator LINCOLN, if there is a Republican here, they would then come next and that, after that, after Senator LINCOLN, Senator KERRY be the next Democrat in sequence.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. Mr. President, reserving the right to object, and I would not object, for the purposes of planning, I know we have a vote at 4. Does Senator LINCOLN have an estimate as to how much time she will take?

Mrs. LINCOLN. Ten minutes.

Mr. KERRY. Reserving the right to object, I would not object, but it is my understanding we are trying to go back and forth. Is there a Republican who is lined up at this point? If not, I think the Senator from Arkansas is going to speak for about 10 minutes and if I could proceed after her.

Mr. MCCAIN. Yes. Senator CRAIG is here. I know of no additional speakers. I think it is legitimate, since the Senator from Massachusetts is on the floor. I would agree that following Senator CRAIG, Senator LINCOLN and then Senator KERRY proceed.

Mr. KERRY. I thank the Senator.

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

The Senator from Idaho.

Mr. CRAIG. Mr. President, let me first of all thank the chairman and the ranking member for bringing this legislation to the floor and for including in it the wounded warrior amendment. Let me also thank the senior Senator from Arizona for his leadership on what has been a critical and important issue for our country and, at best and at worst, very divisive. I have not seen him step back one moment from the defense of our men and women in uniform and the mission they are conducting in Iraq, and I thank Senator MCCAIN for that kind of leadership. It is tremendously important for our country that we have that quality of leadership, knowledge, and understanding; to be able not only to travel there and understand but to come back to this country and articulate it.

I must also say I was disappointed when the Senator from Missouri talked about lives squandered in Iraq. I am sorry, but every young Idahoan who has died in Iraq was not a life squandered. To me, that young man or woman was a hero in defense of their Nation, in defense of a nation trying to be free, and an expression from our Nation of that; for preserving for this generation of Americans a sense of freedom and independence in a very difficult world. Lives squandered? I am sorry, I choose other words. The difference between a life squandered and that of an American hero is a distinct difference.

Today, we are here to talk about wounded warriors. We are also here to talk about something my chairman of the VA Committee, DANNY AKAKA, and I have brought forward in an amendment that will be considered and, we hope, handled by the chairman and the ranking member and our whole Senate in a unanimous way to deal with traumatic brain injury improvements and transitional benefits that I and Senator AKAKA and all our colleagues have worked on for those who are in the active service and about to become veterans.

Certainly, the Presiding Officer, now serving on the Veterans' Affairs Committee, has openly participated with us in making sure the word ''seamless transition'' is not just something in our vocabulary, but it is a reality of moving men and women from active service into a veteran status; and for those who were injured and are eligible for benefits, to make sure that transition is, in fact, seamless.

I would like to speak for a moment on an amendment we are offering that deals with that. Senator AKAKA a few days ago laid out a number of provisions that are in this amendment and was on the floor earlier to speak to it, and I wish to address some of those on the floor at this moment but not to travel that path again.

First, I am proud of the comprehensive nature of the language dealing with those suffering from traumatic brain injury in this amendment. Enactment of these provisions will ensure that injured servicemembers, veterans, and their families will receive a detailed plan from a VA treatment team

outlining their care and a rehabilitation program. They can be certain the plan will be reviewed and updated often, even at their request.

They will benefit from new investments in research into mild, moderate, and serious traumatic brain injury. Most important to me, they will have the comfort of knowing the Secretary can provide TBI care in a private, non-VA facility anytime the Secretary determines that doing so would be optimal to the recovery and rehabilitation of a patient.

Through time and hearings, we have discovered in the VA Committee that while the Veterans' Administration and their health care delivery systems are, by the nature of what they do, the best in the country, with some of the cutting-edge technology that is available in the private sector, we are not yet up to speed in the VA public sector. So giving the Secretary this flexibility and option says to our veteran, who may well be suffering from TBI: You are going to get the best that is available, private or public, at the time you need it. That is the way it ought to be.

In other words, whenever it is in the best interest of the patient's recovery, then the VA can purchase private care until that care may be available within the system itself.

These are a few of the very important provisions in this amendment that I believe will make the care and treatment of our wounded servicemembers and veterans even better.

I would also like to point out our actions with this amendment reflect a pledge we made a few months ago when the Veterans' Committee and the Armed Services Committee held a joint hearing to receive testimony on needed changes to the transition programs of health care benefits. At that time, many of us stated our intention to make a good-faith effort to work on these issues under our respective committees' jurisdictions and to merge them back together again at the earliest possible opportunity. Senator AKAKA and Senator LEVIN certainly were good to their word as we worked to bring those together, and that is exactly what is reflected in these amendments that are currently before the Senate and will be when we bring the other amendment forward. So I am very proud to tell the Senate that both committees have done their work and lived up to their bargain.

I wish to compliment the Senators from Michigan and Arizona, as I did earlier, for the work they have done on the Armed Services Committee in producing the wounded warrior bill that is now pending to this authorization bill as amendment No. 2019. That bill, coupled with the amendment Senator AKAKA and I are now offering, will provide a comprehensive approach to improving the benefits and services of those who are severely injured in service and those who need transitional assistance.

Finally, I also think this amendment is very important because it demonstrates Congress can break down the walls of jurisdiction and territory and do the right thing at the right time for the right people. In this case, it is America's brave young men and women who are standing in harm's way, and as a result of their bravery and their heroism may sustain some level of injury.

I and other Senators have been very critical of the bureaucratic roadblocks we oftentimes see in DOD or the VA. But I must tell you we see a merging now and a breaking down of those barriers and roadblocks that ought to be done when we find those difficulties arising. So I believe that if we are going to demand these two agencies break down their walls of territory and jurisdiction, then we can demonstrate the same. These amendments recognize and demonstrate that. I am proud we are doing so today.

I wish to thank, again, Chairman LEVIN and Ranking Member MCCAIN for their support throughout the process, and I wish to thank Chairman AKAKA for his leadership. I also wish to compliment the staff of the Senate Armed Services Committee—Gary Leeling, Dick Walsh, and Diana Tabler—for working in a collegial way with our staffs on the Veterans' Affairs Committee to make all of this effort very possible in the way that it is being presented on the floor.

Mr. President, to my colleagues, the chairman and the ranking member, I appreciate the opportunity to come speak on these critical issues, and once again the cooperation between the VA Committee and their staffs, and the Armed Services Committee and their staffs, I think, is a model of how we get things done in the appropriate way and in the timely way necessary.

I yield the floor.

Mr. LEVIN. Mr. President, first, let me thank Senator CRAIG for all the work he and his committee put in on this bill. I know he and Senator AKAKA and members of that committee have played a major role. Their amendment reflects additional work, and we are very grateful. I know every veteran in this country and their families are grateful.

Mr. President, I ask unanimous consent that Senator MCCAIN and I, at this time, be allowed to offer six second-degree amendments which have been cleared—they shouldn't take more than a few minutes—prior to Senator LINCOLN being recognized.

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

AMENDMENT NO. 2131 TO AMENDMENT NO. 2019

Mr. LEVIN. Mr. President, on behalf of myself and Senators DURBIN and MCCAIN, I call up amendment No. 2131, a second-degree amendment to our amendment. It requires the Secretary of Defense to develop a comprehensive plan for the provision to members of the Armed Forces with traumatic brain injury or post-traumatic stress disorder. The amendment has been cleared, I believe.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. DURBIN, proposes an amendment numbered 2131 to amendment No. 2019.

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

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

The amendment is as follows:

(Purpose: To require the Secretary of Defense to develop a comprehensive plan for the provision to members of the Armed Forces with traumatic brain injury or post-Traumatic stress disorder the services that best meet their individual needs)

At the end of section 1631(b), add the following:

(16) A program under which each member of the Armed Forces who incurs a traumatic brain injury or post-traumatic stress disorder during service in the Armed Forces—

(A) is enrolled in the program; and

(B) receives, under the program, treatment and rehabilitation meeting a standard of care such that each individual who is a member of the Armed Forces who qualifies for care under the program shall—

(i) be provided the highest quality of care possible based on the medical judgment of qualified medical professionals in facilities that most appropriately meet the specific needs of the individual; and

(ii) be rehabilitated to the fullest extent possible using the most up-to-date medical technology, medical rehabilitation practices, and medical expertise available.

(17) A requirement that if a member of the Armed Forces participating in a program established in accordance with paragraph (16) believes that care provided to such participant does not meet the standard of care specified in subparagraph (B) of such paragraph, the Secretary of Defense shall, upon request of the participant, provide to such participant a referral to another Department of Defense or Department of Veterans Affairs provider of medical or rehabilitative care for a second opinion regarding the care that would meet the standard of care specified in such subparagraph.

(18) The provision of information by the Secretary of Defense to members of the Armed Forces with traumatic brain injury or post-traumatic stress disorder and their families about their rights with respect to the following:

(A) The receipt of medical and mental health care from the Department of Defense and the Department of Veterans Affairs.

(B) The options available to such members for treatment of traumatic brain injury and post-traumatic stress disorder.

(C) The options available to such members for rehabilitation.

(D) The options available to such members for a referral to a public or private provider of medical or rehabilitative care.

(E) The right to administrative review of any decision with respect to the provision of care by the Department of Defense for such members.

Mr. MCCAIN. Mr. President, the amendment has been cleared.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2131.

The amendment (No. 2131) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2154, AS MODIFIED, TO AMENDMENT NO. 2011

Mr. LEVIN. Mr. President, on behalf of Senator GRAHAM, I call up amendment No. 2154, an amendment which improves the distribution of benefits under Traumatic Servicemembers' Group Life Insurance.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. GRAHAM, proposes an amendment numbered 2154, as modified, to amendment No. 2011.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading be dispensed with.

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

The amendment, as modified, is as follows:

At the end of subtitle E of title X, add the following:

SEC. 1070. TRAUMATIC SERVICEMEMBERS' GROUP LIFE INSURANCE.

(a) DESIGNATION OF FIDUCIARY FOR MEMBERS WITH LOST MENTAL CAPACITY OR EXTENDED LOSS OF CONSCIOUSNESS.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, develop a form for the designation of a recipient for the funds distributed under section 1980A of title 38, United States Code, as the fiduciary of a member of the Armed Forces in cases where the member is medically incapacitated (as determined by the Secretary of Defense in consultation with the Secretary of Veterans Affairs) or experiencing an extended loss of consciousness.

(b) ELEMENTS.—The form under subsection (a) shall require that a member may elect that—

(1) an individual designated by the member be the recipient as the fiduciary of the member; or

(2) a court of proper jurisdiction determine the recipient as the fiduciary of the member for purposes of this subsection.

(c) COMPLETION AND UPDATE.—The form under subsection (a) shall be completed by an individual at the time of entry into the Armed Forces and updated periodically thereafter.

Mr. MCCAIN. Mr. President, the amendment, as modified, has been cleared.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2154, as modified.

The amendment (No. 2154), as modified, was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2115 TO AMENDMENT NO. 2019

Mr. LEVIN. Mr. President, on behalf of myself, Senators CRAIG, AKAKA, and MCCAIN, I call up amendment No. 2115. It is a second-degree amendment to the wounded warrior amendment that requires the Secretary of Defense to ensure that the Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Post-Traumatic Stress Disorder collaborates to the maximum extent possible with the National Center for PTSD and the Department of Veterans Affairs and other appropriate entities.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. CRAIG, for himself and Mr. AKAKA, proposes an amendment numbered 2115 to amendment No. 2019.

Mr. MCCAIN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the Secretary of Defense to ensure that the Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Post-Traumatic Stress Disorder collaborates to the maximum extent practicable with the National Center for Post-Traumatic Stress Disorder of the Department of Veterans Affairs, institutions of higher education, and other appropriate public and private entities)

On page 47, strike lines 15 through 18 and insert the following:

''(b) PARTNERSHIPS.—The Secretary shall ensure that the Center collaborates to the maximum extent practicable with the National Center for Post-Traumatic Stress

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2115) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2114 TO AMENDMENT NO. 2019

Mr. LEVIN. Mr. President, on behalf of myself and Senators CRAIG, AKAKA, and MCCAIN, I call up amendment No. 2114, which is a second-degree amendment to the pending amendment that requires the Secretary of Defense to ensure that the Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Traumatic Brain Injury collaborates to the maximum extent possible with the Department of Veterans Affairs and other appropriate entities.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. CRAIG, for himself and Mr. AKAKA, proposes an amendment numbered 2114 to amendment No. 2019.

Mr. MCCAIN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the Secretary of Defense to ensure that the Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Traumatic Brain Injury collaborates to the maximum extent practicable with the Department of Veterans Affairs, institutions of higher education, and other appropriate public and private entities)

On page 43, strike lines 8 through 11 and insert the following:

''(b) PARTNERSHIPS.—The Secretary shall ensure that the Center collaborates to the maximum extent practicable with the Department of Veterans Affairs, institu-

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2114) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2089 TO AMENDMENT NO. 2019

Mr. LEVIN. Mr. President, on behalf of Senator LIEBERMAN, myself, and Senator MCCAIN, I call up amendment No. 2089, a second-degree amendment to our pending amendment. This relates to the Center of Excellence for PTSD.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. LIEBERMAN, for himself, Mr. LEVIN, and Mr. MCCAIN, proposes an amendment numbered 2089 to amendment No. 2019.

Mr. MCCAIN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the development of a program on comprehensive pain management in the Center of Excellence in the Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Post-Traumatic Stress Disorder)

On page 50, strike lines 11 and 12 and insert the following:

''(13) To develop a program on comprehensive pain management, including management of acute and chronic pain, to utilize current and develop new treatments for pain, and to identify and disseminate best practices on pain management.

''(14) Such other responsibilities as the Secretary shall specify.''.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2089) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2090 TO AMENDMENT NO. 2019

Mr. LEVIN. Mr. President, on behalf of Senators LIEBERMAN, MCCAIN, and myself, I call up amendment No. 2090, a second-degree amendment to our pending amendment regarding the Center of Excellence for Traumatic Brain Injury.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. LIEBERMAN, for himself, Mr. LEVIN, and Mr. MCCAIN, proposes an amendment numbered 2090 to amendment No. 2019.

Mr. MCCAIN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the development of a program on comprehensive pain management in the Center of Excellence in the Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Traumatic Brain Injury)

On page 46, strike lines 17 and 18 and insert the following:

''(14) To develop a program on comprehensive pain management, including management of acute and chronic pain, to utilize current and develop new treatments for pain, and to identify and disseminate best practices on pain management.

''(15) Such other responsibilities as the Secretary shall specify.''.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2090) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2162 TO AMENDMENT NO. 2019

Mr. LEVIN. Mr. President, on behalf of Senator SNOWE and myself, I call up amendment No. 2162, a second-degree to the pending amendment. It requires the Secretary of Defense to submit a report on reductions in disability ratings.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Ms. SNOWE, for herself and Mr. LEVIN, proposes an amendment numbered 2162 to amendment No. 2019.

Mr. MCCAIN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit upon appeal a reduction in disability rating once such rating has been assigned by an informal physical evaluation board of the Department of Defense)

On page 23, between lines 6 and 7, insert the following:

(3) Report on reduction in disability ratings by the Department of Defense.

The Secretary of Defense shall submit a report to the Committees on Armed Services of the Senate and House of Representatives on the numbers of instances in which a disability rating assigned to a member of the Armed Forces by an informal physical evaluation board of the Department of Defense was reduced upon appeal, and the reasons for such reduction. Such report shall cover the period beginning October 7, 2001 and ending September 30, 2006, and shall be submitted to the appropriate Committees of Congress by February 1, 2008.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2162) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. LEVIN. I believe we have done amendment No. 2154. I thank the Chair and thank our good friends from Arkansas and Massachusetts for their understanding and, of course, my good friend from Arizona.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from Arkansas.

Mrs. LINCOLN. Madam President, I have a special thanks to the chairman and ranking member for their leadership on such a critical issue at such a critical time in our Nation. Their leadership and their ability to work together have certainly brought us together here on this issue and many others. I am grateful to them for that.

I rise today on behalf of the brave men and women of our National Guard and Reserve who have sacrificed so greatly for our freedom. They are the policemen and the doctors, the schoolteachers and mayors in communities all across our great land. They are also the beloved sons and daughters, fathers and mothers and families in our neighborhoods, in mine and yours, all across this Nation. Our Nation has turned to them in unprecedented numbers to help defend our freedoms around the world. With pride and courage, they have answered their Nation's call. We have seen also in their call to duty the great contribution they give in our communities because, as they are deployed, we see in our communities where perhaps our mayors or our school principals or our fire chiefs have to be replaced temporarily as they are gone.

Since the tragic events of September 11, 2001, nearly 600,000 of these citizen soldiers, including several thousand from my home State of Arkansas, have been activated to serve in Iraq and Afghanistan. More than 132,000 have pulled multiple tours of duty. In doing so, they have served and continue to serve with distinction in some of the worst conditions imaginable. It is time, now, for us as a nation and as a body here in the Senate to begin providing them with benefits that are more commensurate with their increased sacrifice.

One area in particular is the educational benefits provided under the Montgomery GI bill. These benefits were signed into law in 1984, a time when members of the Selected Reserve were seldom mobilized. Consequently, standard Montgomery GI benefits reflected that reality. But, unfortunately, it is not the same reality we see today. That is why I have offered two amendments to the 2008 Defense Authorization Act. These two amendments are a part of a bill that I have helped work with my colleague from Arkansas, Congressman SNYDER, to put together in the Total Force GI bill that we have introduced on behalf of our Guard and Reserve. These two proposals offer two very big steps toward modernizing the Montgomery GI benefit to better reflect the increased commitment our Guard and Reserve are making to protect our Nation.

I am extremely proud to be joined by 13 of my colleagues, including the Presiding Officer, from both sides of the aisle and over 40 military veterans and higher education groups, working together as the partnership for veterans education. So many of us all well know how critically valuable education is to each and every one of us, to our families, to the success of our economics and our country, and we want to see a part of that a possibility for our veterans.

The first amendment, which is amendment No. 2072, would place both Selected Reserve Montgomery GI programs under the same umbrella in law as the Active-Duty program. Under the current structure, Active-Duty benefits have continued to increase in recent years, while the benefits for our hardworking reservists have remained untouched. As a result, the value of the Montgomery GI benefits has plummeted for members of the Selected Reserve, despite their increased service, from 47 percent of Active-Duty benefits in 1985 to now only 29 percent of those benefits today. This amendment would establish one program with one set of rules that would cut inconsistent and inequitable structuring of benefits by ensuring that all future benefits are upgraded equitably and are easier to administer.

An identical provision has been included in the House-passed version of the Defense authorization bill. My hope is that my colleagues will join me in including this amendment in our Defense authorization bill to truly reflect not only our gratitude but certainly, without a doubt, what our guardsmen and reservists deserve after the incredible and courageous commitment they have made to this country.

The second amendment is amendment No. 2074, and it is identical to an amendment that was passed unanimously by the Senate last year. This amendment would allow operational reservists to have portability of their Reserve Education Assistance Program—it is called their REAP benefit—for up to 10 years upon their separation from service.

In establishing REAP, which is their Reserve Education Assistance Program, Congress took steps to enhance educational benefits for activated members of the Selected Reserve, but we failed to address their lack of readjustment or transition components. As a result, Active-Duty servicemembers have up to 10 years after their separation of service to utilize their Montgomery GI benefit, while operational reservists, whom they are often fighting alongside, without a doubt, must forfeit all of the educational benefits they have earned once they separate from the Selected Reserve.

That is incredible. We have guardsmen and reservists who are serving alongside Active-Duty military. They are seeing the same dangers, the same

challenges, the same pain, the same separation from family, for relatively the same amount of time. Yet when they come home and they leave the Guard, they no longer have access to those educational opportunities. How unfair. How important it is right now for us, as these returning veterans have an opportunity to begin to transition themselves back into their communities, back into their existing jobs or new jobs—the need for education is paramount, and making sure we make it available for them is absolutely essential.

To this day, the Montgomery GI benefits continue to be the only benefits that those who have served Selected Reserve activated duty in the war on terror may not access when they eventually separate or retire. In addition, members of today's Selected Reserve are so busy training and deploying that they have little time to actually use their educational benefits; therefore, their ability to use their benefits while serving is curtailed because of repeated deployment and denied entirely once they finish their service. We are talking about education. We are talking about empowerment. We are talking about something they deserve, they have earned, and we should be making sure we make available to them.

I would like to give an example. Take, for instance, Jamaal Lampkin, who is a 28-year-old native of Malvern, AR, whose story was recently reported in USA Today. Jamaal spent 13 months with the U.S. Army Reserve in Iraq. After his distinguished tour of duty, which included a Purple Heart, he did not have time to utilize the enhanced educational benefits he had earned prior to the conclusion of his service obligation. To do so, he had to reenlist and risk the chance of being redeployed at some point. How unbelievable, for someone who had given of himself and offered himself in service to this great Nation to come back and find that after that tour of duty, those benefits were gone.

In his records, here in this article, he said:

> I had the proud opportunity to serve my country in Iraq and I just wanted to move on.

He, and those like him, certainly deserve as much. We must act on behalf of these brave Americans because they deserve a policy more reflective of their sacrifice. Jamal fought and was wounded alongside active-duty servicemembers, but because of an inequity of the law, he is denied the same opportunity to utilize those educational benefits he has rightly earned, benefits that serve as a primary means of helping our service men and women make that difficult transition back into civilian life after serving in combat.

Some have raised concerns this amendment would have an effect on retention because it would provide a postservice portability of benefits. I wholeheartedly disagree. There are many valid personal and family reasons that influence a volunteer's decision to serve. Military analysts have consistently noted that reenlistment bonuses and lump sum cash payments have been effective in meeting and exceeding reenlistment goals in the Active and Reserve forces, not the educational benefits that are deferred over time.

That is why we have seen an unprecedented increase in the amount spent on these bonuses in recent years. At a time when one branch of our military is spending over $1 billion in cash bonuses, the least we can do is provide a fraction of those costs on investing in our citizen soldiers. After all, doing so only serves to enhance our Nation's competitiveness through the development of a more highly educated and productive workforce.

Young high school graduates in Arkansas and across this great country thinking about furthering their education and whether to join the National Guard or Reserves should know they will earn Montgomery GI benefits by enlisting, and even more if they are called up to duty.

When it is time to reenlist, they can keep all earned educational benefits with the opportunity to earn more by staying in or they can take with them in civilian life the benefits they have earned when they were called up to defend our great Nation.

As the daughter of a Korean war veteran, I was taught from an early age about the sacrifices of our troops and the sacrifices our troops have to make to keep our Nation free. I have been grateful for the service of so many of our brave men and women from the State of Arkansas and across this Nation. On behalf of them and their families, I will continue to fight to ensure they are provided with the benefits, the pay, and the health care they have earned.

Madam President, I ask unanimous consent to have printed in the RECORD letters of endorsement from the Military Officers Association of America, the National Reserve Association, the American Legion, the Air Force Sergeants of America, the Veterans of Foreign Wars, and the Enlisted Association of the National Guard of the United States.

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

AIR FORCE SERGEANTS ASSOCIATION,
Temple Hills, MD, July 9, 2007.

Hon. BLANCHE LAMBERT LINCOLN,
Dirksen Senate Office Building,
Washington, DC.

DEAR SENATOR LINCOLN: On behalf of our 130,000 AFSA members, I want to express our staunch support of the two amendments you are proposing regarding total force educational assistance enhancement. In recent years our military operations tempo requirements have been shared by members of the active duty, guard and reserve forces. Guard and Reserve forces now train and deploy alongside our active forces seven days a week, 365 days a year; therefore, opportunities for their use of educational benefits are diminished. These two amendments afford our total force a better balance of educational opportunities.

The first amendment will provide operational reservists with 10-year portability of educational benefits, thus mirroring those of our active duty force. Unlike current restrictive guidelines, this amendment will allow them to use the benefits they have earned after leaving tours of active duty. The second amendment will integrate the reserve MGIB programs into Title 38. This will allow for single source oversight of a more balanced approach to total force educational benefits. Both amendments will serve to enhance educational opportunities for AFSA's growing number of guard and reserve members.

Senator Lincoln, thank you for your continued focus on total force educational benefits. We stand ready to support you in this endeavor and others of mutual concern to our members should the need arise. Please feel free to contact me, or my Deputy Director of Military and Government Relations, Ruth Ewalt.

Sincerely,

RICHARD M. DEAN,
Chief Executive Officer.

THE AMERICAN LEGION,
Washington, DC, July 9, 2007.

Hon. BLANCHE LINCOLN,
U.S. Senate,
Washington, DC.

DEAR SENATOR LINCOLN: On behalf of the 2.7 million members of The American Legion, I am writing to strongly endorse the amendments to the National Defense Authorization Act (S. 1547) that you propose to introduce to provide an extension of the delimiting date for the use of Montgomery GI Bill benefits for those members of the Reserve components who have been called to active duty and to recodify Title 10 Chapters 1606 and 1607 to Title 38.

The American Legion supports passage of major enhancements to the current All-Volunteer Force Education Assistance Program, better known as the Montgomery GI Bill (MGIB). This amendment would extend the delimiting date of the Reserve Educational Assistance Program (REAP) to ten years after separation from the Selected Reserve and Ready Reserve. Furthermore, this amendment would recodify Title 10 Chapters 1606 and 1607 (MGIB–SR and REAP) to Title 38 and thereby place these two programs under the same authority as the active duty MGIB, but leaving kickers under Title 10. We note that the current make-up of the operational military force requires that adjustments be made to support all Armed Forces members.

As the distinctions between the Active and Reserve Forces continue to fade, the difference between the Active and Reserve Forces of the MGIB should disappear accordingly. Benefits should remain commensurate with sacrifice and service. Today, approximately 40 percent of troops in Iraq are National Guard personnel or Reservists. Many members of the Reserve components would not be eligible to receive benefits while they are members of the Reserve components due to frequent mobilizations and other factors, yet they have honorably served their country in the Armed Forces. By extending the delimiting date to ten years after completion of service, Reservists will have an additional opportunity to use their MGIB benefits. Additionally, by enacting this legislation, future MGIB rates of the Reserve components would increase lock-step with the active duty rates and eliminate any inconsistencies.

The American Legion feels that all veterans should be treated equally regardless of

their Reserve National Guard status. An individual who was called to duty and served honorably should not have to remain in the Selected Reserve to use their earned benefits. We support legislation that would allow all Reservists and National Guard members to use their education benefits after separation regardless of disability status and if their enlistment contract expires.

In closing, The American Legion strongly endorses your proposed amendments to the National Defense Authorization Act and thanks you for your continuing support of America's veterans and their families.

Sincerely,

JAMES E. KOUTZ,
National Economic Commission.

ENLISTED ASSOCIATION OF THE NATIONAL GUARD OF THE UNITED STATES,
Alexandria, VA, July 10, 2007.

Hon. BLANCHE LINCOLN,
U.S. Senate,
Washington DC.

The Enlisted Association of the National Guard of the United States (EANGUS) is the only military service association that represents the interests of every enlisted soldier and airman in the Army and Air National Guard. With a constituency base of over 414,000 soldiers and airmen, their families, and a large retiree membership, EANGUS engages Capitol Hill on behalf of courageous Guard persons across this nation.

On behalf of EANGUS, I'd like to offer our letter of support for your amendment to H.R. 1585, the ''National Defense Authorization Act of 2008.'' Your amendment would move Chapter 1606 and Chapter 1607 benefits from Title 10 to Title 38. The amendment is cost neutral, corrects an actuarial budgeting issue in the original language, but keeps educational kickers with DOD under Title 10.

With the active component Montgomery GI Bill under Title 38 and the Selected Reserve program under Title 10, there are inconsistencies and inequities in the benefits for the same level of sacrifice by the service member. This would establish one program with one set of rules under one committee which can do nothing but better the educational future of our service members.

Thank you for your continued support of our military and veterans. If our association can be of further help, feel free to contact our Legislative Director, SGM (Ret) Frank Yoakum.

Working for America's Best!

MICHAEL P. CLINE,
Executive Director.

ENLISTED ASSOCIATION OF THE NATIONAL GUARD OF THE UNITED STATES,
Alexandria, VA, July 10, 2007.

Hon. BLANCHE LINCOLN,
U.S. Senate,
Washington, DC.

The Enlisted Association of the National Guard of the United States (EANGUS) is the only military service association that represents the interests of every enlisted soldier and airman in the Army and Air National Guard. With a constituency base of over 414,000 soldiers and airmen, their families, and a large retiree membership, EANGUS engages Capitol Hill on behalf of courageous Guard persons across this nation.

On behalf of EANGUS, I'd like to offer our letter of support for your amendment to H.R. 1585, the ''National Defense Authorization Act of 2008.'' Your amendment would allow members of the Selected Reserve who are activated for 90 days or more or have already earned their Chapter 1607 Montgomery GI Bill benefits to have portability of their 1607 benefits upon the conclusion of their service, for up to 10 years from their last date of service. This provision would apply only to their 1607 benefits (those benefits earned through activated service) and not their 1606 benefits (their standard Selected Reserve educational benefits).

A very small segment of our nation's population has volunteered to defend the remainder of America during this long war. National Guard and Reservists called to active duty to defend the nation in the War on Terrorism are the only group of veterans who have no access to their MGIB benefits after completing their service commitment. It sends a signal that their service and sacrifice are not valued. As our nation's defenders, they deserve the same readjustment benefit as all other service men and women.

Thank you for your continued support of our military and veterans. If our association can be of further help, feel free to contact our Legislative Director, SGM (Ret) Frank Yoakum.

Working for America's Best!

MICHAEL P. CLINE,
Executive Director.

MILITARY OFFICERS ASSOCIATION OF AMERICA,
Alexandria, VA, July 10, 2007.

Senator BLANCHE LINCOLN,
U.S. Senate,
Washington, DC.

DEAR SENATOR LINCOLN: On behalf of the nearly 362,000 members of the Military Officers Association of America (MOAA), I am writing to thank you for your untiring support of our military men and women and in particular for your efforts to establish a ''total force'' GI Bill that matches educational benefits to service and sacrifice.

MOAA strongly supports your intention to sponsor floor amendments to the Senate version of the national defense authorization act that would forge a Montgomery GI Bill (MGIB) that better supports armed forces recruitment and helps our veterans including returning Guard and Reserve warriors to realize their full potential as citizens and soldiers.

Earlier this year, the House favorably endorsed a provision in its defense bill that authorizes the transfer of reserve educational benefits programs from the Armed Forces code to Title 38, the laws governing veterans' benefits. We applaud this action as an essential first step in MGIB reform and respectfully recommend that you and Senate colleagues co-sponsor identical language as an Amendment to the Senate defense authorization.

In addition, MOAA thanks you for your work last year in pressing for a 10-year readjustment benefit for mobilized reservists who earn MGIB entitlement under Chapter 1607 of 10 U.S. Code. We recommend that you again sponsor this critical equity provision.

Guard and Reserve servicemembers called to active duty to defend the nation in the War on Terror are the only group of veterans who have no access to their MGIB benefits after completing their service commitment. That's not only unfair, but it sends a signal that their service and sacrifice are not valued.

A fraction of our population—about 1%—is defending the rest of the nation during this long, difficult and complex war. We, the protected, must do all we can to ensure our National Guard and Reserve warriors realize their full potential as soldiers and citizens during and after their service.

MOAA and our colleagues in The Partnership for Veterans' Educational thank you most sincerely for your leadership in sponsoring amendments that honor the service and sacrifice of our Guard and Reserve warrior-citizens.

Sincerely,

NORBERT R. RYAN, Jr.,
President.

VETERANS OF FOREIGN WARS OF THE UNITED STATES,
Washington, DC, July 11, 2007.

Hon. BLANCHE LINCOLN,
U.S. Senate,
Washington, DC.

DEAR SENATOR LINCOLN: On behalf of the 2.4 million members of the Veterans of Foreign Wars of the United States and our Auxiliaries, I would like to offer our support for your Amendment providing operational reservists with a 10-year portability of their Chapter 1607 (REAP) MGIB benefits.

Currently, active duty service members have up to ten years after their separation of service to utilize their MGIB benefits, while operational reservists must forfeit ALL of the educational benefits they earned on active duty once they separate. This benefit continues to be the only one that those who have served Selected Reserve activated duty in the War on Terrorism may not access when they eventually separate. Also, members of today's Selected Reserve are so busy training and deploying that they have little time to actually use their MGIB benefits. Their ability to use the benefit while serving is curtailed because of repealed deployments and denied entirely once they finish their service. This amendment would remedy this problem facing Guard and Reserve members.

The original GI Bill helped to create the middle class through easing the transition from active duty to civilian life, improving access to education and creating an unprecedented number of opportunities for millions of Americans. The GI Bill is a central transition tool aiding generations of Americans to reconnect and improve their families' lives.

Thank you for introducing this amendment and we look forward to working with you and your staff on this important legislation. Your stalwart support for America's veterans, and all who stand in defense of our nation, is appreciated.

Sincerely,

DENNIS CULLINAN,
National Legislative Service.

NAVAL RESERVE ASSOCIATION,
Alexandria, VA, July 10, 2007.

Senator BLANCHE LINCOLN,
U.S. Senate,
Washington, DC.

DEAR SENATOR LINCOLN: On behalf of the Naval Reserve Association, and 76,000 current members of the Navy Reserve, I am writing to thank you for your untiring support of our military men and women and in particular for your efforts to establish a ''total force'' GI Bill that matches educational benefits to service and sacrifice.

NRA strongly supports your intention to sponsor floor amendments to the Senate version of the national defense authorization act that would forge a Montgomery GI Bill (MGIB) that better supports armed forces recruitment and helps our veterans including returning Guard and Reserve warriors to realize their full potential as citizens and soldiers.

The House favorably endorsed a provision in its defense bill that authorizes the transfer of reserve educational benefits programs from the Armed Forces code to Title 38, the laws governing veterans' benefits. We applaud this action as an essential first step in MGIB reform and respectfully recommend that you and Senate colleagues co-sponsor identical language as an Amendment to the Senate defense authorization.

In addition, NRA thanks you for your work last year in pressing for a 10-year readjustment benefit for mobilized reservists who

earn MGIB entitlement under Chapter 1607 of 10 U.S. Code. We recommend that you again sponsor this critical equity provision.

Guard and Reserve servicemembers called to active duty to defend the nation in the War on Terror are the only group of veterans who have no access to their MGIB benefits after completing their service commitment. That's not only unfair, but it sends a signal that their service and sacrifice are not valued. Since 9–11, over 585,000 Guard and Reserve members have been called to serve during this critical time.

A fraction of our population—about 1%—is defending the rest of the nation during this long, difficult and complex war. We must do all we can to ensure our National Guard and Reserve warriors realize their full potential as citizens during and after their service as Sailors, Airmen, Marines, Soldiers, and Guardsmen.

NRA and our colleagues in The Partnership for Veterans' Education, and the TMC thank you most sincerely for your leadership in sponsoring amendments that honor the service and sacrifice of our Guard and Reserve warrior-citizens.

Sincerely,

C. WILLIAMS COANE,
RADM, USN (retired),
Executive Director.

Mrs. LINCOLN. Again, I urge my colleagues—I strongly urge my colleagues—to support these amendments. These are the right things to do on behalf of these unbelievable individuals, these unbelievable Americans, these citizen soldiers who leave their homes and their jobs. They leave their communities and their families to go in the bravest of manners to defend this great country, to defend our freedom. It is the least we can do for those we owe so much and to reassure future generations that a grateful nation will not forget them when their military service is complete. And, more importantly, that we will partner with them to reach the ultimate in their potential, the ultimate in their desire to make themselves the best they can be when they return home.

I encourage any colleagues to support both of our amendments.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

AMENDMENT NO. 2019

Mr. KERRY. Madam President, I rise today to speak to the Levin-Reid-Kerry et. al amendment with respect to Iraq. Today the President made a partial report on Iraq. And while it is true there has been some tactical military success, no amount of spinning, no amount of focus on the military component can obscure the bottom line reality in Iraq today.

That reality is clear. There has been no meaningful political progress. In the long run, that is the only progress that matters, that makes a difference to our policy because it is the politics that is producing the killing and the chaos in Iraq.

Unless and until Iraqis resolve their fundamental political differences, any security gains will be temporary at best, particularly given the numbers of troops that are committed to that security, and given the difficulties that we already understand in terms of deployment schedules.

That is a fundamental underlying reality that colleagues in the Senate need to focus on. Any tactical gain in the short term, whether it is in Anbar Province, Diyala, or elsewhere, is welcome now, but the fact is, it is fundamentally temporary absent the political resolution that is critical to ultimately ending the violence.

So moving the goalposts, dressing up the failure to meet strict benchmarks as progress, those are, frankly, rationalizations for failure over the long term. They are not plans for success. It is hard when you measure the absence of political progress over the course of the last months against these temporary tactical gains. It is very difficult to suggest that we are doing anything except sort of committing American forces, troops, to a kind of holding action for hope, hope that there is some turn and some kind of outcome.

I think most of us would rather have the U.S. military committed to what we all consider to be a winning strategy, not a hopeful strategy. Meanwhile, in the middle of the President's report, partial report today, another, frankly, more chilling and important report tells us that while we have been bogged down and distracted in Iraq, al-Qaida, which the President keeps referring to as the central enemy, al-Qaida has found a safe heaven in Pakistan. Al-Qaida has rebuilt its organization.

Today, top intelligence officials tell the United States that al-Qaida is better positioned to strike the West than they have been at any time since 9/11. I think any American hearing this, after these several thousand lives have been sacrificed in Iraq, to hear that al-Qaida, which is the principal focus of the war on terrorism, is stronger today after all of these billions of dollars and lives lost in Iraq, is a stunning turn of events, shocking turn of events, one that ought to stop everyone in the Senate to collectively turn our policy to where it ought to be, which is the focus on al-Qaida and not the focus in Iraq.

In fact, what has happened in Anbar Province proves that al-Qaida can become more of a minimalist kind of threat in Iraq itself when measured against the threat of the political killing that is taking place between Sunni and Shia, Shia and Sunni.

Our principal focus, notwithstanding this report from our own intelligence agencies, is where? It is on Iraq. Not principally where it ought to be, in Afghanistan and northwest Pakistan. Iraq is not just a distraction from the fight against terrorists, it is, frankly, al-Qaida's best fundraising tool. It is al-Qaida's best organizational magnet. You did not have to wait until September in order to understand what is happening today and what will continue to happen in the absence of any measure of political progress.

So what we need is not a step away by the Senate, not some sort of delaying tactic to wait for the magic of hope to produce itself in September, what we need is the hard work of the Senate to produce a policy for change now. Two days ago I heard some of my colleagues come to the floor and question why we are having this debate now when the White House is going to report on the escalation in September?

I heard the Senator from Alabama, Mr. SESSIONS, say: This is not the time to alter the policy we established about 2 months ago.

I heard Senator KYL from Arizona say: We need to wait for the report in September before making judgments about what to do next.

I heard the senior Senator from Arizona, Mr. MCCAIN, ask—and these are his words: Why do we have to keep taking up the Iraq issue when we know full well in September there will be a major debate on this issue?

Well, I have respect for all of the opinions of all colleagues in the Senate. I particularly have respect and know how much my friend, my colleague from Arizona, cares about American troops and understands the price of war. But I think that is the wrong question. Those are the wrong questions.

The American people understand why we ought to debate this issue now. The answer is very simple, and it is very compelling. It is because American soldiers are dying now, and because the escalation, the purpose of the escalation—which was to provide cover for the Iraqi politicians to make compromises—can be judged a failure now.

When a policy is not working, you do not wait for an artificial timeline to fix it; you fix it now. The very same voices who have come to the floor for years condemning artificial deadlines now want to wait for more Americans to die and more Iraqis to kill each other, until the artificial deadline of September, regardless of what the facts tell us today.

I believe they want to do it so President Bush can deliver his report, even though we know today what the heart of that report will be. In fact, the President delivered a partial report today. I think most people understand, because it is obvious, that the facts are beginning to accelerate the need to be able to have a more rapid response.

The report in September, I guarantee my colleagues, will reflect exactly what we see today. Violence will be up in some places, and it will be down in others. There will be some tactical successes. Our military will deserve the credit for those, and our soldiers will have earned those tactical successes the hard way. But no matter what sacrifices they have made, and they will have made extraordinary sacrifices, the fact remains that absent the political differences, which already we are hearing they will not make, and they are not prepared to engage in, absent that, the civil war will be raging on and squabbling Iraqi politicians and sectarian forces will refuse to compromise. And, most importantly, despite the so-called breathing room that

the escalation was supposed to provide, there will be no real political progress.

What is happening now is as disturbing as anything I have seen in the 23 years that I have been in the Senate. I came here in 1985 during the height of the Cold War. President Reagan was at that time leading us in an effort to try to confront the continued nuclear confrontation under which we had lived since the end of World War II. I think all of us remember well what a critical moment of confrontation that was.

But I came here principally on this issue of war and peace. It was also a time when we were deeply caught up in an illegal war in Central America, and the issue of the contras came to dominate the debate in Washington for a period of time. I mention that because the issues of the lessons of war and how America goes to war and what we do has been something that has been at the center of my involvement in public life.

I must say, what I see today happening, I regret, reminds me of what I thought was a lesson that we had learned in the course of the Vietnam war, and something that we had always resolved to avoid.

Many of us remember how then-President Nixon continued our involvement because he didn't want history to judge him as having lost a war, notwithstanding that he didn't begin it, he inherited it. So we continued our intervention in a civil war for pride and to save face, not because we had a winning strategy. Presidents and politicians may have the luxury of worrying about losing face or worrying about their legacy, but the Senate has the responsibility to worry about young Americans and innocent civilians who are losing their lives now for a policy that is failing now.

In recent weeks, some have reminded me of a question I asked when I returned from service in Vietnam almost 40 years ago, when I spoke from my heart about what I thought was wrong with that war. Back in 1971, I was privileged to testify before the Senate Foreign Relations Committee and raised the question: How do you ask a man to be the last man to die for a mistake? I never thought I would be reliving that question again. I never thought I would have parents of young Americans killed in Iraq look me in the eye and tell me: Senator, my son died in vain.

On a personal level, I happen to disagree with that statement. I think each of my colleagues probably does also. I believe that any American—I heard the Senator from Idaho talking about this—no matter the bad decisions made in Washington, no matter the faults of the policy, any American who gives up life or limb for love of country has never done so in vain. Because service to country under any circumstances is the highest calling there is. I would like to be able to tell those parents that their sons and daughters died for a policy that was equal to their service and equal to their sacrifice. I thought we had learned something from Vietnam. I thought we had learned something from a war that went on and on, a war that was escalated long after Presidents and policymakers knew that no number of American troops could end the civil war between the Vietnamese. Here we are back in the same place today, where no number of American troops in Iraq can end a civil war between Iraqis.

I think most of our colleagues understand this war in Iraq was a disastrous mistake and the policy being pursued today which doesn't resolve the fundamental differences that are propelling Iraqis to kill Iraqis is itself a mistake. So we are seeing a war prolonged and prosecuted not for a winning strategy. No general has come to us, no administration official has come to us in 407, where we meet for our secret briefings, or in any committee and said: This is a winning strategy. What we have is a hope, a wing, and a prayer that somehow these Iraqis are going to come together and make some decisions.

But we don't even have the kind of leverage diplomacy that war deserves to maximize the ability of those people to come together. We are seeing a war prolonged to prosecute it not for a winning strategy but for a refusal to accept reality.

What is that reality? We have heard it from General Casey, General Abizaid, General Petraeus, from the Secretary of State, from the President, and the Vice President—there is no military solution.

Each Member has to ask themselves in these next days, what is our responsibility to our soldiers and to our country—not to our political party, not to an ideology. What is our responsibility to the soldiers and to country? I think it is pretty straightforward. It is to get the policy right, not in September but now.

The only question on this Senate floor now is whether we are going to have the courage to change the policy and get it right. The only question is whether we are going to stop this administration from adding to the thousands of mistakes compounded one upon the other or whether we are going to say: Well, we would like to do it. We kind of have the responsibility to. We hear people in cloakrooms privately saying: I think it is wrong. Boy, it is screwed up. But it doesn't translate into votes. It is that simple. If you think the policy is broken now, then we ought to fix it now, because lives are at stake, as are the interests of our country. Our security is at stake, and the war on terror is at stake.

If anybody needs a reminder of the urgency, I say to them respectfully: You don't have to wait until September to get a reminder. All you have to do is go out to Arlington Cemetery almost any day of the week. You can see the many military funerals but particularly those of servicemembers who served in Iraq and Afghanistan. You can see the precise military honor given to each of those soldiers, the flags draping the coffin rippling in the breeze. You can see the honor guard folding that flag meticulously into that sharp triangle of blue and white stars and then handing it to the loved ones, the wife, the mother, husband, father. Then hear those words: On behalf of a grateful nation, and watch people crumble.

We are losing about 100 soldiers a month. I ask my colleagues: How many more times is that scene going to be repeated between now and September? How many more times is that scene going to be repeated before this institution does what it is supposed to do? How are you going to feel in September if you finally wind up saying: Well, I think the policy is broken now? And what will happen with respect to the parents of those soldiers and their families, those who gave their lives so we could wait for a report to tell us the obvious, what we know today?

Over a year ago, Senator FEINGOLD and I came to the Senate floor and we asked our colleagues to confront this very reality, to recognize the fact that our own generals knew even then there was no American military solution to an Iraqi civil war, to acknowledge that the political progress necessary for the Iraqis to end their civil war would come only if America compelled them to act by imposing meaningful deadlines and leveraging those deadlines with legitimate diplomatic effort. That was 1 year ago. We got 13 votes. People said at the time: Well, we are not ready. I am not there yet. One thousand Americans have died since then. I ask those folks: What about now? Are you ready now or will it take another thousand?

It is not the numbers per se, because America has lost many more people in other wars. What it is is the numbers measured against the strategy and the progress. That is where our responsibility lies. By any measurement, we have a requirement to respond now. Those 13 votes have now grown to more than 50 votes today, but still the policy is the same.

Today Senator LEVIN and Senator REED, myself and others are asking the Members of the Senate to look hard at what we are proposing. Don't fall prey to the quick hit, easy stereotype, political denunciation of what is happening here. This is a legitimate policy proposal which, if it were joined in in a bipartisan way, would send a critical message to Iraqis and to folks in the region about the dynamic that has to change in order to truly meet all of our strategic interests in that region.

I have heard some people use descriptions that it is a recipe for failure. Well, measured against what, No. 1? No. 2, it is the only way, according to most of the experts outside the Senate, to actually leverage a shift in behavior by the Iraqis who today believe they can continue to play the American presence off for their own political purposes. The fact is, it is only by shifting

to a different deployment, which is what we do. There is no precipitous, complete withdrawal from Iraq, to the chagrin of some people who think there absolutely should be. There is a responsible, calculated, carefully timed process by which, together with our own deployment schedules, we have laid out an ability for the President to continue to finish the training, to chase al-Qaida and prosecute the war on terror, and to protect American forces.

According to the Iraq Study Group, according to all of the outside analyses that have looked at this issue, the fact is, those are the only legitimate things we ought to be called on to do a year from now. Nobody is talking about next month or 2 months from now that suddenly Iraq would be abandoned. The fact is, we have come to a moment where the private hand wringing we see in the elevators and in private conversations has run its course. It is time to speak one's conscience publicly through votes, not privately.

It is legitimate to suggest that to wait until September for a report, where most of the intelligence community and most of the observers we have talked to who have followed this issue closely and report to us appropriately tell us themselves that there is precious little, if any, advance with respect to the political compromise, makes it exceedingly difficult to be able to suggest that. I think we have lost 523 Americans who have died since the escalation started. In the next 2 months at the rate of 100 a month, you are looking at over 200 that we know will die for a policy that remains a mistake over those next 2 months.

Let me lay out for a moment where we are with respect to this political solution, because it makes the picture even more stark. It has been over 1 year now since the Maliki government took power. What have we asked of them? What have they agreed to? What have they accomplished?

Virtually nothing accomplished politically. But it is not the first time the Iraqis have not met any of the requests made of them and items agreed to. The fact is that 9 months ago was the deadline for Iraqis to approve a new oil law and a provincial election law. Neither one has been approved. Eight months ago was the deadline for a new de-Baathfication law to help bring the Sunnis into the government. Guess what. It hasn't been approved, and nothing happened as a consequence of its not being approved. Seven months ago was the deadline for Iraqis to approve legislation to disarm the militias. Absolutely no progress has been made on this crucial legislation and the militias continue to wreak havoc. Six months ago was the deadline for Iraqis to complete a constitutional review process. The constitutional committee hasn't even drafted proposed amendments, and the Iraqis remain far apart on basic issues such as federalism and the fate of the divided city of Kirkuk.

So we find ourselves today no closer to a political solution than we were when the Maliki government took power over 1 year ago, but over 1,100 American troops have given their lives since that time. We are no closer than we were in January when the President decided to disregard key elements of the Iraq Study Group and announced the escalation, but over 600 additional American troops have died since then. Without real deadlines to pressure the Iraqis to a new reality, we will not be able to leverage their behavior. If you can't do it that way, having seen that we can't do it this other way, it may be that you can't do it, in which case American troops should not be caught in the middle of what they are determined to pursue.

One-third of the Cabinet in Iraq, including the major Sunni party, is currently boycotting the Government. Iraq's Parliament, which cannot even muster a quorum more than once every week or two, is reportedly still going to go on vacation for the entire month of August without having met their schedule.

It is pretty hard to discern how you turn to the parent of a troop who is maimed or killed in the course of the month of August while the Iraqi politicians are vacationing without even meeting one of the political requirements that has been set out. So I think there is a guarantee they are not going to meet the political progress before September, absent some change that is not currently on the horizon.

The front page of Sunday's Washington Post tells us pretty much all we need to know:

> [T]he Iraqi government is unlikely to meet any of the political and security goals or timelines President Bush set for it in January when he announced a major shift in U.S. policy.

So time is not on our side, and it has not been on our side for a long time, and no escalation is going to change that.

The President keeps telling us, and tells Americans, that we must not abandon the fight against al-Qaida in Iraq and leave them with a safe haven. Well, how many times do we have to say it? We all agree with that. That is not even on the table. No one is talking about abandoning Iraq to al-Qaida. No one is talking about not continuing to prosecute the war against al-Qaida.

In fact, in the Levin-Reed-Kerry amendment there is a specific statement with respect to a specific provision with respect to the President's need to continue to prosecute al-Qaida in Iraq. We all agree with that. That is not the issue. What it is is a phony argument, and I think our troops and the country deserve better than a phony argument. We deserve more than a Presidential straw man in a debate while real men and women are fighting and putting their lives on the line for us.

Our bill keeps in place the troops necessary to prosecute al-Qaida. Our bill keeps in place the troops necessary to complete the training of Iraqis to stand up for themselves. Our bill keeps in place the troops necessary to protect American facilities and forces. And 1 year from now that is all our mission ought to be.

We have troops in many other parts of the region—Kuwait, Bahrain, in the Gulf, and many other places—and we have the ability to do what we need to do to represent our interests with respect to Iran and with respect to the region. But we must redefine our mission and focus on our vital national interests, and chief among those is fighting al-Qaida smartly.

I believe it is fundamentally wrong to sacrifice over 100 American troops per month as we stretch our military past the breaking point for a policy that we know does not address the fundamental issues and resolve those issues. The troops deserve to know they are being asked to sacrifice for real progress. It is wrong to keep spending over $10 billion each month—$456 billion in total—for this war of choice. We cannot continue telling Americans that refereeing an Iraqi civil war is worth more in our blood and treasure than it would have been to provide Head Start for a year to 60 million of our children or to provide nearly 4 years of health care to every child in America or to provide a tenfold increase in foreign aid to express the real face and values of America all over the world.

In fact, all of the money that has been spent in Iraq could have funded a Middle East development plan nearly four times as large as the Marshall Plan, a plan that would have helped reduce radicalism rather than enflame it.

We also cannot continue to squander our moral authority and offer al-Qaida a greater recruiting tool than they could ever have hoped to create for themselves.

So my hope is we would work to find a genuine bipartisan majority in the Senate, a majority of conscience, a pragmatic and patriotic majority committed to work across party lines to right a failed policy in Iraq and leave in place a sustainable strategy.

Now, let me say a word about that to my colleagues.

We keep hearing the words ''precipitous'' and ''failure.'' None of us want failure. We want success. What we are hearing today is—we may have differing views about how you get it; it is not often talked about, but it is clear, and I think it should be talked about—that if we are unsuccessful in seeking the kind of political compromise necessary, there will be a lot of killing that will continue, and there will be people who have put themselves on the line to fight for their own future and for democracy whom we will have obligations to. We need to live up to them.

That is another lesson of Vietnam.

We need desperately to work together in the best traditions of the Senate and the country to find what I

think is real common ground—that we have interests in the region, interests in Iraq, interests with respect to the Middle East peace process, that we will have long-term interests and obligations no matter who is President of the United States or how we approach this and that we need to shift course in order to get to that place.

Now, some have insisted on seeing this entire issue exclusively through the prism of victory or defeat over an enemy in battle. But that simply is not the reality of what we see in Iraq today in a civil war. Iraq is a chaotic society, a failed state. The real question is: How do you work together to craft a strategy that is sustainable militarily, politically, financially, and diplomatically? There are areas of broad bipartisan agreement for those who are willing to do that work of building consensus.

First of all, I think there is agreement there will be some residual presence among at least the majority of the people on our side of the aisle. In addition, all of us are concerned that our redeployment from Iraq must not happen in a manner that draws us back into a greater conflict at a later date. We ought to be working together to lay the groundwork not just for the next few months but for the next years down the road throughout the region.

There is broad agreement that we must refocus our mission on what ought to be our core objective: fighting terrorists. Indeed, in the alternative, we are creating more terrorists daily as a result of our policy than if we were to shift it.

So refocusing the mission means American troops should be hunting and killing al-Qaida and not being killed on patrol through the streets of Baghdad in the middle of a civil strife where they become a target of opportunity for any person who wants to create a headline.

It means training Iraqis to patrol Iraqi streets and refocusing our mission on preventing this war from spreading into a regional conflict.

And finally—and this is perhaps most important of all because you cannot get to any of the other things if you do not do this; and we have not done it—we need to embark on a major diplomatic outreach to restore America's influence and credibility in the Middle East. I will offer an amendment asking the Senate to go on record supporting a standing conference for the region, including the Permanent Five of the United Nations and all the regional partners and neighbors and parties, in order to reclaim the diplomatic initiative in Iraq and throughout the region.

This debate also ought to be part of a larger framework. In Lebanon, the Siniora Government is hanging on by a thread as it confronts Sunni extremists sympathetic to al-Qaida in the north and Shia extremists led by an empowered Hezbollah in the south. Iran and Syria have stepped into the vacuum, leading reconstruction efforts after the last war and creating a greater connection to the people in the street as a result. Now they are rearming Hezbollah for the next war. The Palestinians have fought a brief civil war that left an emboldened Hamas in control of Gaza, and again Iran and Syria stand poised to take advantage of that.

Never has there been a more important moment to try to move together collectively, diplomatically in that effort. None of these events, frankly, should have taken us by surprise because King Abdullah of Jordan loudly warned of three civil wars last year. Yet time and again we seem to be taken by surprise when events on the ground spin out of control, and then we are left scrambling to patch together an ad hoc response from half a world away. That simply cannot continue. It is not in our interest. It certainly is not in the interest of the region.

So we need a reliable multilateral regional forum for preventing these situations from becoming crises—and for responding when they do. That is why we have to lead the effort to convene Iraq's leaders and key regional players in the effort to do that.

In the end, we need to reach for the best traditions of the Senate and look back to the bipartisan accomplishments of men such as Republican Senator Arthur Vandenberg, who chaired the Senate Foreign Relations Committee and worked closely with Democratic President Harry Truman, and together they helped to create—were the principal leaders in creating—a new world order and a winning strategy in the Cold War. They cooperated on a series of institutions and treaties—NATO, the IMF, the U.N. Charter, the Marshall Plan—and all of those outlived both of them.

When Arthur Vandenberg passed away in 1951, the Chaplain at his funeral said:

> We thank Thee that in the gathering storm of aggression which now rages, Thy servant Arthur H. Vandenberg, in a time that called for greatness, grew into greatness.

This is a long time since the time of Arthur Vandenberg and Harry Truman, but for the Senate to live up to its own obligations and possibilities, I believe we ought to go back to the politics that stops at the water's edge when it comes to foreign policy. I think we ought to grab that opportunity here and now to change our policy in Iraq. Why? Not for partisan advantage but to strengthen our country in the pursuit of our interests in the region and to truly support our troops and provide the kind of direction that will strengthen America and strengthen us in the war on terror.

Mr. STEVENS. Madam President, I support this amendment for the dignified treatment of wounded warriors. It creates a comprehensive policy for the care and management of wounded military servicemembers and addresses the health care needs of servicemembers and their families. We urgently need this provision for a seamless transition from military to civilian life.

The policy and standards for the DOD and the Veterans' Administration in this provision will streamline medical and physical disability evaluation processes between the two agencies, allowing for more immediate attention to the care of our wounded instead of focusing on paperwork for the board. This is an exhausting process.

The care of our wounded servicemembers' families is addressed by reimbursing them for related expenses such as travel to medical appointments, or providing medical care to those family members who are providing support to severely injured servicemembers.

This is needed legislation to continue and enhance treatment and diagnosis for traumatic brain injury and post traumatic stress disorder, by developing Centers of Excellence, establishing requirements for research, and developing a standard process for pre and post deployment screenings. The amendment will assure a fully coordinated system and it improves the medical tracking process and establishes protocols for quality assurance for deployed servicemembers.

This legislation also directs a jointly integrated policy, created and administered by the Department of Defense and the Veterans' Administration, to better manage and transition servicemembers exiting active service to civilian life.

It requires these two Departments to develop a joint electronic medical record by 2010.

It establishes a joint DOD–VA program office that is responsible for the development, testing, and implementation of the joint health record.

This will expedite the transition of servicemembers to the VA and allow for immediate and uninterrupted treatment by VA clinics and hospitals.

The policies set forth in this amendment will enhance the care for the severely ill or injured by ensuring those former servicemembers who were injured between 2001 and 2012 will receive medical and dental care up to 5 years after separation from the military.

These initiatives are all very much in need to better provide the support and care our dedicated servicemembers deserve, especially after putting their lives on the line.

Mr. MENENDEZ. Madam President, I rise today in strong support of the Dignified Treatment of Wounded Warriors Act. This legislation will bring long needed reforms to the transition process between the Department of Defense and the VA.

The controversy at Walter Reed again brought to light the shortcomings in the process our returning veterans must deal with in their difficult transition from soldier to civilian. Just as the living conditions that came to light are unacceptable, so too are the countless stories detailing the maze of forms, hearings, and medical evaluations that prevent so many of our veterans from getting the health care and benefits they need and a grateful nation wishes to provide them.

Too often, it seems that rather than thanking the soldier for their sacrifice, this system sets up yet another battle of bureaucracy. Too often, it seems that the system is stacked against the very soldiers it is designed to help. Too often, veterans must seek out their own treatment options and benefits or risk missing deadlines and losing benefits. It doesn't have to be this way. We have an obligation not only to fulfill the promises we make to America's fighting men and women, but to do so in a manner that ensures the benefits we owe them are made readily available.

That this bill will push DOD and VA to prepare a comprehensive and coordinated strategy to help the soldier in their transition to civilian is a critical correction to a long-flawed process. Currently, soldiers can be discharged with little more than directions to the nearest VA and a stack of paperwork a team of lawyers would struggle to complete. The chasm that currently exists between DOD and VA has swallowed too many bright and talented individuals trying to put their life back together after sacrificing so much for this great Nation.

This amendment requires a comprehensive policy on the transition of our wounded soldiers back to civilian life. It will push the reform of such problem areas such as the medical hold status, a situation in which soldiers can sit for months on end with their life on hold while DOD decides what to do with them; the medical evaluation process where soldiers' disability ratings are chronically underrated; and improved sharing of records between DOD and VA, amazingly not a common practice even in this day and age.

I am particularly proud to support this bill because of the priority it places on treatment of traumatic brain injuries and post-traumatic stress disorder. Medical research still has a long way to go before we can wholly treat TBI's and PTSD, but this bill goes a long way towards creating an extensive strategy for diagnosing and rehabilitating servicemembers afflicted with these conditions.

We must lift the stigma and educate soldiers that these conditions are as real as a bullet wound, and can be just as deadly. This bill does just that. The emphasis on pre-and post-deployment assessments will revolutionize the military's process of diagnosis and treatment.

Due to the unique nature of these injuries and the delay in symptoms that so often occurs, many veterans have gone without treatment and suffered a lifetime of pain and anguish because we have not had these safeguards in place. Thankfully, with this bill the Congress is saying, ''no longer.'' No longer will we stand idly by while veterans are discharged from DOD and fade into the shadows of society. No longer will we turn a blind eye to cries for help from America's bravest. No longer will we ignore the needs of veterans who have sacrificed so much for their country.

I am proud to support this proposal extending health care to medically retired servicemembers for 3 additional years. Sometimes we forget that when these veterans leave the military, they leave behind their career, their pay and their way of life. By allowing them steady access to health care, we give them some sense of normalcy as they begin a new chapter in their lives.

I do believe there is much work left to be done, and as a Congress we must remain vigilant to ensure that the spirit as well as the letter of this legislation becomes law and the reforms are carried out to their fullest. One way of remaining vigilant in the pursuit of a smooth transition from solider to veteran is to provide resources to outside watchdogs to help ensure transparency and advocacy in the process. That is why I have introduced the Veterans Navigator Act, which will provide $25 million in Federal grants over the next 5 fiscal years to create a pilot program to fund ''Navigators'' to help veterans enter the system and will build on existing programs run by veterans service organizations, VSOs, and other experienced organizations. While the dignified treatment of wounded warriors amendment will bring about many long-overdue reforms to the transition process, veteran navigators could be particularly critical as independent nongovernmental sources of information and advice for the veteran during their transition. In fact, navigators could play a vital role in the successful implementation of the changes made in the Dignified Treatment of Wounded Warriors Act, as they can be watchdog and counsel, whistleblower and advocate. In short, because the veteran navigators will not be part of the government system, they will be better able to advocate for veterans.

The very least that we can do is ensure that all of these brave men and women are able to access the medical benefits to which they are entitled and the care which they require, particularly in this, 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. These brave men and women went out across the world for us, with this bill I believe we are stepping out for them.

Mr. WARNER. Madam President, providing for our men and women in uniform, and their families, is our highest priority on the Armed Services Committee, and this bill will provide a comprehensive approach to caring for those, who through their courage, have sacrificed greatly for our country. Our Nation owes these brave men and women nothing less than the finest possible care.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I ask unanimous consent, if it is agreeable with Senator LEVIN, that Senator STABENOW be allowed 10 minutes.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, that, of course, would be fine with me, but we have a vote scheduled at 4 o'clock. If that is going to delay that vote, we better clear that with folks who may be relying upon a 4 o'clock vote.

Madam President, how long will the Senator from Michigan wish to speak?

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Ideally, 10 minutes, 8 minutes—somewhere in that range—7, 8 minutes.

Mr. LEVIN. Madam President, then I join in that unanimous consent request that the Senator from Michigan be recognized for up to 10 minutes.

Mr. MCCAIN. So 3 minutes after 4 o'clock.

Mr. LEVIN. Now the vote will be delayed until about 5 after 4 o'clock.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Ms. STABENOW. Madam President, first, I thank the distinguished Senator from Massachusetts for his eloquence and passion and knowledge and leadership on all of these critical issues related to Iraq and what we need to be doing to keep our country safe.

I thank also Senator CARL LEVIN, our senior Senator from Michigan, for all his wonderful leadership as he has moved this bill and so many other bills through the Congress that deal with supporting our troops, being a strong military, and now making sure we are there for our troops when they come home.

I thank also Senator JOHN MCCAIN for his graciousness today, as well as for his work with Senator LEVIN. I thank Senator DANNY AKAKA, chairman of the Veterans' Affairs Committee, and LARRY CRAIG, the ranking member, for their bipartisan effort.

This has truly been an excellent example of what we can do when we work together on something such as the wounded warrior amendment, which I am proud to be a cosponsor of. But the bipartisan effort, the effort between two committees of the Senate, working together, has been wonderful, and we now have an amendment in front of us, the Levin-McCain and others amendment, that is critically important to pass.

I stand here today as a daughter of a World War II Navy vet and the wife of an Air Force vet of 14 years, and I am very proud of what we are doing and what our new majority is doing to advocate for our troops and our veterans.

For too many soldiers and marines, the flight out of Iraq or Afghanistan is the first step in a long journey back to the lives they left at home.

Those wounded in combat face a second tour of duty—a tour of duty marked by long hours of rehabilitation, often painful medical procedures, and a physical or psychological adjustment to a life lived with the scars of war.

When the men and women of our Armed Forces put on the uniform, they

are making a promise to defend America. In return, we promise them that their Nation will be there for them when they come home.

Our Armed Forces truly are the finest patriots our Nation has to offer—truly. As members of an all-volunteer military, charged with defending the greatest democracy on Earth, our soldiers and sailors and airmen and marines have proven their bravery, courage, and honor time and again. They don't need more empty promises. What they need and what we owe them is a system that works for them when they are wounded, either physically or mentally, in the service of our country.

I am very proud of the fact that our new majority has made both supporting our troops and our veterans one of our very top priorities. The budget resolution we passed earlier this year places fully funding veterans' health care, working with all of our veterans service organizations, as one of our very top budget priorities. Now we have in front of us another important way to support our troops coming home who are wounded.

We are a nation at war. We know that. We are currently ill-equipped to deal with the human consequences of that war.

The administration's failed planning for this war did not end at the borders of Iraq. It stretched into Walter Reed Hospital and into every veterans' health care facility, into every community that has sent an able-bodied son or daughter off to fight, only to be faced with the realities of an injured veteran returning home. Repeated redeployments have only compounded the problem, as we talked about yesterday, as we debated the important Webb amendment which, I might add, was passed and supported by 56 Members, although we could not break the filibuster of the Republican caucus. Mental health injuries have increased dramatically as troops have been forced to face their second, third, and fourth combat redeployments. The lack of time between redeployments has increased the physical danger to our troops by sending them back on the front lines, overtired, underequipped, and without the increased training they need.

Our heavy reliance on our National Guard has resulted in wounded veterans returning to cities and towns all across our country, often to communities that are far away from veterans' health care facilities or the traditional infrastructure of the military health care system. Our troops deserve better in Iraq, and they deserve better when they come home.

Earlier this year a bright light was turned on the deplorable conditions faced by some of our returning wounded veterans at Walter Reed. The true tragedy of these events is that they are merely a symptom of larger problems with a system that too often has let our soldiers and veterans down. I am very proud of the leadership coming from our caucus, our leader, Senator REID, and our caucus leadership, in focusing the light of day and taking action that has brought us today to this very important amendment. There is no room for bureaucratic or political squabbling when it comes to the treatment of our soldiers and our veterans. The system should serve one mandate and one mandate only: providing the highest quality service available to all of them, while causing them the least amount of personal hassle and frustration.

Senator LEVIN's wounded warrior amendment is a much needed step, and it is a needed systemwide approach that has been put together on a bipartisan basis. It addresses many problems that plague this far too often burdened and difficult process while enhancing health care for wounded service men and women, including treatment of traumatic brain injury and post-traumatic stress disorder, which has been viewed now as the signature injury of this war.

The number of casualties in Iraq and Afghanistan is growing every day. These brave men and women don't have time to wait. They need their country to step up right now, and that is what we have the opportunity to do together with this amendment.

We have many disagreements in this body. The various pieces of legislation we face on a daily basis require robust debate and oftentimes we find ourselves on different sides of the issue of the day. I can't imagine, though, how any one of us would oppose this amendment. The facts are simple. The system is broken and in need of repair. The ones paying the price are our soldiers, our veterans, and their families. We need to make changes and we need to make them now.

This was a war of choice in Iraq, not of necessity. But dealing with the consequences of this war is unquestionably a necessity. Our troops have done their job and now we need to do ours. I urge my colleagues to support the wounded warrior amendment.

AMENDMENT NO. 2024

The PRESIDING OFFICER. Under the previous order, there are now 2 minutes equally divided prior to a vote on amendment No. 2024 offered by the Senator from Alabama, Mr. SESSIONS.

Who yields time?

The Senator from Alabama is recognized.

Mr. SESSIONS. Madam President, this amendment, which has been modified in agreement with my colleagues on the Democratic side of the aisle to reach an amendment I think we can all support, would state it is the policy of the United States that we should have a system that will protect the United States and its allies against Iranian ballistic missiles. The findings are that Congress finds that Iran maintains a nuclear program in continued defiance of the international community, while developing ballistic missiles of increasing sophistication and range that pose a threat to the forward-deployed forces of the United States and to its North Atlantic Treaty Organization allies in Europe, and which eventually pose a threat to the United States homeland.

That is the problem we are dealing with. So we would state with clarity, so there is not any doubt about it—and I think our bill we passed in committee does that, but some have misinterpreted it, in my opinion—that it would state that it is our policy to develop and deploy as soon as technologically possible, in conjunction with allies and other nations wherever possible, an effective defense against the threat of Iran as described in the previous paragraph.

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

Mr. SESSIONS. And to develop an appropriate response.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Madam President, the amendment as modified is within the provisions of the funding in the underlying bill, because the bill would authorize an additional $315 million to increase or accelerate several near-term missile defense programs that are specifically designed to protect our forward-deployed forces, our allies, and our friends, for example, the Patriot PAC–3, the Aegis BMD program, and the THAAD system. So it is entirely consistent.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

Mr. LOTT. The following Senator is necessarily absent: the Senator from Louisiana (Mr. VITTER).

The result was announced—yeas 90, nays 5, as follows:

[Rollcall Vote No. 245 Leg.]

YEAS—90

Akaka	Coburn	Harkin
Alexander	Cochran	Hatch
Allard	Coleman	Hutchison
Barrasso	Collins	Inhofe
Baucus	Conrad	Inouye
Bayh	Corker	Isakson
Bennett	Cornyn	Kennedy
Bingaman	Craig	Kerry
Bond	Crapo	Klobuchar
Boxer	DeMint	Kohl
Brown	Dole	Kyl
Brownback	Domenici	Landrieu
Bunning	Dorgan	Lautenberg
Burr	Durbin	Levin
Byrd	Ensign	Lieberman
Cantwell	Enzi	Lincoln
Cardin	Feingold	Lott
Carper	Graham	Lugar
Casey	Grassley	Martinez
Chambliss	Gregg	McCain
Clinton	Hagel	McCaskill

McConnell	Reid	Specter
Menendez	Roberts	Stabenow
Mikulski	Rockefeller	Stevens
Murkowski	Salazar	Sununu
Murray	Schumer	Thune
Nelson (FL)	Sessions	Voinovich
Nelson (NE)	Shelby	Warner
Pryor	Smith	Whitehouse
Reed	Snowe	Wyden

NAYS—5

Feinstein	Sanders	Webb
Leahy	Tester	

NOT VOTING—5

Biden	Johnson	Vitter
Dodd	Obama	

The amendment (No. 2024), as modified, was agreed to.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Madam President, the next order of business we agreed upon will be to dispose of the wounded warrior legislation. There are three pending amendments which have now all been cleared. They need to be prepared and accepted. It may take us 20 minutes or so. Then there will be a vote.

Mr. MCCAIN. Madam President, if I can tell my friend, I think it will only take us about 2 minutes since we are in agreement, and then we can move to wounded warriors, for the benefit of our colleagues.

Mr. LEVIN. Five minutes before a vote can begin, that will be fine. The sooner the better. We are all happy with that schedule. Is Senator DORGAN on the floor?

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

Mr. LEVIN. I will be happy to yield. I will be happy to yield in a minute to the Senator from Vermont. The next business, if it is agreeable with the ranking member, will be to dispose of the Dorgan amendment, at which point we are going to Levin-Reed. Is my understanding correct?

Mr. STEVENS. What is the Dorgan amendment?

Mr. LEVIN. The Dorgan amendment is an al-Qaida amendment. We are trying to work out a UC that involves a series of amendments around Levin-Reed, including the Cornyn amendment.

Mr. MCCAIN. If the Senator will yield for a question.

Mr. LEVIN. I will be happy to yield.

Mr. MCCAIN. It is our intention to set it up so there is at least a side by side offered by Senator CORNYN, and there may be additional side by sides, if necessary. Is that our basic agreement?

Mr. LEVIN. Assuming cloture is invoked and we get to a vote on Levin-Reed, at that point there will be a side by side in this UC with the Cornyn amendment, but we have to leave open the possibility, then, of a side by side for an amendment with Cornyn.

Now I will be happy to yield to the Senator from Vermont.

Mr. LEAHY. Madam President, I wonder if the Senator will just give me 4 minutes. Vermont has lost per capita more men and women in Iraq and Afghanistan than any other State. One is being interred tomorrow. I wonder if I may have 4 minutes to speak about that person in morning business because the family will be here tomorrow for interment.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, reserving the right to object, the distinguished bill managers and I have been talking about a procedure whereby I was under the understanding that I would be allowed to lay down my amendment. It would be then set aside, and then later there would be an attempt to structure a side by side with the Reed-Levin amendment and the Cornyn amendment perhaps for next week, but it will have to be done by unanimous consent.

Mr. LEVIN. If the Senator will yield, the staff is preparing a UC which covers the entire subject. It is too complex for us to say something and get into more trouble. Let's just get the UC.

Mr. MCCAIN. If I may respond, it is the intention to make sure there would be a side by side if the procedure, if it comes up——

Mr. LEVIN. If we get to a vote on Levin-Reed, it is our intention, and it will be implemented in a UC, that Senator CORNYN's amendment, which he wanted to be voted on side by side, would be voted on side by side, but we then need to have the opportunity to have a side by side with the Cornyn amendment. I am just cautioning everybody, because we have already had enough confusion on this subject, that we should wait for the staff to prepare that UC so everybody is satisfied.

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

Mr. LEVIN. I will be happy to yield.

Mr. CORNYN. My question, Madam President, is, my understanding is the Cornyn amendment would be laid down this evening perhaps, then set aside while we work on the UC that the distinguished chairman referred to and perhaps set it up for a vote next week. Is that correct?

Mr. LEVIN. My understanding is the current procedure, where we are, we alternate amendments. So the Senator from Arizona, the ranking member, can designate anybody he wishes on his side to offer an amendment. But in terms of laying aside what comes up, when it is voted on, and side by sides, that part has to be resolved by a UC.

Mr. CORNYN. If I may ask one more question, Madam President, is it the Senator's intention that following the disposition of the wounded warriors amendment that it would be in order for the distinguished ranking member on our side to lay down the Cornyn amendment?

Mr. LEVIN. We are going to try to dispose of the Dorgan amendment immediately afterward. But the next time the Senator from Arizona can designate a Member on his side, it is his intention to have the Senator from Texas recognized.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. MCCAIN. Madam President, before the Senator from Vermont speaks, I assure the Senator from Texas that there is no intention of depriving him of a side by side; that the intention is to frame the UC such that there is a side by side, but there is a little parliamentary side of it. I hate to take the time of all of our colleagues, but that is the intent and the agreement between the two of us to get it done. I will have the next amendment after the Dorgan amendment, and I will recognize him at that time. Then we will work out the modalities.

Mr. CORNYN. I thank the distinguished Senator.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, in that regard, while the two managers are on the Senate floor, on Tuesday, the distinguished senior Senator from Pennsylvania, Mr. SPECTER, and I came to the floor to offer our amendment—at least to get it filed—on habeas corpus, which has been joined by many Senators on both sides of the aisle. That was objected to.

I am just wondering: We have been trying every day since. Can the managers give me some idea of when Senator SPECTER and I may begin the debate on that amendment?

Mr. MCCAIN. Madam President, may I say this is one time I am glad I am not in the majority.

Mr. LEVIN. I am trying to figure out how to respond to Senator MCCAIN. I am not sure I have a good response.

Mr. LEAHY. The amendment is filed.

Mr. LEVIN. We are going to move to the Iraq legislation immediately after the disposition of the Dorgan amendment, subject to the Cornyn amendment, which will be next which is being figured out in a UC. We are then going to go to the Iraq legislation, the Levin-Reed legislation, so I cannot tell the Senator from Vermont how long the debate on that legislation is going to last. There are many people who wish to be recognized thereafter, and I cannot at this time tell him which one from our side will be the one to be selected. I don't want to make that choice now.

Mr. LEAHY. Madam President, I understand the response of the distinguished senior Senator from Michigan, but I wonder if he might give some indication to this Senator whether he believes that at some time an effort can be made to bring forward—the amendment has been filed. I was erroneous. It has been filed. But assuming it is germane, some time the amendment, Specter-Leahy, et al, amendment will be brought forth.

Mr. LEVIN. It is certainly my intention that Senators have that opportunity. The Senator from California has asked, a number of other Senators have asked, and it is my hope and intent that Senators will have an opportunity to offer amendments.

Mr. LEAHY. Madam President, I would renew my unanimous consent request. Back to where I started.

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

VERMONT FALLEN

Mr. LEAHY. Madam President, this week, the Senate is engaged again in an intense debate about one of the most pivotal issues facing our Nation and its families right now—the ongoing war in Iraq. There is great division in the country and in the Congress on many of these issues, but I believe there is one area where we remain united, and that is in support and appreciation of our troops and their families and friends here at home.

The Nation shares the sorrow and grief over the loss of so many fine Americans in war. Our military operations in Iraq and Afghanistan have come at the cost of precious American lives. No one knows that pain more than those loved ones left behind—the spouses, the parents, the sons, and the daughters who are left to pick up the pieces. A gaping hole of unimaginable proportions opens with each and every one of these family losses.

Families in Vermont have gone through more than their share of the pain. Vermont has suffered the highest per capita casualty rate of any State in the Nation during these ongoing operations. We are a State of just over 600,000 people, and many of our State's sons and daughters are part of the Vermont National Guard, the Reserves, and the Active-Duty Forces. Twenty-six servicemembers with Vermont ties have given their lives in Iraq and Afghanistan. Behind the names of those Vermonters are dozens of families and hundreds of friends facing that all-too-real and perhaps unknowable loss. When I go to these funerals and I look around in the church or the synagogue where the funeral is being held, I see so many people I have known from childhood days and realize they, too, are members of the family of those who have died.

Earlier this year, dedicated students at Vermont's Norwich University produced a documentary about these families coping with the loss of their loved ones. Titled ''Vermont Fallen,'' the film documents how many of these family members have reacted, how they have tried to cope. In the darkest and saddest of times, this project has helped a new Vermont family to emerge, brought together by community screenings of the film. They have been able since then to turn to each other for comfort.

The Norwich students' project has offered a glimpse into the searing and highly personal grief and mourning that has touched thousands of American families and scores of American communities across Vermont and across the country. They have produced a tribute that speaks directly to each human heart.

Tomorrow, at Arlington National Cemetery, one of our fallen, 1LT Mark Dooley, will be interred. Lieutenant Dooley selflessly died in the line of duty in Iraq in 2005. He was a member of the police department in Wilmington, VT, a lovely town that is nestled right in southern Vermont, almost on a midline with the Green Mountains. My wife Marcelle and I went to the police station after his death just to sign the condolences and to announce our condolences. Lieutenant Dooley's parents will also be there, as well as other members of his family, and in a sense, every Vermonter will be there.

Joining the Dooleys, lending their unique understanding of the special bond that comes from it, will be the families of the ''Vermont Fallen.'' I hope the Dooleys and what has now become their extended family will find comfort in one another. They deserve to be in the thoughts, the hearts, and prayers of all Vermonters and every American as they gather at Arlington. They are in the thoughts and prayers of the Members of the Senate.

Madam President, I ask unanimous consent to have printed in the RECORD a list of the ''Vermont Fallen.''

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

VERMONT CASUALTIES IN IRAQ AND AFGHANISTAN

Twenty-four American servicemen with ties to Vermont have died in Iraq since the war began. One Vermonter has been killed in Afghanistan. A 26th Vermonter died of natural causes in Kuwait while training to go to Iraq:

2007

Marine Cpl. Christopher Degiovine, 25, who graduated from Essex Junction High School in 2000 and Champlain College in 2005, was killed in Anbar Province, Iraq, on April 26.

2006

U.S. Army Sgt. Carlton A. Clark, 22, of Sharon, was killed Aug. 6 when an improvised bomb detonated next to the vehicle in which he was riding in Baghdad.

Marine Lance Cpl. Kurt Dechen, 24, of Springfield was killed Aug. 3 during fighting in Iraq's Anbar Province.

Vermont National Guard Sgt. 1st Class John Thomas Stone of Tunbridge was killed March 29 in southern Afghanistan, when the forward operating base he was in was attacked.

Vermont National Guard Spc. Christopher Merchant of Hardwick was killed March 1 in a coordinated attack on Iraqi police headquarters in Iraq, roughly three miles northwest of Ramadi.

Vermont National Guard Sgt. Joshua Allen Johnson, 24, from Richford, where he lived with his grandparents, was killed Jan. 25 in Ramadi. Johnson was born in St. Albans.

2005

Army National Guard 2nd Lt. Mark Procopio of Burlington was killed Nov. 2 by a homemade bomb while on patrol. Procopio and his patrol were responding to a downed Marine helicopter in Ramadi.

Army National Guard Spc. Scott P. McLaughlin of Hardwick was killed Sept. 22 after a sniper's bullet pierced the seams of his body armor near Ramadi.

Army National Guard 1st Lt. Mark H. Dooley, was killed Sept. 19 when the Humvee he was riding in was destroyed by a roadside bomb in Ramadi.

Army National Guard Sgt. 1st Class Chris S. Chapin, 39, of Proctor, was killed by small arms fire Aug. 23 while performing a civil affairs mission near Ramadi.

Army Sgt. 1st Class Michael Benson, a Minnesota native, who married a woman from Colchester, was wounded by a roadside bomb in Iraq on Aug. 2. He later died in a military hospital in Washington. He was buried in Belvidere.

Marine Sgt. Jesse Strong, 24, of Albany, was one of four Marines killed Jan. 26 during an ambush in Iraq's Anbar Province.

2004

Marine Lance Cpl. Jeffery S. Holmes, 20, of Hartford, was killed on Thanksgiving Day while conducting house-clearing operations in Fallujah.

Army Staff Sgt. Michael Voss, 35, of Carthage, N.C., was killed Oct. 8 when a roadside bomb exploded in a convoy he was leading back to base near Kirkuk. He was a native of Enosburg;

Marine Lt. Col. David Greene, 39, of Shelburne died July 29 when the helicopter he was piloting was hit by ground fire in Anbar Province.

Army National Guard Sgt. Jamie Gray, 29, of East Montpelier died June 7 when a bomb exploded south of Baghdad.

Army National Guard Sgt. Kevin Sheehan, 36, of Milton died May 25 in the same attack that killed Alan Bean Jr.

Army National Guard Spc. Alan Bean Jr., 22, of Bridport died May 25 during a mortar attack about 25 miles south of Baghdad.

Maine Army National Guard Spc. Christopher D. Gelineau, 23, who graduated from Mount Abraham Union High School in Bristol, died April 20 after the convoy he was in was ambushed in Mosul.

Army National Guard Sgt. William Normandy, 42, of East Barre, died March 15 of natural causes while training in the Kuwait desert.

Army Spc. Solomon C. Bangayan, 24, of Jay, died Jan. 15 after his convoy was ambushed in Baghdad.

2003

Army Capt. Pierre Piche, 29, of Starksboro, died Nov. 15 when the helicopter he was in went down in Mosul.

Army Pvt. Kyle Gilbert, 20, of Brattleboro was killed Aug. 6 in fighting in Baghdad.

Army Sgt. Justin Garvey, 23, who graduated from Proctor High School, was killed July 20 when the convoy he was in was attacked near Tal Afar.

Army Chief Warrant Officer Erik A. Halvorsen, 40, of Bennington died April 2 when the helicopter he was in crashed near Karbala.

Marine Cpl. Mark Evnin, 21, South Burlington, died April 3 after a firefight near Kut.

Mr. LEAHY. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Madam President, I know the chairman is on his way here, and while he is on his way, I would just like to urge all Senators who have amendments to this bill to please get them in. We have approximately 100 pending. Obviously, most of those can be dispensed with without debate and votes, but we really need to stop submitting amendments because there has to be a time where we just have had enough amendments approved. So I would urge my colleagues to get their amendments in tonight—before tomorrow, if they can, but tomorrow at the latest—so that next week we can begin the process of approving or deciding to debate and to vote on various amendments.

Madam President, I note the presence of the distinguished chairman, so I yield the floor.

Mr. LEVIN. Madam President, I join my good friend from Arizona first of all in urging people to get their amendments in to us. I don't know the time that was suggested by the Senator, but I want to repeat it—what was it? Well, the earlier the better because we have a lot on our plate.

Madam President, these are the three second-degree amendments—we referred to them before—and as soon as these amendments are disposed of, we are then going to move to vote on the wounded warriors legislation, and I believe we should have a rollcall on that legislation.

AMENDMENT NO. 2132 TO AMENDMENT NO. 2011

(Purpose: To provide and enhance rehabilitative treatment and services to veterans with traumatic brain injury and to improve health care and benefits programs for veterans)

Mr. LEVIN. Madam President, on behalf of Senators Akaka, Craig, Rockefeller, Murray, Brown, Mikulski, and Obama, I call up amendment No. 2132, an amendment to provide and enhance rehabilitative treatment and services to veterans with traumatic brain injury and to improve health care and benefits programs for veterans.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. AKAKA, for himself and Mr. CRAIG, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. BROWN, Ms. MIKULSKI, and Mr. OBAMA, proposes amendment numbered 2132 to amendment No. 2011.

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

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

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

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 2132) was agreed to.

Mr. LEVIN. Madam President, I move to reconsider.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2160, AS MODIFIED, TO AMENDMENT NO. 2019

Mr. LEVIN. Madam President, on behalf of Senators NELSON of Nebraska and GRAHAM, I call up amendment No. 2160, a second-degree amendment to our pending amendment; and on behalf of Senators NELSON and GRAHAM, I send a modification to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. NELSON of Nebraska, for himself and Mr. GRAHAM, proposes amendment numbered 2160, as modified.

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

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

The amendment, as modified, is as follows:

(Purpose: To provide extended benefits under the TRICARE program for the primary caregivers of members of the uniformed services who incur a serious injury or illness on active duty)

On page 34 after line 5, of the amendment insert the following:

SEC. 1627. EXTENDED BENEFITS UNDER TRICARE FOR PRIMARY CAREGIVERS OF MEMBERS OF THE UNIFORMED SERVICES WHO INCUR A SERIOUS INJURY OR ILLNESS ON ACTIVE DUTY.

(a) IN GENERAL.—Section 1079(d) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2)(A) Subject to such terms, conditions, and exceptions as the Secretary of Defense considers appropriate, the program of extended benefits for eligible dependents under this subsection shall include extended benefits for the primary caregivers of members of the uniformed services who incur a serious injury or illness on active duty.

''(B) The Secretary of Defense shall prescribe in regulations the individuals who shall be treated as the primary caregivers of a member of the uniformed services for purposes of this paragraph.

''(C) For purposes of this section, a serious injury or illness, with respect to a member of the uniformed services, is an injury or illness that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating,'' and that renders a member of the uniformed services dependent upon a caregiver.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2008.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

Amendment (No. 2160), as modified, was agreed to.

Mr. LEVIN. Madam President, I move to reconsider.

Mr. MCCAIN. I move to lay that motion on the table. The motion to lay on the table was agreed to.

AMENDMENT NO. 2159, AS MODIFIED, TO AMENDMENT NO. 2019

Mr. LEVIN. Madam President, on behalf of Senators NELSON of Nebraska and GRAHAM, I call up amendment No. 2159, a second-degree amendment to the pending amendment regarding travel reimbursement for specialty care; and on behalf of Senators NELSON and GRAHAM, I send a modification to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. NELSON of Nebraska, for himself and Mr. GRAHAM, proposes amendment numbered 2159, as modified, to amendment No. 2160.

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

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

The amendment, as modified, is as follows:

On page 31, after line 14 of the amendment insert the following:

SEC. 1622. REIMBURSEMENT OF CERTAIN FORMER MEMBERS OF THE UNIFORMED SERVICES WITH SERVICE-CONNECTED DISABILITIES FOR TRAVEL FOR FOLLOW-ON SPECIALTY CARE AND RELATED SERVICES.

(a) TRAVEL.—Section 1074i of title 10, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection (b):

''(b) FOLLOW-ON SPECIALTY CARE AND RELATED SERVICES.—In any case in which a former member of a uniformed service who incurred a disability while on active duty in a combat zone or during performance of duty in combat related operations (as designated by the Secretary of Defense), and is entitled to retired or retainer pay, or equivalent pay, requires follow-on specialty care, services, or supplies related to such disability at a specific military treatment facility more than 100 miles from the location in which the former member resides, the Secretary shall provide reimbursement for *reasonable travel expenses* comparable to those provided under subsection (a) for the former member, and when accompaniment by an adult is determined by competent medical authority to be necessary, for a spouse, parent, or guardian of the former member, or another member of the former member's family who is at least 21 years of age.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect January 1, 2008, and shall apply with respect to travel that occurs on or after that date.

The PRESIDING OFFICER. If there is no further debate on the amendment, without objection, the amendment is agreed to.

The amendment (No. 2159), as modified, was agreed to.

Mr. LEVIN. Madam President, I move to reconsider.

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

The motion to lay on the table was agreed to.

Mr. LEVIN. Madam President, I believe we have now disposed of all the known amendments to the wounded warrior legislation, and I know that I am speaking on behalf of all of us, at least 50 cosponsors, that a lot of work was put in by a lot of Senators on this legislation. Both committees, Veterans' Affairs and Armed Services, have worked together, so thanks to all of the Senators for all of the work that has gone into this. In all the bills that have been filed, ideas have been taken from so many of those bills, and those Senators are a part of this legislation, so I hope we can now promptly, and even unanimously, in a very bipartisan way, adopt this legislation.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr.

DODD), the Senator from Hawaii (Mr. INOUYE), the Senator from South Dakota (Mr. JOHNSON), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

I further announce that, if present and voting, the Senator from Hawaii (Mr. INOUYE) would vote ''yea.''

Mr. LOTT. The following Senator is necessarily absent: the Senator from Louisiana (Mr. VITTER).

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

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 246 Leg.]

YEAS—94

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

NOT VOTING—6

Biden	Inouye	Obama
Dodd	Johnson	Vitter

The amendment (No. 2019) was agreed to.

Mrs. FEINSTEIN. Mr. President, I move to reconsider the vote, and lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I ask unanimous consent that Senator CORNYN now be recognized to call up amendment No. 2100; that after his statement of 20 minutes, his amendment be laid aside; that Senator DORGAN then be recognized to offer his amendment No. 2135.

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

AMENDMENT NO. 2100 TO AMENDMENT NO. 2011

Mr. CORNYN. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment 2100 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN] proposes an amendment numbered 2100 to amendment No. 2011.

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

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

The amendment is as follows:

(Purpose: To express the sense of the Senate that it is in the national security interest of the United States that Iraq not become a failed state and a safe haven for terrorists)

At the end of title XV, insert the following:

SEC. 1535. SENSE OF THE SENATE ON THE CONSEQUENCES OF A FAILED STATE IN IRAQ.

(a) FINDINGS.—The Senate makes the following findings:

(1) A failed state in Iraq would become a safe haven for Islamic radicals, including al Qaeda and Hezbollah, who are determined to attack the United States and United States allies.

(2) The Iraq Study Group report found that ''[a] chaotic Iraq could provide a still stronger base of operations for terrorists who seek to act regionally or even globally''.

(3) The Iraq Study Group noted that ''Al Qaeda will portray any failure by the United States in Iraq as a significant victory that will be featured prominently as they recruit for their cause in the region and around the world''.

(4) A National Intelligence Estimate concluded that the consequences of a premature withdrawal from Iraq would be that—

(A) Al Qaeda would attempt to use Anbar province to plan further attacks outside of Iraq;

(B) neighboring countries would consider actively intervening in Iraq; and

(C) sectarian violence would significantly increase in Iraq, accompanied by massive civilian casualties and displacement.

(5) The Iraq Study Group found that ''a premature American departure from Iraq would almost certainly produce greater sectarian violence and further deterioration of conditions. . . . The near-term results would be a significant power vacuum, greater human suffering, regional destabilization, and a threat to the global economy. Al Qaeda would depict our withdrawal as a historic victory.''

(6) A failed state in Iraq could lead to broader regional conflict, possibly involving Syria, Iran, Saudi Arabia, and Turkey.

(7) The Iraq Study group noted that ''Turkey could send troops into northern Iraq to prevent Kurdistan from declaring independence''.

(8) The Iraq Study Group noted that ''Iran could send troops to restore stability in southern Iraq and perhaps gain control of oil fields. The regional influence of Iran could rise at a time when that country is on a path to producing nuclear weapons.''

(9) A failed state in Iraq would lead to massive humanitarian suffering, including widespread ethnic cleansing and countless refugees and internally displaced persons, many of whom will be tortured and killed for having assisted Coalition forces.

(10) A recent editorial in the New York Times stated, ''Americans must be clear that Iraq, and the region around it, could be even bloodier and more chaotic after Americans leave. There could be reprisals against those who worked with American forces, further ethnic cleansing, even genocide. Potentially destabilizing refugee flows could hit Jordan and Syria. Iran and Turkey could be tempted to make power grabs.''

(11) The Iraq Study Group found that ''[i]f we leave and Iraq descends into chaos, the long-range consequences could eventually require the United States to return''.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Senate should commit itself to a strategy that will not leave a failed state in Iraq; and

(2) the Senate should not pass legislation that will undermine our military's ability to prevent a failed state in Iraq.

Mr. CORNYN. Mr. President, as we debate the so-called new strategy in Iraq, and as we once again engage in more than a little political posturing that has become so redundant, that has already delayed important legislation, not the least of which was the emergency appropriations bill to get proper funding and equipment to our troops, it appears once again that some of my colleagues in the Senate feel we should retreat, thus abandoning what al-Qaida views as the central front in their global war of terror, and in so doing, allowing Iraq to become a safe haven for al-Qaida, the same terrorist organization that hit this country on September 11, 2001.

I ask my colleagues who want us to abandon this critical fight now, if we leave Iraq before the Iraqis can defend and govern themselves, then will they answer this question: Will that action strengthen or weaken al-Qaida and other foreign jihadists in Iraq and across the region? If there is one thing all of us should have learned by now, it is that al-Qaida and organizations that emulate it are the face of evil. These organizations and the individuals who subscribe to their ideology are dedicated to the destruction of the United States, to the destruction of Israel, and to committing the most barbaric and incomprehensible assaults on innocent civilians that any of us can possibly imagine.

Without a stable government in Iraq, it becomes increasingly likely that the training and equipping of terrorists and the planning and execution of terror operations can proceed in both Iraq and throughout the region with impunity, and that our adversaries will operate with little fear of discovery or disruption.

I also ask my distinguished colleagues who believe that we ought to leave Iraq before it is stable: Will al-Qaida and other terrorists then follow us here into the United States, even while expanding their influence in the Middle East, Europe, Asia, and Africa? We have already seen numerous attacks occur throughout Europe and Africa from al-Qaida-linked or al-Qaida-inspired terrorists. With a firm foothold in Iraq, al-Qaida would have a safe and unthreatened sanctuary to serve as their new base of operations from which they can expand further into the Middle East or Africa or Europe, spreading chaos, fear, and strife.

How long would it be before al-Qaida is able to continue unabated with further attacks against the United States including operations into and within our country?

I ask my distinguished colleagues who believe we should retreat and surrender before stabilizing Iraq, before

providing them the opportunity to govern and defend themselves: How will we address Iran's continued support of Iraqi insurgents and terrorists now that we have definitive evidence of their involvement in activities such as the training of terrorists and Shiite militias in Iran; operations in Iraq by terrorists trained in Iran by Al-Quds and other Iranian special military forces; alliances with Hezbollah and other groups, including Iranian-trained and equipped Hezbollah fighters operating in Iraq; the provision of the explosive formed penetrator and other improvised explosive devices that are killing American soldiers, sailors, marines, and airmen; and other aid and assistance directly resulting in the death of American citizens serving us bravely in Iraq?

We must be especially concerned as Iran spreads its power and influence in the region, considering their insistence on developing nuclear capabilities. I ask my colleagues who subscribe to this proposed policy of retreat and surrender: What will Iran do to expand their influence in Iraq through their Shia alliances if we stage an immediate withdrawal?

We have seen the impact of Iranian-supported terrorist activity in Iraq. Not only have we lost hundreds of American servicemembers due to Iranian involvement, not to mention those who still live but live with grievous injuries, but scores of Iraqis have died too, including innocent civilians who have been the victims of these savage attacks.

I ask my colleagues who believe we ought to retreat and surrender regardless of the circumstances on the ground, regardless of the ability of the Iraqis to govern and defend themselves: Will Sunni majority nations outside of Iraq, including Saudis and others, stand by and let Shiites massacre Sunnis in Iraq? Conversely, will Iran, Hezbollah, and others stand by when Sunnis then massacre Shiias in retaliation? It is clear that this situation could rapidly deteriorate into a full-scale civil war, a massive religious conflict or, at worst, uncontrolled genocide on both sides.

I ask my distinguished colleagues who believe we ought to withdraw from Iraq before that country is able to defend and govern itself: What is the resultant impact with the Kurds in northern Iraq and with Turkey if we stage an immediate withdrawal?

Cross-border incursions by both PKK elements operating from Kurdish safe havens in northern Iraq, and retaliatory attacks by Turkish forces could become routine, further destabilizing Iraq, Turkey, and the region.

I ask my distinguished colleagues who believe we ought to withdraw from Iraq before that country is able to govern and defend itself: What will happen to our Iraqi allies who have fought alongside of us? How will this affect America's ability to conduct future multinational operations?

Some have argued we should have shaped and relied upon a stronger coalition before undertaking operations in Iraq. Clearly we lose the ability to build such a coalition in the future if we leave our allies behind as we precipitously withdraw from Iraq.

I ask my distinguished colleagues who believe we ought to withdraw from Iraq before that country is able to govern and defend itself: What is the scope of humanitarian and refugee crisis that will ensue if we suddenly depart from Iraq? Where and how will the United States address that consequent crisis? It was not that long ago we experienced the largest scale humanitarian and refugee flow after the first gulf war. We were able to eventually deal with that situation through a substantial commitment of forces to Joint Task Force Provide Comfort in northern Iraq. Under this new scenario, it would be difficult if not impossible for us to adequately help the large segments of the Iraqi population trying to flee from unrelenting terror when our forces suddenly withdraw.

I ask our colleagues who believe we ought to withdraw from Iraq before the Iraqis are able to govern and defend themselves: Are the Iraqis ready to assume full responsibility and control of their own security, economic development, reconstruction, and governance? If not, how can we posture the Iraqis for that desired end state, while at the same time withdrawing under continued enemy pressure?

Finally, I ask my colleagues on the other side this important question: What is your plan? What is your plan for the way forward in Iraq and in the region?

Our presence in Iraq is not about pride. It is not, as some have suggested, solely to benefit the Iraqis. Instead it is about our own vital national security and our ability to address the threats to our Nation. Our success is not just about providing the people of Iraq a safe environment to develop and provide for their own self-governance, it is about America's national security, the stability of the Middle East, and our partners in the war on terror.

We have to do what is right for America's national security, which means helping to stabilize the Middle East and supporting our partners in the war on terror. These 10 concerns have caused me to draft an amendment which I believe must be added to this bill. This amendment expresses the sense of Congress that ''the Senate should commit itself to a strategy that will not leave a failed state in Iraq.'' It also states that ''the Senate should not pass legislation that will undermine our military's ability to prevent a failed state in Iraq.''

The Iraq Study Group, National Intelligence Estimates, and even the New York Times have all repeatedly warned against the consequences of a failed state in Iraq. Instability in the region could lead to genocide, retaliatory attacks against our allies, invasions from neighboring countries, and the proliferation of global terrorism. We cannot allow these possibilities to become realities. Withdrawing our troops now or on the expedited basis proposed by Senators REED and LEVIN, when Iraq is not yet able to sustain itself, will only sink the fledgling nation into further chaos and disorder while ensuring that either we will recommit our troops later to a more tumultuous and dangerous battle or that we will leave ourselves open to future attacks from a fortified terrorist network.

I urge all my colleagues to reject any notion of a premature troop withdrawal and join me in expressing the importance of a stable Iraqi nation, not just for the benefit of the people of Iraq but for our own national security. We can't talk about ideas such as withdrawing our troops without looking at the consequences. I know all of us join in believing that we want to get our troops home as soon as we can. The only difference between us is those who believe we ought to do so based on an arbitrary timetable and those who believe we ought to do so after we are able to leave the Iraqis in a position to govern and defend themselves, not just, again, for their security and safety but for ours as well. Because a failed state in Iraq is a clear and present danger to the American people. It would be terrible, indeed, if, having let that happen and seeing more Americans die as they did on 9/11 as a result of al-Qaida's strength and its ability to recruit, train, and then export terrorist attacks to the United States and around the world, that more people in this country and other countries around the world had to die. That is at stake.

If we are going to talk about ideas such as those proposed in the Reed-Levin and other amendments, we need to confront directly the consequences of our actions. This amendment expresses the sense of the Senate that we will take no action that will make it more likely that Iraq will end up a failed state, again, in the national security interest of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENT NO. 2135 TO AMENDMENT NO. 2011

Mr. DORGAN. Mr. President, I have an amendment at the desk, No. 2135, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself and Mr. CONRAD, proposes an amendment numbered 2135.

Mr. DORGAN. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: Relating to bringing Osama bin Laden and other leaders of al Qaeda to justice)

At the end of subtitle B of title XII, add the following:

SEC. 1218. JUSTICE FOR OSAMA BIN LADEN AND OTHER LEADERS OF AL QAEDA.

(a) ENHANCED REWARD FOR CAPTURE OF OSAMA BIN LADEN.—Section 36(e)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708e)(1)) is amended by adding at the end the following new sentence: ''The Secretary shall authorize a reward of $50,000,000 for the capture, or information leading to the capture, of Osama bin Laden.''.

(b) STATUS OF EFFORTS TO BRING OSAMA BIN LADEN AND OTHER LEADERS OF AL QAEDA TO JUSTICE.—

(1) REPORTS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of State and the Secretary of Defense shall, in coordination with the Director of National Intelligence, jointly submit to Congress a report on the progress made in bringing Osama bin Laden and other leaders of al Qaeda to justice.

(2) ELEMENTS.—Each report under paragraph (1) shall include, current as of the date of such report, the following:

(A) An assessment of the likely current location of terrorist leaders, including Osama bin Laden, Ayman al-Zawahiri, and other key leaders of al Qaeda.

(B) A description of ongoing efforts to bring to justice such terrorist leaders, particularly those who have been directly implicated in attacks in the United States and its embassies.

(C) An assessment of whether the government of each country assessed as a likely location of top leaders of al Qaeda has fully cooperated in efforts to bring those leaders to justice.

(D) A description of diplomatic efforts currently being made to improve the cooperation of the governments described in subparagraph (C).

(E) A description of the current status of the top leadership of al Qaeda and the strategy for locating them and bringing them to justice.

(F) An assessment of whether al Qaeda remains the terrorist organization that poses the greatest threat to United States interests, including the greatest threat to the territorial United States.

(3) FORM OF REPORT.—Each report submitted to Congress under paragraph (1) shall be submitted in a classified form, and shall be accompanied by a report in unclassified form that redacts the classified information in the report.

Mr. DORGAN. Mr. President, I offer this amendment on behalf of myself, my colleague Senator CONRAD, and my colleague Senator SALAZAR. My understanding is we will vote on this amendment in the morning. I don't know whether there has been a unanimous consent order on that matter, but my understanding is it will be voted on at 9:30. I wanted to spend a few minutes talking about what this amendment is. Let me begin by pointing out the following.

It has been nearly 6 years since Osama bin Laden and the leadership of al-Qaida ordered an attack on our country on 9/11/2001. Thousands of Americans were killed, innocent Americans murdered by Osama bin Laden and the leadership of al-Qaida. Nineteen terrorists with box cutters using commercial airliners loaded with fuel attacked this country. Thousands died. Six years later, Osama bin Laden is still free. He has not been brought to justice. Six years later, we are told in reports by senior officials in the newspapers—and I will read some of them—that al-Qaida is stronger than it has been in years. Six years later, we are told that al-Qaida and the Taliban are rebuilding terrorist training camps in northern Pakistan and the region between northern Pakistan and Afghanistan. Six years later, we are told that the leadership of al-Qaida has a secure hideout in Pakistan. Six years later, we are told that al-Qaida, with its leadership, remains the greatest terrorist threat to our country. All of this after 6 years, two wars in two countries, hundreds and hundreds and hundreds of billions of dollars spent at home and abroad, thousands of American soldiers dead, and tens of thousands wounded.

That is a failure. The fact that those who attacked us on 9/11 have not been brought to justice and, in fact, are now planning additional attacks against this country and other countries and doing so in secure and safe harbors in northern Pakistan, the fact that that exists is a failure. We have troops going door to door in Baghdad in the middle of a civil war. Yet the leadership of al-Qaida, the greatest terrorist threat to this country, is apparently living free in a safe harbor in northern Pakistan.

Let me describe some of the reasons I bring this discussion to the floor. This is testimony by John Negroponte, then-Director of National Intelligence on January 11, 2007, before the U.S. Senate Select Committee on Intelligence:

> Al Qaeda continues to plot attacks against our homeland and other targets with the objective of inflicting mass casualties. And they continue to maintain active connections and relationships that radiate outward from their leaders' secure hideout in Pakistan.

Think of that, 6 years after 9/11, after they engineered the murder of innocent Americans, our Director of National Intelligence says the leadership of al-Qaida ''continues to plot attacks against our homeland'' from their ''secure hideout in Pakistan.''

Further, the Director of National Intelligence, in the same testimony said this:

> Al Qaeda is the terrorist organization that poses the greatest threat to U.S. interests, including to the homeland.

That is from the Director of National Intelligence. Al-Qaida is the greatest terrorist threat to our country. He said that in January of this year.

Let me fast forward. The McClatchy newspapers, June 26, 2007. Senior U.S. intelligence and law enforcement officials in this administration said:

> While the U.S. presses its war against insurgents linked to al Qaida in Iraq, Osama bin Laden's group is recruiting, regrouping and rebuilding in a new sanctuary on the border between Afghanistan and Pakistan.
>
> Al Qaida, its allies in Afghanistan's Taliban movement and Pakistani radicals ''have free rein there now,'' said Marvin Wenibaum, a former State Department intelligence analyst.

That is last month.

July 11, ''Officials Worry of Summer Terrorist Attack.''

> . . . Homeland Security Secretary Michael Chertoff told the editorial board of the Chicago Tribune that he had a ''gut feeling'' about a new period of increased risk.

The next day, July 12:

> Six years after the Bush administration declared war on al-Qaeda, the terrorist network is gaining strength and has established a safe haven in remote tribal areas of western Pakistan for training and planning attacks.
>
> The report, a five-page threat assessment compiled by the National Counterterrorism Center, is titled ''Al-Qaida Better Positioned To Strike the West.''

We have seen some of this before. Mr. Chertoff says he has a gut feeling. The fact is, we have a lot of intelligence-gathering capability. Mr. Chertoff, Director of Homeland Security, has a gut feeling.

Let's go back 6 years to August of 2001, from the President's daily briefing. I have it in my hand. It was released in 2004. In August of 2001 the intelligence gave the President a document titled: ''Bin Ladin Determined to Strike in US.'' On 9/11, bin Laden and al-Qaida struck the U.S. with devastating effect.

July 2007, secret intelligence assessment from the U.S. National Counterterrorism Center:

> Al Qaeda better positioned to strike the west.

Six years ago, the President's daily briefing said bin Laden was determined to strike the United States, and he did. Six years later:

> Al Qaeda better positioned to strike the west.

So much money spent in lives, in treasury. So much done, so much action in Iraq, where US troops, now go door to door in Baghdad. What has happened to the leaders of those who continue to plan attacks against our country? What has happened to the leaders of the organization who our National Intelligence Director says represent the greatest terrorist threat to our country? They live free, able to speak to the world. Al Zawahiri last week spoke to the world. They live free. They are creating new terrorist training camps, and they are talking to the world about their plans to inflict damage and to attack other parts of the world. That is called failure.

Let me go back again a few years, September 15, 2001. I will not ever forget sitting in the Chamber of the House of Representatives in a joint session of Congress when President Bush came to speak. This country was one at that point. They weren't Republicans and Democrats. This was a country that had been victimized by a devastating attack by terrorists who were perfectly content to give their own lives as long as they could kill innocent others. The President came and spoke to a joint session of Congress. Here is what he said:

> We will not only deal with those who dare attack America, we will deal with those who harbor them and feed them and house them.

On August 31, 2006, at the American Legion National Convention, the President said:

We have made it clear to all nations, if you harbor terrorists, you are just as guilty as the terrorists. You are an enemy of the United States, and you will be held to account.

The question most people ask is: What has happened in 6 years that those who planned and executed the attacks against this country now live free and apparently have reconstituted their strength and are planning further attacks against us? We have committed 150,000 or so American troops over a long period of time, so far a period of time longer than the Second World War lasted, and they are now going door to door in Baghdad in a civil war, where Shia are killing Sunnis and Sunnis are killing Shia, and they are both killing American troops. Sometime, we are going to leave Iraq. That is not the question. The question isn't whether. The American people and this Congress are not going to allow American soldiers to be in the middle of a civil war in Iraq for years ahead. That is not going to be the case. The question isn't whether we leave Iraq. The question is when and how.

But even as we discuss and debate that—and we will this week and next week and perhaps the week after—even as we deal with those issues, the American people have a right, through this Congress, to ask the President: Why is it that those who engineered the attacks are still able to engineer and plan further attacks? Why is it that those who engineered the attacks of 2001 are still active, are still apparently in safe harbors, immune to whatever efforts might or might not have existed to bring them to justice? The President was asked about this at one point, and the President said: I don't think much about Osama bin Laden. Well, he should. We should.

The amendment we offer is very simple. Six long years later, this amendment would require the President every 3 months, every single quarter, to send a classified report to this Congress telling us what has been done in this administration, what has been done to apprehend and bring to justice the leadership of al-Qaida.

If, in fact, this is the greatest terrorist threat to our country—if that is the case—and that does not come from me, that comes from the head of intelligence in this country, John Negroponte, in January of this year—if that is the case, why isn't this our primary objective and our most important objective?

This amendment says the following: It doubles the reward money for the apprehension of Osama bin Laden. It also requires a quarterly classified, top secret report to be provided to Congress to tell us what is being done to attempt to make this a priority and apprehend the leadership of al-Qaida.

I understand it is much easier to recognize failure than to recognize success. I understand that. But it does not take much looking to understand this failure.

Now, Senator CONRAD and I have offered this amendment before, and it passed the Senate before and then was quietly dropped in conference by those who do not want this amendment to survive.

But it seems to me we ought to as a country understand, if we are waking up in the mornings these days and reading, as I read this morning in the newspapers—and yesterday morning and the morning before—that our Homeland Security Secretary has a ''gut feeling'' about this, that or the other thing, and there is a meeting down at the White House to assess these increased risks—we need to understand it is all about al-Qaida. It is all about the leadership of al-Qaida planning additional attacks. It is about the reconstitution of terrorist activities in training camps with the Taliban and al-Qaida. And—guess what—we are going door to door in Baghdad trying to figure out how we deal with the Sunnis and the Shias.

Yes, there are some al-Qaida in Iraq, but those who tell us that is the central fight against terrorism are wrong, and they ought to know it. Go have a secret briefing upstairs. I tell you, if you believe that is the central fight against terrorism, go have a classified, secret briefing, and then you come back and tell me that is what you heard. You will not hear that.

An honest, level look at what is going on in Iraq will describe, unfortunately, a civil war in Iraq. Yes, there is some al-Qaida in Anbar Province and some other al-Qaida influences, but the principal issue in Iraq is sectarian violence or a civil war, and this Congress, at some point, is going to tell this President we are not going to keep American soldiers in the middle of a civil war for any great length of time. But we will insist that we make a priority as one of our significant objectives to bring to justice those who murdered thousands of Americans on 9–11–2001, and we will insist that those who are now planning additional attacks from a secure hideaway—as Mr. Negroponte points out, a secure hideaway—we will insist that some effort be made in this country to deal with that issue.

Let me ask one question. I do not want five reasons or three reasons. I want somebody to give me one good reason why there ought to be any secure hideout anywhere on this Earth for the people, the leaders of al-Qaida who committed this atrocious act against this country in 2001 and who are now planning additional attacks against this country. I do not need five reasons. Is there any reason there ought to be a secure hideout anywhere on this planet for these people? The answer ought to be no.

Getting the terrorists who attacked us on 9–11 has not been our objective, in my judgment. We have gotten sidetracked. It has not been our objective to make this the central issue, and I believe it ought to be the central issue. Senator CONRAD believes that. Senator SALAZAR and others believe it. I expect and hope that tomorrow, when we have a vote at 9:30 in the morning, the Senate will go on record saying it is time—long past the time—for this country to demand that the leadership of al-Qaida be brought to justice and that we interrupt the opportunity of those to be in a secure hideout in Pakistan, planning additional destruction and planning additional deaths against innocent Americans in attacks on our homeland.

That is the amendment. It is simple. No one can misunderstand that amendment. No one can misinterpret it. My hope is, at the end of the vote tomorrow, the Senate will have expressed itself as forcefully as I hope it can on this subject.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SUNUNU. 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. SUNUNU. Mr. President, I rise to speak on the amendment that has been offered by Senator DORGAN and I have a second-degree amendment, which I will then offer. I also wish to speak about the broader issue before us, the Defense authorization bill, but specifically Iraq and an amendment I have cosponsored with Senators SALAZAR and ALEXANDER dealing with the Iraq Study Group recommendations.

First, I rise in support of the amendment by Senator DORGAN. I certainly agree with him that it is critical we focus on the threat posed by al-Qaida—whether it be in Afghanistan, Pakistan, or Iraq, or the under leadership of al-Zawahiri or Osama bin Laden. That needs to be a focus of our intelligence and security efforts, as well as the efforts our special forces, because of the threat they pose not just to American citizens but to our allies around the world.

We cannot forget they are committed to the death and destruction of innocent civilians around the world. Under no circumstances should we allow any secure area, hideout, or haven to be reconstituted or recreated in the way it was created in Afghanistan under the Taliban rule.

So I am pleased to support his amendment. No one should underestimate the complexity of the challenge of tracking down the leaders of al-Qaida, wherever they are around the world, but the American people should know the greatest effort and the greatest commitment is being undertaken to deal with these terrorists.

AMENDMENT NO. 2184 TO AMENDMENT NO. 2135

Mr. President, at this time, I would, however, like to offer a second-degree

amendment. In the drafting of Senator DORGAN's amendment, he speaks about ''the capture, or information leading to the capture,'' but I certainly believe most Americans would agree we should also provide support, assistance, and a reward if information leads to the death of al-Qaida's leadership.

To that end, my second-degree amendment would simply amend that line to ensure this amendment provides support for the capture or death or information leading to the capture or death of Osama bin Laden, where the $50 million reward is allowed.

Mr. President, at this time, I send the amendment to the desk. It is a second degree to the Dorgan amendment, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire [Mr. SUNUNU] proposes an amendment numbered 2184 to amendment No. 2135.

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

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

The amendment is as follows:

Strike page 2, line 2 and insert in lieu thereof: ''for the capture or death or information leading to the caputure or death of''.

Mr. SUNUNU. The amendment, as I have described it, is a simple, single line that inserts that additional contingency. I think the reporting and the assessment of the threats that are included in this amendment make sense. Members of Congress along with members of our intelligence agencies need the most accurate information available to understand what work is being undertaken, what efforts are being made, and what progress is in tracking these terrorists. I think that, in turn, will help us make much better policy decisions.

So I am pleased to support the amendment. I hope the Senator from North Dakota will accept my second-degree amendment, and I look forward to the adoption of this change to the Defense Authorization bill.

Second, Mr. President, I wish to address the Salazar-Alexander amendment that has been filed, which we certainly hope to have a vote on next week. This is a piece of legislation that I worked with Senators SALAZAR and ALEXANDER on addressing the recommendations of the Iraq Study Group.

The Iraq Study Group was a bipartisan effort covered extensively in the media since the release of their recommendations in December 2006. I made the point at the time, 7 months ago, that those recommendations—there were over 70 different proposals and recommendations in the report—represented the most complete assessment that had been made of the situation in Iraq. That it was a comprehensive framework, and that it did not just deal with security issues but included recommendations addressing political reforms that need to take place within the country with the political dynamics of Iraq. That it included diplomatic efforts that could make a real difference in stabilizing Iraq, supporting the efforts of neighbors and other countries in the region, as well as changes that ought to be made to our intelligence-gathering operation to support not just our effort in Iraq but our effort to deal with al-Qaida in Iraq and around the world. This is something that Senator DORGAN spoke about.

I said at the time that, that framework and those recommendations should be embraced and implemented to the greatest extent possible, first, because it is a comprehensive effort, and second, because the Iraq Study Group proposals recognize the importance and responsibility of the Iraqi Government implementing a series of reforms. They include economic development, reconciliation, the sharing of oil revenues with peoples of all regions and ethnic groups across the country, the debaathification process—designed to bring the country closer together, to create greater unity among the different ethnic factions across Iraq. Only the Iraqi Government, given time, can accomplish these goals which are essential to improving the stability within the region, reducing the level of violence and creating the environment where our troops can be brought home as soon as possible. No American soldier should serve in Iraq a day longer than is absolutely necessary.

This plan is comprehensive in its approach. It recognizes the importance and the responsibility of the Iraqi Government to take steps to improve the situation, and it places an emphasis on the coalition mission, the mission of U.S. forces, in addressing the threat of al-Qaida, focusing on the counterterrorism mission within the country, and training Iraqi security forces.

This is one of the few and perhaps the only truly broad bipartisan effort we have had before us in the last several months. We have seen a series of relatively partisan votes dealing with hard withdrawal dates, criticizing the Pentagon policy in one area or another. On this legislation right now we have seven Democratic sponsors, six or seven Republican sponsors, and I think the support we would receive from both sides of the aisle is even more dramatic than that. So it is a bipartisan effort that attempts to implement or help encourage the implementation of the recommendations of the Iraq Study Group. I think that provides a very sound and strong framework, not just for improving the situation in Iraq but for also addressing a lot of the regional problems that are contributing to its stability in the other countries in the region.

I would encourage all of my colleagues to take a hard look at this legislation. I don't think anyone would agree with 100 percent of all of the recommendations in the Iraq Study Group Report, but I think we can recognize that it is the product of a great deal of effort to understand the situation, assess the climate in Iraq, and make substantive recommendations that will move us forward.

I encourage my colleagues to support the amendment.

Mr. SMITH. Mr. President, today I have submitted an amendment that would help tackle an alarming problem with our men and women who serve in the Armed Forces, the Heroes Helping Heroes Act.

I have introduced the Heroes Helping Heroes Act in the Senate this year to provide funding for peer support programs so that trained veterans can help returning veterans navigate the sometimes perilous transition to civilian life.

My intention is to expand the use of peer-support approaches to assist the reintegration of America's veterans as they return from active duty to their homes and communities. We hope that this legislation will demonstrate the effectiveness of peer-support approaches and ease the burden of the social, economic, medical and psychological struggles our veterans face.

Fortunately, ''peer-support'' approaches offer a low cost and effective adjunct to traditional services by allowing the heroes of our country to help each other. Veteran peer-support offers two things that no kind of professionalized service can ever hope to: the support of someone who has had the same kinds of experiences and truly understands what the veteran is going through; and the potential of a large pool of experienced volunteers who can assist and support returning veterans at very little cost.

Last week I held a hearing on the issues surrounding older veterans in my home State of Oregon. I also held a series of roundtables in both Portland and White City to discuss how we can improve the current mental health system, be it through the VA, Department of Defense, or within the community mental health structure.

What we now refer to as post-traumatic stress disorder was once described as ''soldier's heart'' in the Civil War, ''shell shock'' in World War I, and ''combat fatigue'' in World War II. Whatever the name, it is a serious mental illness and deserves the same type of attention and care provided for a physical wound.

In recent reports, we have heard that 20 to 40 servicemen and women are evacuated each month from Iraq due to mental health problems. In addition to those who are identified, there are many more who will return home after their service to face re-adjustment challenges. Some will need appropriate mental heath care to help them adjust back to ''normal'' life. While others will need medical assistance to heal more serious PTSD issues. Yet others will need help to mentally cope with their physical wounds.

The effectiveness of these approaches has been documented in a variety of

domains. Specifically, for mental health disorders like PTSD and depression, peer-support programs have shown that participation yields improvement in psychiatric symptoms and decreased hospitalizations, the development of larger social support networks, enhanced self-esteem and social functioning, as well as lower services costs. The Substance Abuse and Mental Health Service Administration, SAMHSA, and even the President's new Freedom Commission on Mental Health, have recognized peer-support approaches as an emerging practice that is helping people recover from traumatic events.

So many of our veterans from previous conflicts, such as World War II and the Korean and Vietnam Wars, needed similar programs once they returned home. Yet I fear that we didn't do enough to help them. With proper and early supports systems in place, we can work to prevent the more serious and chronic mental health issues that come from a lack of intervention.

As our country faces new waves of veterans with mental health illnesses, many of whose issues arise from combat stress, we must ensure that we learn from the lessons of the past. We must ensure that they are cared for, and we must not leave behind those who fought for Nation in previous generations.

I ask my colleagues to support this important amendment.

Ms. COLLINS. Mr. President, I am in strong support of the fiscal year 2008 National Defense Authorization Act. This legislation will provide essential resources to our troops as they engage in combat overseas and training at home. It also offers an important opportunity at this crucial time for continued debate as to our Nation's future presence in Iraq. This is the most important challenge facing our country, and I will address this issue in subsequent remarks.

Let me begin by thanking my colleagues, the distinguished chairman and ranking member of the Armed Services Committee, Senator LEVIN and Senator MCCAIN, for their leadership in crafting this bill and for their strong commitment to our Nation's Armed Forces.

This legislation includes a strong commitment to strengthen Navy shipbuilding by including $13.6 billion for shipbuilding programs. The declining size of our Navy fleet is of great concern to me, and this legislation is an important step toward reversing that troubling decline.

The Chief of Naval Operations, Admiral Mullen, has proposed a 313-ship Navy shipbuilding plan that seeks to address longstanding congressional concerns that Navy shipbuilding has been inadequately funded in recent years. The resulting instability has had a number of troubling effects on the shipbuilding industrial base and has contributed to significant cost growth in Navy shipbuilding programs. The CNO's plan—combined with more robust funding by Congress—will begin to reverse the decline in Navy shipbuilding.

I strongly support the provisions authorizing the funding for construction of destroyers for the 21st century, the DDG–1000 *Zumwalt* class destroyers. The DDG–1000 represents a significant advance in Navy surface combatant technology. Its capabilities include: superior precision naval surface fire support; advanced stealth technologies; engineering and technological innovations allowing for a reduced crew size; and sophisticated, advanced weapons systems, such as the electromagnetic rail gun.

In addition, it is important to note the tremendous cost savings that will be realized over the lifecycle of a DDG–1000 destroyer compared to that of a DDG–51 destroyer as a result of various innovations and technological advancements.

It is critical that the construction of the first two DDG–1000 destroyers in 2007 and 2008 continue as scheduled without further delays. The dedicated and highly skilled workers at our Nation's surface combatant shipyards, such as Bath Iron Works in my home State of Maine, are simply too valuable to jeopardize with further contracting delays.

That is why I am concerned that the House version of this bill includes a provision to prohibit the start of construction on lead ships until the Secretary of Navy certifies that detailed design is complete. This provision, if enacted, could further delay the Navy's awarding of the construction contract for the first two DDG–1000 destroyers.

The House version would also require that the next-generation class of Navy cruisers, which will be the follow-on to the DDG–1000 destroyer, be powered by nuclear propulsion systems, even though neither of the U.S. Navy's proven surface combatant shipyards, Bath Iron Works and Ingalls Shipyard, has the facilities or certifications required to construct nuclear-powered surface combatant ships. This provision could dramatically increase the costs of future surface combatants, thereby reducing the overall number of ships built at a time when the Navy is seeking to revitalize and modernize its fleet.

Of further concern is the fact that the Senate version of this legislation, as drafted initially, eliminated all funding for the Littoral Combat Ship Program for fiscal year 2008, despite the fact that this ship is an integral part of the CNO's 313-ship plan. Fortunately, I was able to work with my colleagues on the Armed Services Committee during the mark up of this legislation to restore $480 million to ensure continued development of this important program.

I am pleased that the Senate Armed Services Committee also agreed to my request for $50 million in funding to continue the modernization program for the DDG–51 *Arleigh Burke* class destroyers. This program provides significant savings to the Navy by applying some of the technology that is being developed for the DDG–1000 destroyer and backfitting the DDG–51, which may reduce the crew size by 30 to 40 people.

The Senate's fiscal 2008 Defense authorization bill also includes funding for other defense-related projects that benefit Maine and our national security. Funding is provided for machine guns and grenade launchers, both of which are manufactured by the highly skilled workers at Saco Defense in Saco, ME.

All of the Senate Armed Services Committee members are concerned about improving the protection of our troops in harm's way. As such, this bill includes $4 billion above the President's budget request for accelerated procurement of Mine Resistant Ambush Protected, MRAP, vehicles for the Armed Forces and $4.5 billion for the Joint Improvised Explosive Defeat Organization.

In addition, the legislation provides $5 million to the University of Maine's Army Center of Excellence for the production and demonstration of lightweight modular ballistic tent insert panels. The panels provide crucial protection to servicemembers in temporary dining and housing facilities in mobile forward-operating bases in Iraq and Afghanistan.

The legislation also provides $6.9 million for the Maine Army National Guard to field the Integrated Disaster Management System, developed by Global Relief Technologies in Kennebunk and Portsmouth, in support of critical medivac operations in Iraq. This system provides near real-time data management and analysis to and from field operators via state-of-the-art, hand-held devices.

The bill also authorizes $9.7 million for construction of a Consolidated Emergency Control Center at the Portsmouth Naval Shipyard. This facility will consolidate all of the shipyard's emergency response entities into one centralized location, which will provide a comprehensive communications and response capability in the event of an emergency.

Finally, I am pleased that this bipartisan Defense bill also authorizes a 3.5-percent across-the-board pay increase for servicemembers, half a percent above the President's budget request. This bill provides the necessary resources to our troops and our Nation and recognizes the enormous contributions made by the State of Maine. The bill provides the necessary funding for our troops, and I offer it my full support.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, I ask unanimous consent that I be granted 30 minutes to speak as in morning business.

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

Mr. ENZI. I thank the Chair.

(The remarks of Senator ENZI pertaining to the introduction of S. 1783 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. ENZI. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, is there a preestablished time limit?

The PRESIDING OFFICER. There is not.

Mr. GRASSLEY. I will speak roughly, if any Members are interested, 15 minutes or so.

The PRESIDING OFFICER. The Senator is recognized.

Mr. GRASSLEY. Mr. President, in October 2006, the North Korean regime of Kim Jong Il culminated years of provocative military action by conducting a nuclear test. In the years preceding that test, North Korea expelled international inspectors, restarted nuclear facilities, and reinvigorated its plutonium production program, this, following the pledge by North Korea, under the agreed framework in 1994, to freeze and dismantle its nuclear weapons program in exchange for our assistance.

I am glad that following this test in 2006, the international community joined the United States in condemning that test, and the United Nations Security Council passed a resolution requiring North Korea to halt their nuclear tests and dismantle their nuclear weapons program.

In February of this year, our State Department negotiators and Bush administration officials heralded a breakthrough agreement with North Korea. On February 13, the six-party negotiators, including the countries of the United States, Russia, South Korea, Japan, China, and North Korea, concluded an agreement to end North Korea's nuclear programs.

President Bush stated he was ''pleased with the agreement reached'' by the six-party talks. He acknowledged that under the agreement, North Korea committed to take several specific actions by a 60-day deadline, and President Bush made clear that the cooperation on economic, humanitarian, and energy assistance to North Korea would be provided ''as the North carries out its commitments to disable its nuclear facilities.'' In other words, there was going to be a step-by-step process by which they disabled their nuclear facilities, that they would then get economic, humanitarian, and energy assistance in North Korea.

Pursuant to the February 13 deal, North Korea was required to take a series of actions within 60 days. This included a freeze of its nuclear installations at Yongbyon, including shutting down a nuclear reactor and plutonium processing plant. The International Atomic Energy Agency in Vienna was to be allowed to monitor the freeze at Yongbyon. To no one's surprise, that 60-day deadline that was negotiated passed with no action by the North Koreans. The Yongbyon facility was not shut down. The International Atomic Energy Agency inspectors were not admitted, reminiscent of the pussyfooting with North Korea that went on during the 1990s.

Rather than comply with their commitments under the agreement—then we know what North Korea did, something that was not even negotiated—North Korea proceeded to demand the release of assets frozen at the Macau-based Banco Delta Asia.

The approximately $25 million was frozen by the United States Treasury Department in 2005 once it was discovered that these funds came from a range of fraudulent and illegal activities by the North Koreans; simply stated, counterfeiting of U.S. currency and money laundering.

So what was our response to the North Korean demand? Did we refuse to negotiate the BDA funds until North Korea demonstrated their commitment to follow through on their obligations? I am sorry to say the answer is no. We allowed them to pussyfoot around, as they have done so often.

Our team of negotiators began working on a way to yield to Kim Jong Il's demands, once again accepting their pussyfooting.

Keep in mind, under the terms of the February 13 agreement, North Korea had the unambiguous responsibility to take the first step, which North Korea did not do. In addition, the BDA frozen funds were not stated in or a part of that February 13 agreement. So how do we get to the point of responding to their pussyfooting that they demand something that is not in an agreement that was already agreed to? What good are agreements? Not only had the North Koreans not followed through on their commitment by the 60-day deadline, they were now reopening the agreement by demanding the release of these frozen funds.

So rather than force North Korea to fulfill its commitments, our negotiators were looking for ways to respond to their pussyfooting, their unwillingness to act, and then work to get those frozen funds unfrozen.

Here again Uncle Sam becomes Uncle Sucker for some tinhorn dictator. And we wonder why we are not respected around the world.

In June, after weeks of back and forth between the State Department and Pyongyang, the funds were unfrozen and our own Federal Reserve System was called in to transfer the funds. How illicit these funds were in the first place is the fact that they went to banks all over the world to try to transfer them. They even went to Russia, and Russia would not touch it. But once again Uncle Sam is Uncle Sucker and our Federal Reserve System was willing to pass on that tainted money.

Before North Korea showed even an inkling of followthrough on their obligations, we conceded on an issue that wasn't even a part of the agreement that they were supposed to start dismantling their nuclear program. So it begs the question of whether the BDA funds were part of a side deal that our State Department negotiators had chosen to agree to but not include in that formal agreement.

In addition, in pushing the BDA issue as a precondition for implementing the initial phase of the six-party agreement, Kim Jong Il had succeeded in rendering the timelines of the agreement useless. In other words, what was supposed to happen in 60 days after the February 13 agreement did not happen in 60 days, and more pussyfooting by Kim Jong Il, as we saw in the 1990s and we are seeing again now. Do we ever learn a lesson?

In addition to pushing the BDA issue as a precondition of implementing the initial phase of the agreement, he had in fact pulled one over on the United States. These deadlines, starting February 13, were touted by the six-party negotiators as evidence that North Korea would finally comply with the demands to give up its nuclear program and that they would be held accountable to strict deadlines. Neither of these things happened, and people in North Korea are laughing at Uncle Sucker again.

In recent days and weeks, North Korea has begun to signal that they will take concrete steps to shut down and seal the Yongbyon facility and accede to verification and monitoring procedures of the International Atomic Energy Agency. Assistant Secretary of State Christopher Hill recently visited North Korea and described his positive discussions with the North Koreans and their intentions to fulfill their obligations.

I wonder if he bothered to discuss with them why they didn't keep their word. Is their word worth anything? I mean, after all, you have an agreement. Can you trust people who sign a name to a document?

It is difficult to understand the positive reaction to the signals now being sent by North Korea 3 months after they were required. In other words, in 60 days things would start to happen. Nothing happened until 3 months after the 60 days. Nonetheless, the International Atomic Energy Agency has, in recent days, determined the scope of its inspection regime and is expected to be back in North Korea within weeks.

But once again, there is no target date for shutting down the Yongbyon facility. It appears that all we are getting from North Korea's leadership is the same old footdragging—pussyfooting around. And while the North Koreans have said they intend to shut down and seal the Yongbyon facility in the near future, do you know what they are doing now? They are putting more demands on us ahead of time. They are now tying those actions to the delivery of heavy oil.

Now, this bears repeating, because, here again, we have more pussyfooting.

Before shutting and sealing the nuclear facility at Yongbyon, North Korea is demanding the delivery of heavy oil, and even other assistance, without any significant action on their part. Mr. President, to use a quote from baseball's great Yogi Berra, it's deja vu all over again.

My great concern is that North Korea is in the process of exploiting, time and again, our willingness to concede to their demands for assistance, regardless of whether they ever actually comply with their commitments of the February agreement in the first place. In other words, if they can sucker us again, they want to sucker us for all they can get out of us.

I understand the angst of North Korea with allowing the International Atomic Energy Agency inspectors in and the freezing of the Yongbyon facility, but these steps are rather small compared to the future requirements. If Kim Jong Il ever complies with the first phase of this agreement, the next phase will require them to make a complete declaration of all nuclear programs, including their uranium enrichment activities.

It also requires the complete disablement of all nuclear facilities. Keep in mind, no timetables, no deadlines have been agreed to for the implementation of this phase. It is during those future steps, when the real heavy lifting will be required, that we will see the true nature of Kim Jong Il.

I haven't seen any change, and I don't expect a lot of change, but I expect the United States to just continue to be suckered and suckered and suckered. And if Kim Jong Il has no intention of giving us his nuclear weapons program, which many believe, it will be crystal clear at that point when real commitments come due.

I am afraid we will likely see more of the same patient back and forth, so-called confidence building—those are words our people use—that our negotiators seem so compelled to pursue. It seems that nothing has been learned during the process with North Korea. Have the diplomats at Foggy Bottom not learned anything from the mistakes made by this administration now, by the Clinton administration previously?

Have we learned nothing from Kim Jong Il's perpetual tactics of agreeing to terms, only to demand then further concessions, as though written agreements mean nothing? We have been down this road before. When are we going to recognize we are being made a sucker, much the same way President Clinton was played along with? When will we say to Pyongyang that enough is enough? When will this Bush administration stand its ground?

I support the international effort towards a diplomatic solution on this matter, but I also think it is imperative we learn from past mistakes. I was deeply skeptical of North Korea's willingness to follow through on the 1994 Agreed Framework, and I am deeply skeptical they will follow through on the February 13 agreement.

If Pyongyang continues to demand assistance without complying with the terms of the February 13 agreement, I hope the President—the present chief executive, President Bush—will quickly realize the deja vu tactics of Kim Jong Il and put an end to the policies of concessions without compliance. If not, President Bush will have done nothing more to address North Korea's nuclear problems than President Clinton.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

TRADE WITH CHINA

Mr. BROWN. Mr. President, I appreciate the comments of the senior Senator from Iowa and his terrific work on North Korea and what we need to do, and I thank him for that.

Today, new trade figures were released by the Department of Commerce. The news continues to be bad, as our trade policy continues on its merry way. We saw the numbers—$20 billion trade deficit in May, the most recent number they released—$20 billion, leaving us for the year, at this point, a $96 billion trade deficit with China. That is a 15-percent increase over last year. That means we are buying $96 billion more from China than we are selling to China, and that is just through the first 5 months of 2007.

To understand a billion dollars, which is pretty hard to do, if you had a billion dollars and you spent a dollar every second of every minute, of every hour, of every day, it would take 31 years to spend $1 billion. The pages who sit in this Chamber, Mr. President, have lived about a half billion seconds. They are a little older than half of 31 but not much. So our trade deficit with China, so far this year, up through the first 5 months since January 1, is $96 billion.

Our trade deficit with the whole world, just in the month of May, was $66 billion. President Bush the first said a trade deficit of a billion dollars translates into 13,000—mostly manufacturing jobs—13,000 jobs for a $1 billion trade deficit. You can do the math and see what this continued persistent insidious trade deficit is doing to our economy.

Those are just numbers. Last week, in my State of Ohio, just to put faces with those numbers, I was in the town of Lima, the town of Mansfield, where I grew up—my mother had her 87th birthday—I was in Lorain and Marion and Zanesville. Each of those are medium-sized cities of 30,000, 40,000, 50,000, and 60,000 people. Each of those cities contributed so much to the muscle of this country, to our war effort in World War II, to the building of a middle class, and to doing all that industrial America has done, and in each of those communities—Lima, Zanesville, Mansfield, Lorain, and Marion—and I could add Springfield, Xenia, Findlay, Ravenna and Ashtabula—my wife's hometown—I could add all those cities, and in too many cases the growth in this economy that the President trumpets when he comes to Cleveland—a more prosperous area—the President trumpets this economic growth, an economic growth that is passing by too many of these communities.

When I grew up in Mansfield, we had the international headquarters of Tappan-Stowe, Westinghouse, General Motors, and we had a Mansfield Tire Company, and the corporate headquarters of Ohio Grass, and tens of thousands of industrial manufacturing jobs. Today, of those companies I mentioned, only General Motors is still there.

Mr. President, we know what that kind of job loss does to communities when a company closes and lays off 2,000 people to move to Mexico, to China, or whatever happens. When 2,000 people lose their jobs, or 200 people lose their jobs, we know what that does to the community and to the families and to those individuals. We also know it means layoffs for teachers, police officers, firefighters, and that the community is less safe, less prosperous, and there is less opportunity for young people in those communities to go to school and get a good education in hopes of achieving the American dream.

The President's answer to this—and I don't put all of this decline in manufacturing, where my State of Ohio has lost literally hundreds of thousands of jobs, onto the Bush administration. I don't put all of this at the President's feet nor at the feet of failed trade policy, but clearly NAFTA, PNTR with China, the Central American Free Trade Agreement, trade agreements that are now on the table, all of these clearly have contributed to the decline of manufacturing in a big, big way.

So what is the President's answer? We had NAFTA, we had PNTR, we had CAFTA, and so the President's answer is let's do four more trade agreements. Let's do a trade agreement with Panama, let's do a trade agreement with Peru, let's do a trade agreement with Colombia, and let's do a trade agreement with South Korea. Again and again it is the same NAFTA failed model.

This time the President said it is going to be better because we are going to include labor and environmental standards in Peru and in Panama.

First, if that is the case, why today, literally this week, were workers in Peru demonstrating on the streets? Because they think these trade agreements are bad for workers in their country too. The fact is, these trade agreements might be good for some investors short term but they are never good for the workers in Peru, they are not good for workers in Panama, they are not good for the workers in the United States, and they are not good for our communities or families.

The President says: Well, this trade agreement is different because we have labor and environmental standards

that are going to be negotiated alongside them. But the fact is that is what they said about NAFTA. They passed labor and environmental standards in a side agreement and it did nothing to raise the labor and environmental standards in NAFTA, but it did turn a trade surplus that we had with Mexico in 1993 into a trade deficit into the tens of billions of dollars. We know that.

We also know what happened when we signed a trade agreement with Jordan—one I voted for when I was in the House of Representatives—a trade agreement that had solid labor and environmental standards in the middle of the agreement, at the core of the agreement. We also know that happened in 2000.

In 2001, when President Bush took office, his trade representative, Robert Zoellick, wrote a letter to the Jordanian Government saying we were not going to use the dispute resolution and not going to actually enforce the labor and environmental standards. What has happened? Jordan is now a sweatshop with a whole lot of Bangladeshi workers exporting textiles and apparel all over the world and has undercut all that trade agreement has been. It has undercut all that trade agreement should have been. So when I hear the President say we are going to do a trade agreement with Peru and Panama and South Korea and Colombia, it is the same old story. The trade policy is not working. We need something different.

We need to go back and relook at NAFTA, relook at PNTR, relook at CAFTA. We also need a trade policy that will have strong labor and environmental standards and strong food safety standards. Look at what has happened with China in the last few weeks. Look at the news stories about China—contaminants or worse in toothpaste and dog food, defective consumer toys for children. We are exposing American children, American families, Americans generally to the products coming from a country with no regulation, with no health and environmental standards, with no consumer product safety standards—none of those. Yet our market is wide open for them to sell into this country and just end run all the protections we have built to raise our standard of living and to protect our families and our children.

As Senator DORGAN said, we also need trade agreements with benchmarks to allow us to gauge whether these serve the national interest. We should have objectives of opening markets and creating jobs ensuring these benchmarks, so each year we have a report card whether this trade deal is actually helping us export or is this actually exporting jobs. Is this trade deal helping American workers bring their wages up or are these trade agreements pulling wages down? Are they helping to build a middle class or are they, like they have in the past, taking them piece by piece and pulling apart the middle class in this country?

We know what we need to do. We know, unfortunately, what the Bush administration wants to do on trade policy. Now is the time to start by rejecting these trade agreements the administration continues to push down our throats.

At the same time, when we pass trade agreements that work for workers and work for the middle class in this country and work for poorest workers in the developing world, we also need a manufacturing policy in our country. We need a tax system that rewards work, a tax system that encourages production in this country, the enlargement of the manufacturing extension partnership Senator KOHL from Wisconsin so eloquently spoke about, and we need a real alternative energy policy in this country, one that really will mean more manufacturing of wind turbines—the University of Toledo does some of the best wind research in the country—and of solar panels. My State has a variety, a whole bunch of manufacturing capabilities. There is simply no reason we can't help to turn my State into a Silicon Valley of alternative energy.

It is an opportunity whose time has come. It is an opportunity for us, as a Senate and a House, and for Governor Strickland in Ohio and Lieutenant Governor Fisher and all of us to work together, not just to change the direction of trade policy or change our tax system to help the middle class and help American workers but to embark on an alternative energy policy that will help stabilize energy prices, that will help wean us off Middle Eastern oil, and ultimately will help produce good-paying industrial jobs in our State.

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

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

AMENDMENT NO. 2184 TO AMENDMENT NO. 2135

The PRESIDING OFFICER. Is there further debate on the Sununu second-degree amendment, No. 2184? If not, without objection, the amendment is agreed to.

The amendment (No. 2184) was agreed to.

Mr. BROWN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

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

The motion to lay on the table was agreed to.

MORNING BUSINESS

Mr. BROWN. Mr. President, I ask unanimous consent that there now be a period for morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

REMEMBERING LADY BIRD JOHNSON

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I rise to celebrate the life of Lady Bird Johnson. She was one of the most beloved First Ladies in our Nation's history.

Lady Bird Johnson represented the best of Texas and the best of America. Since the days that I attended the University of Texas with her daughter Lynda, I have known and admired Lady Bird Johnson. I knew her as a woman of dignity, kindness, and graciousness.

Through the years, I have also come to know Luci, one of the most thoughtful people I have ever met. And, of course, most of us in the Senate know Lynda and her husband Chuck Robb, a former Senator from Virginia.

Claudia Alta Taylor Johnson was a Texas original. She was born in Karnack, TX, on December 22, 1912. During her infancy, a nursemaid commented, ''She's as pretty as a ladybird,'' and that nickname virtually replaced her given name of Claudia Alta for the rest of her life.

Lady Bird graduated from Marshall High School in Marshall, TX, studied journalism and art at St. Mary's Episcopal School for Girls, and graduated from the University of Texas.

In 1934, she married Lyndon Baines Johnson, another young, smalltown Texan, who would go on to serve our State in the U.S. House and Senate and then our country as Vice President and later as President of the United States.

In her role as First Lady, Lady Bird shared her love of the outdoors with the American people, becoming the strongest advocate for improving our public spaces. She was instrumental in promoting the Highway Beautification Act, which enhanced the Nation's highway system by limiting billboards and planting roadside areas. I will never pass wildflowers on a median of a highway without thinking of her. She was also a champion of the Head Start Program.

Even after her husband left office in 1969, she remained active in public life and especially in Texas. She served on the University of Texas board of regents. On December 22, 1982—her 70th birthday—she and Helen Hayes founded the National Wildflower Research Center, a nonprofit organization devoted to preserving and reintroducing native plants in planned landscapes at the University of Texas. In 1998, that center was officially renamed the Lady Bird Johnson Wildflower Center.

As the U.S. Senator from Lady Bird's home State, I have consistently worked to strengthen and promote her outstanding legacy. Over the years, I have worked to preserve the LBJ office

in the Jake Pickle Building in Austin and to add the Lady Bird Johnson Plaza to the LBJ Library.

In the fall of 2006, Lady Bird joined me at a groundbreaking ceremony for the new plaza. She was radiant that day. The renovation is still in progress and has now been scheduled to finish by August of 2008—just in time for what would have been Lyndon's 100th birthday. The plaza will be graced by wildflowers which will serve as a tribute to Lady Bird's love of nature. Each wildflower will represent the lifework of a beautiful woman who will always have a special place in the hearts of the people who knew her.

I am proud, as a Texan, that this Texas lady represented the best of our Nation. My thoughts and prayers are with Lady Bird's family—especially her daughters Lynda and Luci. We all mourn her passing, but we should also celebrate this remarkable woman's life.

Mrs. FEINSTEIN. Mr. President, I rise today to pay tribute to Lady Bird Johnson, one of our Nation's most beloved former First Ladies.

Lady Bird Johnson was a conservationist, an enthusiastic political wife, a shrewd businesswoman, and the loving grandmother of a close-knit family.

But she will be best remembered for her efforts to make America a more beautiful country.

Lady Bird Johnson was born Claudia Alta Taylor to her parents near Karnack, TX, in 1912. Legend has it that she received the quaint nickname when a nursemaid exclaimed that the young Claudia was ''as purty as a lady bird.''

At a very early age, she expressed an interest in the environment, and in particular, wildflowers—which would become a lifelong passion.

A graduate of the University of Texas, Lady Bird received a bachelor of arts in history and a bachelor of journalism in 1934.

It was in Austin where she met her future husband, Lyndon Baines Johnson. The connection between the two was electric—after a whirlwind romance and courtship, the two were married in November 1934.

Lady Bird was a loyal and tireless supporter during her husband's political career—usually behind the scenes—from Congressman to Senator, from Senate majority leader to Vice President, and finally, on that fateful day in 1963, as the 36th President of the United States.

And it is her accomplishments as First Lady that distinguished Lady Bird as visionary.

Lady Bird brought a dash of Texas hospitality and genteel charm to the White House during those first dark days of the Johnson administration, as the Nation struggled to recover from the tragedy of the Kennedy assassination.

A life-long lover of the environment, Lady Bird Johnson is best known for the Beautification Act of 1965, which is widely credited as the Lady Bird Act. The legislation encouraged efforts to make the Nation's Interstate System more scenic and limited billboards that could be posted along roadways.

So as millions of American families go on summer vacations, they can thank Lady Bird Johnson for the beautiful wildflowers that bloom along the highways.

It was the first of a major legislative effort undertaken by a First Lady—and helped to transform the very nature of the Office of the First Lady.

Lady Bird began her beautification efforts with the ''First Lady's Committee for a More Beautiful Capital'' in 1965.

Although it is largely known that the First Lady worked to have flower beds and dogwood trees planted throughout the Capitol, Lady Bird also worked to address more urban societal concerns here in the District of Columbia, such as crime, public transportation, mental health and recreation.

And to Lady Bird, beautification meant much more—it embodied a deep commitment to the conservation of this country's natural resources.

In her own words, it meant: ''clean water, clean air, clean roadsides, safe waste disposal and preservation of valued old landmarks, as well as great parks and wilderness areas.''

As First Lady, she was often considered a ''shadow Secretary of the Interior.''

When the White House Conference on Natural Beauty was convened in May 1966, Lady Bird kicked off the conference proceedings by asking this important question:

> Can a great democratic society generate the drive to plan, and having planned, execute projects of great natural beauty?

And thanks in part to her efforts, the Johnson administration helped to oversee some 150 legislative accomplishments for the environment, including: The Clean Air Act; The Wilderness Act of 1964; The Land and Water Conservation Fund; The Wild and Scenic Rivers Program; and numerous additions to the National Park system.

Lady Bird Johnson helped to ensure protection of some of America's finest natural treasures, including the Grand Canyon, the Hudson River Valley, and perhaps closest to my heart, the majestic California redwoods.

Lady Bird Johnson was also closely involved in President Johnson's civil rights efforts and his ''Great Society'' campaign, particularly on the Head Start program.

She helped to ensure that low-income youngsters are given the opportunities they need to compete fairly and equally when they enter elementary school.

So she truly left her stamp as a First Lady.

After leaving the White House in 1969, Lady Bird turned her attention once again to wildflowers. She was instrumental in launching the National Wildflower Research Center in 1982, which was later renamed in her honor.

The center has been central to helping preserve many species of wildflowers and plants, which are increasingly sensitive to the challenges of climate change. In fact, today, some 30 percent of the world's wildflowers and other native flora are endangered.

Lady Bird Johnson was one of America's finest citizens. And she was recognized as such. In 1977, the former First Lady was presented with America's highest civilian award, the Medal of Freedom, by President Gerald Ford. And in 1988, she received the Congressional Gold Medal from President Ronald Reagan.

As Laurance Rockefeller aptly stated when Lady Bird was awarded the Conservation Award for Lifetime Achievement in 1977:

> She's a role model for leadership responsibility for women. That's a big part of her legacy, above and beyond the environment.

Lady Bird Johnson will be very much missed. And I offer my personal and deepest sympathies to her family.

Mr. WEBB. Mr. President, today I join people from throughout America in paying tribute to former First Lady Lady Bird Johnson, who passed away yesterday at the age of 94.

Lady Bird Johnson served as America's First Lady during one of the most tumultuous periods in our Nation's history. During the 1960s, this Nation suffered through the assassinations of our most promising leaders.

We were also bitterly divided by the war in Vietnam. With respect to Vietnam, the Johnson family was personally affected by the war. Many of us recall the White House wedding of Chuck and Lynda Bird Robb in 1967, and how Chuck Robb later distinguished himself as a Marine Corps officer in Vietnam.

And many of our cities literally burned as America struggled to end segregation and to usher in a new era of civil rights. On this last issue, in particular, President Johnson and Lady Bird Johnson deserve historical credit for their leadership and political courage.

It was against this backdrop of political and civil unrest that America was especially blessed by the grace, humility and quiet determination of Lady Bird Johnson.

Mrs. Johnson reminded all of us that America is at her best when we are civil to each other and when we treat our adversaries with tolerance and respect.

Of course, her legacy extends far beyond her grace, charm and steadfast loyalty to President Johnson. To a greater extent perhaps than any other living American, Lady Bird Johnson was the mother of the modern environmental movement.

With her tireless efforts to beautify the countryside, promote conservation and combat roadside litter, Lady Bird Johnson demonstrated the power that each of us has to protect the environment and make our communities more attractive. Again, we need to embrace her legacy today.

In my home State of Virginia, we have always felt a special connection to Lady Bird Johnson. She was the mother of Lynda Bird Robb, who was the Commonwealth's First Lady from 1982 to 1986, and the mother-in-law of Chuck Robb who was Governor at that time and later a distinguished Member of this body.

During her frequent trips to our State, Virginians always embraced Lady Bird Johnson for her warmth, grace, and strength of character. These were the same values for which all Americans held her in such high esteem.

I want to extend to her family and many friends my deepest sympathies, as well as my appreciation for her extraordinary life. America is a much better Nation because of the life and service of Lady Bird Johnson.

INTELLIGENCE ASSESSMENT ON AL-QAIDA

Mr. OBAMA. Mr. President, the new intelligence assessment is a chilling reminder that the American people are less secure than we were on 9/11. According to press reports of the assessment, al-Qaida has reconstituted, rebuilt its training and command and control capabilities, and is better positioned to strike the West. Meanwhile, Osama bin Laden and his top deputy are still on the loose.

If America is again attacked, it will be in no small measure a consequence of the Bush administration's failure to destroy al-Qaida at its roots in Afghanistan and to adequately secure the homeland. The decision to authorize and fight a misguided war in Iraq also created a new cadre of experienced terrorists bent on the destruction of the United States and our allies. The recent attacks in Britain are likely only the beginning of an Iraqi ''blowback,'' which may haunt us for years to come. Since we invaded Iraq, the number of Islamic extremist terrorist attacks—excluding those in Iraq and Afghanistan—has risen by 35 percent worldwide.

We cannot win a war against the terrorists if we are on the wrong battlefield. America must urgently begin redeploying from Iraq and take the fight more effectively to the enemy's home by destroying al-Qaida's leadership along the Afghan-Pakistan border, eliminating their command and control networks, and disrupting their funding. To counter their ability to rebuild these capabilities, we must convince Pakistan to pursue an effective strategy, with our assistance, to deny the terrorists sanctuary in Pakistan's northwest territories. We must also finish the job and secure Afghanistan, where the Taliban is resurgent.

But it will take more than force to defeat this threat. It will take wisdom and patience to restore America's credibility in the Muslim world and reduce both passive and active support for extremists. We need to partner with the vast majority of Muslims in their struggle against those who would distort their religion, create oppressive theocracies, and kill innocents. We must demonstrate through action, not mere words, that America is not at war with Islam, and that we will stand with those Muslims who seek a better future.

Abu Ghraib served as a recruiting poster for violent Islamic extremists. Guantanamo has diminished America's standing in the Muslim world and with our closest allies. The needless violation of our civil liberties at home has damaged our moral authority abroad. All these actions have undercut our fight against terrorists. This is not America, this is not who we are. We must close Guantanamo, renounce torture, and respect the rule of law to be faithful to our own values, prosecute the war on terrorism more effectively, and begin to engender renewed admiration for America in the Muslim world. American values and liberties must be seen as a source of our strength, not as a liability, in the fight against terrorism.

Finally, we must take many long-overdue steps to better secure our homeland. We need to lock down loose nuclear material around the world, upgrade port, transport and chemical plant security, allocate homeland security dollars according to risk, and give local law enforcement the resources and intelligence support to help prevent rather than simply respond to terrorist attacks.

The administration argues this intelligence assessment proves its case for doing more of the same. On the contrary, the American people cannot afford more of the same. This intelligence assessment reminds us once again of the consequences of the decision to authorize and fight the war in Iraq, and to direct our resources away from the wider war on terrorism that was yet to be won. It underscores the urgent need for a new, more effective counterterrorism strategy at home and abroad.

HONORING OUR ARMED FORCES

SPECIALIST DUSTIN WORKMAN

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of U.S. Army SPC Dustin Workman II of Greenwood, NE. Specialist Workman was killed on June 28 by an improvised explosive device in Baghdad. He was 19 years old.

Specialist Workman graduated from Ashland-Greenwood High School in 2005. Faculty at Ashland-Greenwood remember his talent for writing and his love of books, though not necessarily the ones assigned to him, his skill in mechanical working, and most importantly, his hard work and commitment to finishing school. From the time he was a freshman at Ashland-Greenwood, Specialist Workman's teachers noticed a strong desire to serve in the Army.

Specialist Workman enlisted with the Army and served with B Company, 2nd Battalion, 12th Infantry Regiment, 2nd Brigade Combat Team, based at Fort Carson, CO. We are proud of Specialist Workman's service to our country, as well as the thousands of other brave Americans serving in Iraq.

Specialist Workman is survived by his parents Dustin and Valerie, younger brother Korey, and younger sister Krysta.

I ask my colleagues to join me and all Americans in honoring SPC Dustin Workman II.

GUATEMALA

Mr. LEAHY. Mr. President, with the Congress's attention on Iraq and the Middle East, I want to take a moment to alert other Senators to an important issue in Guatemala, a country that rarely makes the news in Washington.

Many of us remember the decades of civil conflict that caused the deaths of an estimated 200,000 Guatemalans, many of them indigenous Mayan civilians. Since those dark days, most Guatemalans have tried to put that tragic period behind them and to build the institutions of democracy that can provide economic development, stability and justice.

While the Guatemalan Army has shrunk to half its size, the peace accords that ended the fighting have yet to be fully realized. Most troubling is the rampant violent crime, organized crime and corruption, much of it perpetrated by illegal armed groups, some of which are comprised of former members of the security forces and their supporters.

During the tenure of President Berger, the Guatemalan Government, with the assistance of the United Nations, has sought to establish a commission to investigate and prosecute these clandestine groups. The first attempt was rejected by Guatemala's Constitutional Court, but recently the Court approved the establishment of an International Commission against Impunity in Guatemala, CICIG. The CICIG is widely regarded as an essential mechanism for combating the cancer of human rights violations and organized crime that are threatening to destroy the foundations of Guatemala's democracy.

It is important to note that the Constitutional Court confirmed that CICIG would work alongside the Attorney-General's office in investigating illegal groups. Far from weakening national sovereignty, CICIG will support Guatemala by helping to strengthen the capacity of the country's weak judicial system.

Not only could CICIG go a long way in fulfilling the government's commitment under the peace accords to combat illegal armed groups, it could also help to uncover the full extent of these groups and dismantle their underlying structure. Most importantly, it would be an unprecedented step in ending the impunity that has been the greatest impediment to establishing the rule of law in Guatemala.

At this point, the future of CICIG is in the hands of the Guatemalan Congress, and with new elections approaching time is running out. It would be a terrible waste of years of hard work by the Guatemalan Government and the United Nations if the CICIG is not approved. Whether for prospective foreign investors or the surviving families of victims of political violence, nothing is more important than knowing the truth and seeing that justice is finally possible.

On June 28, the Senate Appropriations Committee, like the House of Representatives last month, unanimously reported the fiscal year 2008 foreign aid appropriations bill. That legislation would authorize the resumption of assistance for the Guatemalan Air Force, Navy and Army Corps of Engineers, if they are respecting human rights and the Guatemalan Congress ratifies the CICIG agreement.

I urge the Guatemalan Congress to seize this historic opportunity. The alternative, which is almost unthinkable, of rejecting this essential step to uphold the rule of law, would send a chilling message that it is the forces of crime and violence who will determine Guatemala's future. That is not an outcome that Guatemala or its people can afford.

TRIBUTE TO BOB VAN HEUVELEN

Mr. CONRAD. Mr. President, I rise today to pay tribute to my chief of staff upon his retirement from the U.S. Senate. Robert Van Heuvelen is recognized not only by me, but also by his colleagues and other Members, as a highly respected, effective, and engaging public servant.

Mr. Van Heuvelen has had a remarkable career in the Federal Government, spanning over 32 years. Bob first came to Capitol Hill in 1975 to work as a legislative assistant for the Honorable Quentin Burdick in the Senate. Following that, he served as assistant counsel for the Environment and Public Works Committee for the Honorable Edmund Muskie. He remained in Washington and went on to work as a Federal prosecutor at the U.S. Department of Justice, rising to the position of deputy and acting chief of the Department of Justice's environmental enforcement section, and eventually to director of the Office of Regulatory Enforcement at the Environmental Protection Agency.

For the past 10 years, I have been privileged to have Bob serve on my staff, first as policy director and then as chief of staff. He brought with him extensive experience in Government and his lifelong dedication to our home State of North Dakota.

During his tenure in my office, some of his most notable accomplishments include coordinating disaster relief for the devastating 1997 flood of Grand Forks, spearheading the work of a tobacco task force to formulate a strong public health response to the tobacco settlements, fighting for a fair Medicare distribution formula and estate tax reform. He also made great strides in developing strong working relations with both his Democratic and Republican colleagues. Bob has helped organize monthly breakfasts, dinners, and policy meetings for chiefs of staff of both parties, fostering a sense of bipartisanship, an accomplishment which is truly praiseworthy.

Bob is a native of Bismarck, ND. He earned his bachelor's degree at Macalester College in Minnesota. Following that, he attended the University of Minnesota, where he received his master's degree in public policy, and George Washington University, where he received his juris doctor. Today, Bob and his wife of 30 years, Jane Sherburne, live in Bethesda, MD. They have three wonderful children—Ben, Elizabeth, and Will.

As Bob goes forward in his life and on to other endeavors, I hope that he proudly looks back at his time here on Capitol Hill and realizes the tremendous difference he has made for North Dakota, our Nation, and in the lives of so many people. I am honored to have had the pleasure to work with him and look forward to our ongoing friendship. We have had great fun doing the Nation's business, and I will miss him. I commend Bob for his many achievements and superior service and wish him the very best.

IN RECOGNITION OF VASILIKI CHRISTOPOULOS

Mr. GREGG. Mr. President, today I wish to express Kathy's and my greatest admiration and thanks for a person who over the past 14 years has been the heart and soul of my Washington staff. Vasiliki Alexopoulos Christopoulos has served as my administrative assistant since February 2001 and before that as my legislative director, director of appropriations and as a legislative assistant. From her first days when she began working with us during our 1992 Senate campaign, Kathy and I knew Vas was an extraordinary person.

To describe Vas simply as AA does not do her justice—although that job is at the center of a well-run and effective Washington office and is critical to the success of a Senator. She, rather, has been the heartbeat of the office. Her caring, warm, and always positive personality calms the stormy times and has given all of us a shot of energy when we needed a lift. Vas understands that running an office is more than assigning tasks. Under her leadership, it has been about building an exceptional team. She always makes sure that when there is a task to be done, it is not left to one person; rather, everyone jumps in with Vas leading the way.

Whether it is counseling interns through separation anxieties, interviewing people to join the office, or assisting Kathy, me, and our children in making sense out of this chaotic lifestyle, Vas has always organized, planned, and followed through in a manner that has lead to a successful end in a positive way.

Walking with Vas to get a cup of coffee is like taking a field trip. This is no police officer, no maintenance staff, no congressional staff who does not know Vas and want to share a story. One quickly learns that everyone in Washington is Greek.

Vas could do about anything she wishes, including probably be mayor of Nashua, but she has chosen a different course. She is moving from the friendly confines of Washington and Nashua to the cold, barren land of Grand Rapids, MI. Michigan, where the summer occurs on July 4, will be the better for this. She will bring her sunny personality which will inevitably warm even the chill climate of Michigan.

As Vas and her terrific husband Jimmy embark on this new career path and challenge, seeking all things Greek, Kathy joins me in thanking her for all her years of dedication to the Gregg family, our office staff, and all the people of New Hampshire. We have all greatly benefited from her commitment and love. She has been and will remain a part of our family and although she will be a bit further away, we wish her only the best and say thank you.

ADDITIONAL STATEMENTS

HONORING REYNOLDS, NORTH DAKOTA

• Mr. CONRAD. Mr. President, today I recognize a community in North Dakota that will be celebrating its anniversary. On July 27–29, the residents of Reynolds will gather to celebrate their community's history and founding.

Reynolds is a vibrant community located in eastern North Dakota. Founded in 1880, years before North Dakota was granted statehood, Reynolds was named for Dr. Henry A. Reynolds, who served as a surgeon in the Civil War and had recently migrated to the area from Maine. Reynolds, like many other North Dakota communities, was originally incorporated with the arrival of the railroad.

Reynolds is now, and always has been, a very unique community. The city itself has two churches, two elevators, and is separated by two counties. The number two is very important to the residents of Reynolds, and celebrating its quasquicentennial 2 years late is, as the community says, kind of a ''Reynoldsism.''

Today, Reynolds has much to celebrate. Its 125th+2 celebration will be an event worth taking in. Festivities will include a steak fry, parade, street fair, alumni baseball game, fireworks, and much more.

I ask the Senate to join me in congratulating Reynolds, ND, and its residents on their first 127 years and in wishing them well in the future. By honoring Reynolds and all the other historic small towns of North Dakota, we keep the great pioneering frontier spirit alive for future generations. It is places such as Reynolds that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Reynolds has a proud past and a bright future.●

TRIBUTE TO BERNARD WOODARD

● Mr. CORNYN. Mr. President, today I celebrate the life and mourn the recent passing, of a great Texan, Thurmond Bernard Woodard. Mr. Woodard recently lost a courageous battle with cancer, a foe he had been battling since 2005.

Born on January 9, 1949, in Ocala, FL, Thurmond Woodard learned the importance of family at an early age. His childhood and adolescence were marked by the qualities that would later endear him to all—strong will, strong character, and uncompromising integrity. He went on to earn a bachelor's degree in accounting from Hampton University and then embarked on a storied career in finance, marketing, sales, and human-resources management.

In October 2000, Woodard was serving as president and chief operating officer for Roosevelt Thomas Consulting and Training in Atlanta. In that role, he spent his days advising the company on the importance and necessity of integrating diversity within business strategies. Recognizing his talent and vision, Austin-based Dell Inc. decided to try and lure him away by offering him the job of vice president for global diversity and chief ethics, privacy, and compliance officer. Thankfully for Dell, he accepted the offer and never looked back. He held those positions until his death in April.

Known for his dedication to creating cultures of dignity, respect, and inclusion, Thurmond promoted the importance of leadership through creating opportunity for all. ''We cannot resist change that is inevitable,'' he said. ''We have to get on board and help drive that change.''

That eloquence earned him the admiration of his colleagues, including Dell's chief executive Michael Dell who said, ''His sensible counsel, generosity of spirit, tireless dedication, and optimism were appreciated and admired by all he touched. His passing leaves a void impossible to fill.''

That void is seen not only at Dell but also in the many Texas communities in which he had a profound impact. Even in the difficult stages of his illness, he served as deacon and Sunday school teacher at the David Chapel Missionary Baptist Church in downtown Austin. His work as a mentor and community activist was recognized last year when the Austin Area Urban League honored him with the Whitney M. Young Jr. Award for his efforts to promote diversity through the strengthening of business and community partnerships.

Thurmond's impact could also be seen in our Nation's Capitol, where he served as a board member of the Congressional Black Caucus Foundation and was the key architect of the foundation's AVOICE virtual library on the history of African Americans in Congress. Other organizations that continue to benefit from his efforts and generosity in Washington include the Congressional Hispanic Caucus Institute's Center for Latino Leadership and Operation Hope's financial literacy center in Anacostia.

Dell will honor his legacy of outreach by endowing a scholarship in his name for students of color and students from disadvantaged economic backgrounds around the world.

Even though he was known for being an incredibly successful businessman and community leader, Thurmond was known first as an incredibly successful family man. A beloved father and husband, he leaves behind his wonderful wife of 37 years Suzanne, his children Michelynn and Derek, and countless friends. They recall with fondness Thurmond's love of humor, friendship, and the occasional round of golf.

He lived life with vigor, passion, and unwavering optimism. And even though he has been called home to God, Thurmond's selflessness and decency will always serve to guide and inspire us all.

Mr. President, please join me in celebrating the life of Thurmond Bernard Woodard.●

RETIREMENT OF DALE W. SOPPER

● Mr. HARKIN. Mr. President, today we recognize a distinguished executive at the Social Security Administration, Dale W. Sopper. Dale is the Deputy Commissioner for Budget, Finance and Management. He is a dedicated public servant who has served his country in public service for 42 years.

A native of Allentown, PA, he began his Federal career as a claims insurance specialist in the local Social Security Office in Kansas City, MO. After 2 years, he was selected for the Management Intern Program at the then-Department of Health, Education and Welfare. He served in a number of increasingly responsible positions there and in the Department of Health and Human Services over the next 16 years, ultimately serving as HHS' Assistant Secretary for Management and Budget.

Dale returned to the Social Security Administration in 1983 as the Deputy Associate Commissioner for Management, Budget and Personnel. In his current position as Deputy Commissioner for Budget, Finance and Management, Dale is responsible for providing executive leadership and direction in administering: a comprehensive financial program of budget policy, formulation and execution; accounting policy and operations; the agency's acquisition and grants program; audit resolution and liaison; the internal controls program; agencywide facilities and publications management programs; and the agency's efforts to improve annual wage reporting and wage reconciliation activities. In addition, Dale serves as SSA's chief financial officer, senior procurement executive and principal deputy ethics counselor.

During Dale's long and distinguished career with both agencies, he has received many awards—of special note, the Presidential Rank Awards for Distinguished Executive and Meritorious Executive, the Donald Scantlebury Memorial Award, the Elmer Staats Award and the Frank Greathouse Distinguished Leadership Award.

Dale will retire from the Social Security Administration on August 3, 2007. He is an exceptional career executive who has consistently demonstrated strength, integrity, diligence and a relentless commitment to public service and the well-being of our citizens across the Nation. Through his extraordinary leadership and achievements, he has inspired countless men and women with whom he has worked over these past 42 years.

It is important that we in Congress recognize the many men and women who devote their working lives to improve the lives of others. Career civil servants often do their work in quiet anonymity behind the scenes providing vital service to the American people. They are rarely recognized for their important contribution. Dale Sopper is one of those people. His record of leadership at the Social Security Administration and his commitment to providing the American people with effective and compassionate service is a record of which he can be justly proud.

I wish Dale all the best in his retirement from Federal service and thank him for his many years of dedicated service.●

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 and a treaty which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

INITIAL ASSESSMENT REPORT RELATIVE TO THE IRAQI BENCHMARKS—PM 20

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Consistent with section 1314 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28) (the ''Act''), attached is the report that assesses the status of each of the 18 Iraqi benchmarks contained in the Act and declares whether satisfactory progress toward meeting these benchmarks is, or is not, being achieved.

This report has been prepared in consultation with the Secretaries of State and Defense; Commander, Multi-National Forces-Iraq; the United States Ambassador to Iraq; and the Commander of United States Central Command.

GEORGE W. BUSH.
THE WHITE HOUSE, *July 12, 2007.*

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2558. A communication from the Secretary of the Interior, transmitting the report of a draft bill entitled, ''Preserve America and Save America's Treasures Act''; to the Committee on Energy and Natural Resources.

EC–2559. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to a flood damage reduction project for the Des Moines and Raccoon Rivers, Des Moines, Iowa; to the Committee on Environment and Public Works.

EC–2560. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Partial Termination and Turnover Rate'' (Rev. Rul. 2007–43) received on July 11, 2007; to the Committee on Finance.

EC–2561. A communication from the Director, Office of Labor-Management Standards, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Labor Organization Officer and Employee Report, Form LM–30'' (RIN1215–AB49) received on July 11, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–2562. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–70, ''Safe and Stable Homes for Children and Youth Amendment Act of 2007'' received on July 11, 2007; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–148. A resolution adopted by the City Council for the City of Okeechobee of the State of Florida urging Congress to appropriate the funds necessary to bring the Herbert Hoover Dike into compliance with current levee safety standards; to the Committee on Environment and Public Works.

POM–149. A resolution adopted by the Council of the City of North Miami of the State of Florida urging Congress to appropriate the funds necessary to bring the Herbert Hoover dike into compliance with current levee protection safety standards; to the Committee on Environment and Public Works.

POM–150. A concurrent resolution adopted by the Legislature of the State of Utah expressing opposition to the Divine Strake explosive test that is to be conducted in Nevada in 2007; to the Committee on Armed Services.

Whereas, ''Divine Strake'' is the code name for a large high-explosive test to be conducted by the Defense Threat Reduction Agency;

Whereas, the Pentagon has stated the purpose of the test is to ''determine the potential for future non-nuclear concepts,'' such as high-energy weapons or the simultaneous use of multiple conventional bombs to destroy deeply buried and fortified military targets, as an alternative to detonating a nuclear device;

Whereas, the test was originally planned to take place June 2, 2006 at the site of an existing underground tunnel in the United States Department of Energy Nevada Test Site, but was postponed several times due to legal action, then later delayed until 2007;

Whereas, the test is scheduled to utilize 700 tons of an ammonium nitrate combined with fuel oil explosive, which is equivalent to 593 tons of TNT;

Whereas, there is concern that the explosion could stir up nuclear particles, left from previous tests conducted decades earlier at the Nevada test site, into the atmosphere;

Whereas, in December 2006, the revision to the Environmental Assessment was released, and although the study concluded that there are no health risks to persons outside the blast area, it stated, ''Since suspended natural radionuclides and resuspended fallout radionuclides from the detonation have potential to be transported off of the NTS by wind, they may contribute a radiological dose to the public'';

Whereas, on January 22, 2006, the Washington County Commission issued a statement opposing the federal government's plan to conduct the test which reads in part, ''The City of St. George has a unique history due to its proximity to the Nevada Nuclear Test Site during the atomic age. . . thousands of early deaths of those living in southern Utah and the surrounding areas have been attributed to nuclear testing during the 1950s and 1960s at the site. Many St. George residents and others have suffered incalculable loss as a result of radioactive fallout exposure from the detonations at the site'';

Whereas, the Commission added, ''To assure the safety and well-being of our citizenry, these concerns must be carefully studied and evaluated before a decision is made to proceed with the proposed detonation''; and

Whereas, much more needs to be done to assure that there is never a repeat of the immense suffering endured by citizens of Utah and nearby states due to the nuclear fallout from past tests at the Nevada Test Site. Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, express opposition to the Divine Strake high-explosive test to be conducted by the Defense Threat Reduction Agency at the United States Department of Energy Nevada Test Site in 2007. Be it further

Resolved, That copies of this resolution be sent to the Defense Threat Reduction Agency, the United States Department of Defense, the United States Department of Energy Nevada Test Site, the Washington County Commission, and to the members of Utah's congressional delegation.

POM–151. A resolution adopted by the House of Representatives of the State of Michigan urging Congress to enact H.R. 1619 or S. 587 to direct the Secretary of the Treasury to mint coins to commemorate the Ford Model T; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE RESOLUTION NO. 78

Whereas, Michigan's integral role as the heart of the automobile industry in our country and around the world is well established. Nearly 100 years ago, an especially meaningful chapter in this long history began with the opening of the Highland Park Ford Plant that is acknowledged to be the birthplace of the assembly line. In addition, the more than 15 million Model T Fords that were built between 1908 and 1927 reshaped the American landscape and our way of life; and

Whereas, The new age in manufacturing that was born in Michigan and the Model T Ford set in motion changes in how Americans live and how people travel around the world. The rise in the American middle class, the ability to prevail in defense of our nation in world wars, and subsequent technological advances all can be traced in significant measure to the automobile industry that began with the vision and hard work of the pioneer mechanics in Michigan; and

Whereas, Congress has before it legislation that would require the Secretary of the Treasury to mint not more than 500,000 coins to commemorate the 100th anniversary of the Model T Ford automobile. Under this legislation, these dollar coins, which would be public tender, would be comprised of 90 percent silver and 10 percent copper. The legislation also provides that the money raised by a surcharge above the face value would be distributed to the Motor Cities National Heritage Area through the Automobile National Heritage Partnership and to the Edison Institute. This money would create endowments to support the celebration of the Model T and the preservation of its story through educational programs and displays; Now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact H.R. 1619 or S. 587, to direct the Secretary of the Treasury to mint coins to commemorate the 100th anniversary of the Model T Ford; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–152. A joint resolution adopted by the Senate of the State of Tennessee urging Congress to address the economic impact of interchange fees and merchant discount charges and develop clear and concise disclosure to consumers and retailers; to the Committee on Banking,Housing, and Urban Affairs.

SENATE JOINT RESOLUTION NO. 361

Whereas, consumers are increasingly using credit and debit cards and other electronic transactions to make purchases, and the number of credit and debit card transactions each year now exceeds the number of check transactions; and

Whereas, payment system networks and technology provide significant economic benefits to merchants and consumers; and

Whereas, merchants and retailers pay merchant discount fees, including interchange fees, to access payment system networks for credit and debit transactions; and

Whereas, the fees, policies, and practices of credit card organizations have social and economic consequences for merchants and consumers; and

Whereas, interchange costs have risen dramatically in recent years and the number of transactions involving interchange fees has grown in volume in recent years due to consumer preference to use credit and debit cards and the expansions in technology facilitating the use of credit card systems; and

Whereas, American consumers and retailers pay the highest credit card fees in the world, with rates averaging close to 2 percent and debit card fees averaging close to 1 percent; and

Whereas, merchants are required to pay merchant discount fees, including interchange fees, to banks to access credit and debit card payment system networks; and

Whereas, interchange fees are ultimately passed on to consumers, including those who pay by cash or check, in the form of higher prices; and

Whereas, it is advantageous to have competitive economic models that assure a highly competitive marketplace; and

Whereas, with more and more consumers using electronic payment methods, the United States Congress needs to assure a highly competitive and vibrant market that promotes an economic playing field that is fair to consumers, merchants, and card providers alike. Now, therefore, be it

Resolved by the Senate of the One Hundred Fifth General Assembly of the State of Tennessee, the House of Representatives concurring, that this General Assembly hereby urges the Congress of the United States of America to act expeditiously to address the economic impact of interchange fees and other merchant discount fees and develop clear and concise disclosure to consumers and retailers. Be it further

Resolved, That this General Assembly strongly urges each member of the Tennessee congressional delegation to utilize the full measure of his or her influence to assess the economic impact of interchange fees and other merchant discount fees. Be it further

Resolved, That the Chief Clerk of the House of Representatives is directed to transmit a certified copy of this resolution to the President and the Secretary of the United States Senate; the Speaker and the Clerk of the United States House of Representatives; and to each member of the Tennessee congressional delegation.

POM–153. A resolution adopted by the House of Representatives of the State of Pennsylvania urging Congress to provide equitable funding to the Department of Housing and Urban Development for the operation of quality affordable housing; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE RESOLUTION NO. 292

Whereas, Pennsylvania's public housing authorities are essential in the Commonwealth of Pennsylvania; and

Whereas, Pennsylvania is home to 90 public housing authorities serving an estimated 245,819 residents of the Commonwealth of Pennsylvania; and

Whereas, Pennsylvania's public housing authorities provide high-quality affordable housing to the residents in the Commonwealth of Pennsylvania through the use of Federal resources and programs; and

Whereas, Pennsylvania's public housing authorities have successfully assisted residents of the Commonwealth of Pennsylvania with moving to work programs and preapprenticeship training, resulting in greater self-sufficiency and a reduced burden on Commonwealth resources; and

Whereas, developments built by Pennsylvania's public housing authorities have in some instances increased the values of neighboring properties and communities in the Commonwealth of Pennsylvania by 142%; and

Whereas, new funding guidelines developed by the United States Department of Housing and Urban Development have resulted in reduced funding for the Commonwealth of Pennsylvania, its public housing authorities and the Pennsylvanians who rely on these services; and

Whereas, Pennsylvania's public housing authorities are a major employer in the Commonwealth of Pennsylvania, and funding cuts from the United States Department of Housing and Urban Development have resulted in drastic layoffs and diminished services to the residents of public housing; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania recognize the importance of the quality services, support and housing provided by Pennsylvania's public housing authorities and respectfully urge the Congress to provide equitable funding to the United States Department of Housing and Urban Development for the operation of quality affordable housing; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM–154. A concurrent resolution adopted by the Legislature of the State of Utah expressing support for acquiring a second airport surveillance radar facility for the Salt Lake International Airport; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT RESOLUTION NO. 2

Whereas, Salt Lake City International Airport (SLCIA) is one of the nation's primary hub airports, is the second largest hub airport for Delta Air Lines and processed over 455,000 aircraft operations during 2005 making it the 18th busiest airport in the world, and conservative forecasts project operations to grow to over 634,000 operations by 2025;

Whereas, the Provo Airport is the second busiest airport in Utah with over 175,000 operations a year and was recently designated as the primary reliever to SLCIA by major commercial airlines including Delta, Frontier, and Southwest, a designation that significantly increases the demand on Provo Airport;

Whereas, the Salt Lake City Terminal/TRACON (terminal radar approach control) facility has responsibility for coordinating the safe and efficient movement of aircraft within the regional airspace but experiences important limitations in the regulation of aircraft using the Provo Airport and airports in surrounding communities;

Whereas, coordinating air traffic activity within the region is complicated significantly because the mountainous terrain along the Wasatch Front creates a sizeable radar shadow which prevents air traffic controllers from seeing aircraft below 8,000 feet, above ground level, in Utah Valley, while aircraft operating below 500 feet, above ground level, at the Salt Lake City Airport II cannot be seen;

Whereas, aircraft arriving or departing the Provo Airport and surrounding airports regularly interact with commercial aircraft using SLCIA; when aircraft operating at these airports request entry into SLCIA airspace, air traffic controllers are not able to determine the precise location of the aircraft due to lack of radar coverage; the slower speeds of these aircraft combined with airspace congestion can present safety concerns for commercial airline operations as well as for general aviation;

Whereas, the lack of ASR–11 (automated surveillance radar) at Provo Airport causes significant delays to take-off and landing operations during poor weather conditions, resulting in a real and significant threat to air safety;

Whereas, there is no backup radar equipment to provide continuous radar coverage to the surface when existing radar becomes inoperable, and the volume of activity generated by the Delta Air Line hub is closely linked to the efficiency of the entire national air transportation system;

Whereas, ASR–11 would provide essential redundancy to assure that adequate safety is maintained at all times; and

Whereas, the radar shadow and the limitations it creates can be corrected by installing a second ASR–11 facility that would be fully integrated with the existing radar at SLCIA and would be optimally located at the Point of the Mountain, providing major safety and efficiency benefits to all of the airports previously mentioned: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, support the critical need to acquire ASR–11 (automated surveillance radar) to provide radar redundancy for the Sale Lake City International Airport, and to achieve full radar coverage for Provo Airport and other general aviation airports. Be it further

Resolved, That the Legislature and the Governor request that Utah's Congressional Delegation seek the appropriation of funds in the 2008 FAA Facilities and Equipment budget needed to acquire ASR–11, as well as to finalize site selection and to acquire property to the extent needed for the installation of the system. Be it further

Resolved, That copies of this resolution be sent to the city of Provo, the Provo Airport, Delta Air Lines, Frontier Air Lines, Southwest Air Lines, and to the members of Utah's congressional delegation.

POM–155. A concurrent resolution adopted by the Legislature of the State of Utah urging Congress to take action to help stop children and employees from accessing Internet pornography; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT RESOLUTION NO. 3

Whereas, the Internet has become an extremely important and popular means of exchanging information, and is relied upon in Utah for business, education, recreation, and other uses;

Whereas, many Internet sites contain material that is pornographic, either obscene or inappropriate for children, and a majority of these sites originate within the United States but outside of the state of Utah;

Whereas, the availability of Internet pornography on the job costs Utah employers significant numbers of work hours, strains employers' computer equipment, reduces productivity, and leads to potentially hostile work environments for men and women;

Whereas, while the custody, care, and nurturing of children resides primarily with parents, the widespread availability of Internet pornography and the ability of children to circumvent existing filtering technology defeat the best attempts at parental supervision or control;

Whereas, Internet pornographers use evolving techniques to lure Utah children and others into viewing and purchasing pornographic material, defying existing technology designed to block adult content;

Whereas, current methods for protecting computers and computer networks from unwanted Internet content are expensive, block more than the intended content, and are easily circumvented;

Whereas, because children, employees, and others may seek out pornography, warnings and other labels meant to help avoid inadvertent hits on pornographic sites may simply increase the likelihood that these sites will be visited;

Whereas, credit card verification systems burden credit card companies, are expensive and time consuming to establish and maintain, and inhibit legal speech;

Whereas, other forms of age verification have not been practicable;

Whereas, prior Congressional attempts to address children's access to Internet pronography have been held unconstitutional or otherwise have not passed constitutional scrutiny;

Whereas, prior Congressional attempts to address children's access to Internet pornography have not been based on technology that allows individual Internet users to select what kind of Internet content enters their homes and work spaces;

Whereas, protecting the physical and psychological well-being of Utah's children by shielding them from inappropriate materials is a compelling interest of the Legislature of the State of Utah;

Whereas, protecting the right of Utah's citizens to control what materials enter their homes and other private property is a compelling interest of the Legislature of the State of Utah;

Whereas, although the State of Utah has taken rigorous action in an attempt to shield Utah's children from obscenity and other inappropriate adult content, it cannot effectively curb the problems with Internet pornography within its borders without the support of the United States government;

Whereas, the United States remains in control of the Internet through the Department of Commerce, and the National Telecommunication and Information Association; and

Whereas, the United States has the ability to create appropriate policies and enforcement tools to effectively deal with these issues: *Now, therefore, be it*

Resolved, that the Legislature of the state of Utah, the Governor concurring therein, strongly urges the United States Congress to take action to help stop children and employees from accessing Internet pornography; *be it further*

Resolved, that the Legislature and the Governor strongly urge the United States Congress to seriously consider enacting legislation to facilitate a technology-based solution that allows parents and employers to subscribe to Internet access services that exclude adult content; *be it further*

Resolved, that a copy of this resolution be sent to the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the President of the United States, and the members of Utah's congressional delegation.

POM–156. A resolution adopted by the House of Representatives of the State of Michigan urging Congress to encourage expansion of existing or the construction of new petroleum refineries to meet increasing energy needs; to the Committee on Energy and Natural Resources.

HOUSE RESOLUTION NO. 121

Whereas, The price of petroleum products has been unpredictable. Between December 2006 and the end of February 2007, the price of crude oil fluctuated between 62 dollars a barrel and 50 dollars several times. Currently, the world crude oil price exceeds 66 dollars a barrel. Recently, oil futures leapt above 72 dollars a barrel on the New York Mercantile Exchange due to shrinking gasoline supplies and international tensions. Increased refinery capacity would buffer the United States from some of the more volatile price swings that occur during periods of global conflict and which are often outside of our national control; and

Whereas, There has not been a new oil refinery built in the United States in nearly 30 years. Yet, in the intervening years, the total energy demand in the United States has grown by about 40 percent. According to the United States Energy Information Administration, the projected petroleum demand between 2003 and 2025 will increase by 30 percent. We must plan for our future energy needs by incorporating new petroleum refineries into the overall energy policy of the United States; and

Whereas, Recent major investments in the Marathon Refinery located in the city of Detroit, Michigan's only refinery, will increase the output by about 28 percent, from 74,000 barrels per day to over 102,000 barrels per day. Marathon's investment of $300 million was made possible through the collaborative efforts of Marathon, the city of Detroit, and the state of Michigan. Marathon's commitment to Michigan and its collaboration with the city and state to create a renaissance zone encompassing the refinery illustrates the type of creative solutions that can be used to promote increased capacity or the construction of new refineries; and

Whereas, Constructing new refineries or expanding current facilities would also create new jobs and increase gasoline, fuels, and distillate output—all vital components of strengthening our economy, Michigan is well placed to locate a new refinery due to our proximity with Canada, this country's largest source of imported petroleum. Moreover, Michigan's highly skilled labor force could adapt to employment in the refinery industry; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to establish a national energy policy that promotes the expansion of existing or construction of new petroleum refineries in the United States; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, the United States Environmental Protection Agency, the United States Department of Energy, the American Petroleum Institute, and the American Petroleum Industries of Michigan.

POM–157. A resolution adopted by the Senate of the State of Louisiana urging Congress to pass the Non-Market Economy Trade Remedy Act of 2007; to the Committee on Finance.

SENATE RESOLUTION NO. 119

Whereas, H.R. 1229, the ''Non-Market Economy Trade Remedy Act of 2007,'' will ensure that the United States countervailing duty law applies to imports from non-market economies; and

Whereas, the purpose of the countervailing duty law is to offset any unfair competitive advantage that foreign manufacturers or exporters have as a result of subsidies; and

Whereas, manufacturing is a vital part of the American economy; and

Whereas, each American manufacturing job results in the creation of approximately four additional jobs; and

Whereas, since 1997, Louisiana has lost over thirty-nine thousand manufacturing jobs due to unfair trade practices; and

Whereas, Louisiana's coastal area is home to some of the nation's premiere commercial fisheries, accounting for 30% of the commercial fisheries production of the lower 48 states; and

Whereas, the Louisiana seafood industry provides an annual economic impact of approximately two billion eight hundred million dollars and over thirty-one thousand jobs; and

Whereas, the Louisiana seafood industry has lost over eleven thousand jobs and millions of dollars due to illegally subsidized seafood imports and dumping from foreign nations; and

Whereas, industries that once were the pride of their communities and employed generations of the same family have been shut down resulting from jobs being shifted to foreign nations where labor is cheap and environmental standards are not enforced; and

Whereas, billions of dollars in wages and millions of jobs are expected to move from the United States to low-cost nations by 2015; and

Whereas, H.R. 1229, the ''Non-Market Economy Trade Remedy Act of 2007,'' is being considered in Congress to correct the long-standing inequity of trade law, and requires the Department of Commerce to take action in countervailing duty cases in support of American businesses:

Now therefore, be it Resolved, that the Senate of the Legislature of Louisiana memorializes the Congress of the United States to vote in favor of H.R. 1229, the ''Non-Market Economy Trade Remedy Act of 2007.'' and; *be it further Resolved*, that a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–158. A resolution adopted by the House of Representatives of the State of Michigan urging Congress to oppose the South Korea Free Trade Agreement; to the Committee on Finance.

HOUSE RESOLUTION NO. 101

Whereas, the Bush Administration has negotiated a new free trade agreement with South Korea that fails to protect worker rights and will jeopardize tens of thousands of automotive jobs in the United States; and

Whereas, this flawed agreement is the largest since the North American Free Trade Agreement (NAFTA), and it contains no enforceable protections for workers' rights and will undermine the ability of the government to protect food safety, the environment, and public health; and

Whereas, this agreement will exacerbate and accelerate the loss of good jobs in the United States manufacturing sector, especially in automobiles, apparel, and electronics. The United States already has a massive trade deficit with South Korea, with a large portion of that deficit in automobiles and automobile parts; and

Whereas, the agreement will jeopardize thousands of automobile jobs because it opens the United States automobile market further while failing to address the barriers to the sale of United States automobiles in South Korea; and

Whereas, the United States Trade Representative rejected a very sensible proposal put forward by a bipartisan group of members of Congress to tie any opening of the United States automobile market to concrete benchmarks in United States sales in Korea. Until such benchmarks are set, we do not have confidence that the South Korea Free Trade Agreement is in the best interests of the United States: Now, therefore, be it

Resolved by the Senate, That we urge the United States Congress to oppose the South Korea Free Trade Agreement; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–159. A concurrent resolution adopted by the Legislature of the State of Utah urging Congress to pass legislation to resolve federal identity theft and fraud issues; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 1

Whereas, identity theft and fraud includes the theft of a person's Social Security number for the purpose of obtaining employment, avoiding child support payments, or for other personal gain;

Whereas, contributing to the problems are companies that do not have the tools or resources necessary to adequately verify whether or not a Social Security number is fraudulent and companies that are notified of fraudulent Social Security numbers of employees but take no corrective action; and

Whereas, identity theft and fraud are national problems that must be addressed with additional countermeasure: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, urge the United States Congress to support, work to pass, and vote for legislation that prevents the misuse of a person's Social Security number, whether by an individual or a company. Be it further

Resolved, That the Legislature and Governor urge that the legislation include increased and effective verification requirements by companies, accompanied by the tools and resources necessary to adequately verify whether or not a Social Security number is fraudulent, and increased penalties for individuals who intentionally use fraudulent Social Security numbers to obtain employment, avoid child support obligations, or for other personal gain. Be it further

Resolved, That the Legislature and the Governor urge that the legislation include increased penalties for companies who repeatedly report wages on employees with fraudulent Social Security numbers. Be it further

Resolved, That copies of this resolution be sent to the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the Social Security Administration, the Utah Department of Workforce Services, and to the members of Utah's congressional delegation.

POM–160. A joint resolution adopted by the Legislature of the State of Utah urging Congress to pass the Children's Health Insurance Program; to the Committee on Finance.

SENATE JOINT RESOLUTION NO. 3

Whereas, the health of Utah's children is of paramount importance to Utah's families;

Whereas, poor child health is a threat to the educational achievement, social, and psychological well-being of Utah's children;

Whereas, protecting the health of our children is essential to the well-being of our youngest citizens and the quality of life in our state;

Whereas, the Utah's Children's Health Insurance Program (CHIP), which has enrolled 112,119 uninsured children since its inception in 1998, is an integral part of the arrangements for health benefits for the children of Utah;

Whereas, Utah's CHIP is of great value in preserving child wellness, preventing and treating childhood disease, improving health outcomes, and reducing overall health costs; and

Whereas, the federal funding available for Utah's CHIP is indispensable to providing health benefits for children of modest means: Now, therefore, be it

Resolved, That the Legislature of the state of Utah urges the state's congressional delegation to work with the United States Congress to reauthorize the Children's Health Insurance Program (CHIP) in a timely manner to ensure federal funding for CHIP in Utah. Be it further

Resolved, That the Legislature urges the Governor to work with Utah's congressional delegation to ensure that CHIP is reauthorized in a timely manner. Be it further

Resolved, That the Legislature urges all components of state government to work together with educators, health care providers, social workers, and parents to ensure that all available public and private assistance for providing health benefits to uninsured children in Utah be used to the maximum extent possible. Be it further

Resolved, That the Legislature urges the Governor to ensure that children who qualify for Medicaid or Utah's CHIP are identified and enrolled. Be it further

Resolved, That copies of this resolution be sent to Governor Huntsman, the Utah Department of Health, the United States Department of Health and Human Services, and to the members of Utah's congressional delegation.

POM–161. A concurrent resolution adopted by the Legislature of the State of Utah urging support for Taiwan's participation in the World Health Organization; to the Committee on Foreign Relations.

SENATE CONCURRENT RESOLUTION NO. 4

Whereas, the World Health Organization's (WHO) Constitution states that ''The objective of the World Health Organization shall be the attainment by all peoples of the highest possible level of health'';

Whereas, this position demonstrates that the WHO is obligated to reach all peoples throughout the world, regardless of state or national boundaries;

Whereas, the WHO Constitution permits a wide variety of entities, including nonmember states, international organizations, national organizations, and nongovernmental organizations, to participate in the activities of the WHO;

Whereas, five entities, for example, have acquired the status of observer of the World Health Assembly (WHA) and are routinely invited to its assemblies;

Whereas, both the WHO Constitution and the International Covenant of Economic, Social, and Cultural Rights declare that health is an essential element of human rights and that no signatory shall impede on the health rights of others;

Whereas, Taiwan seeks to be invited to participate in the work of the WHA simply as an observer, instead of as a full member, in order to allow the work of the WHO to proceed without creating political frictions and to demonstrate Taiwan's willingness to put aside political controversies for the common good of global health;

Whereas, this request is fundamentally based on professional health grounds and has nothing to do with the political issues of sovereignty and statehood;

Whereas, Taiwan currently participates as a full member in organizations like the World Trade Organization, Asia-Pacific Economic Cooperation, and several other international organizations that count the People's Republic of China among their membership;

Whereas, Taiwan has become an asset to all these institutions because of a flexible interpretation of the terms of membership;

Whereas, closing the gap between the WHO and Taiwan is an urgent global health imperative;

Whereas, the health administration of Taiwan is the only competent body possessing and managing all the information on any outbreak in Taiwan of epidemics that could potentially threaten global health;

Whereas, excluding Taiwan from the WHO's Global Outbreak Alert and Response, Network, for example, is dangerous and self defeating from a professional perspective;

Whereas, good health is a basic right for every citizen of the world and access to the highest standard of health information and services is necessary to help guarantee this right;

Whereas, direct and unobstructed participation in international health cooperation forums and programs is therefore crucial, especially with today's greater potential for the cross-border spread of various infectious diseases through increased trade and travel;

Whereas, the WHO sets forth in the first chapter of its charter the objectives of attaining the highest possible level of health for all people;

Whereas, Taiwan's population of 23 million people is larger than that of three quarters of the member states already in the WHO and shares the noble goals of the organization;

Whereas, Taiwan's achievements in the field of health are substantial, including one of the highest life expectancy levels in Asia, maternal and infant mortality rates comparable to those in western countries, the eradication of such infectious diseases as cholera, smallpox, and the plague, and the first country in the world to provide children with free hepatitis B vaccinations;

Whereas, Taiwan is not allowed to participate in any WHO-organized forums and workshops concerning the latest technologies in the diagnosis, monitoring, and control of diseases;

Whereas, in recent years, both the Taiwanese Government and individual Taiwanese experts have expressed a willingness to assist financially or technically in WHO-supported international aid and health activities, but have ultimately been unable to render assistance;

Whereas, the WHO does allow observers to participate in the activities of the organization; and

Whereas, in light of all the benefits that participation could bring to the state of health of people not only in Taiwan, but also regionally and globally, it seems appropriate, if not imperative, for Taiwan to be involved with the WHO: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, urges the Bush Administration to support Taiwan and its 23 million people in obtaining appropriate and meaningful participation in the World Health Organization. Be it further resolved that the Legislature and the Governor urges that United States' policy should include the pursuit of some initiative in the World Health Organization which would give Taiwan meaningful participation in a manner that is consistent with the organization's requirements. Be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the United States Secretary of State, the Secretary of Health and Human Services, the majority leader of the United States Senate, the Speaker of the United States House of Representatives, the members of Utah's congressional delegation, the Government of Taiwan, and the World Health Organization.

POM–162. A resolution adopted by the Senate of the State of Louisiana commending

Congress for passing the Federal Minimum Wage Act of 2007; to the Committee on Health, Education, Labor, and Pensions.

SENATE RESOLUTION NO. 61

Whereas, the United States Congress passed the Fair Minimum Wage Act of 2007 (Minimum Wage Act) by an overwhelming vote by both Republicans and Democrats; and

Whereas, the President of the United States signed the Minimum Wage Act into law on May 27, 2007, as part of the U.S. Troop Readiness Veterans Care, Katrina Recovery and Iraq Accountability Appropriations Act; and

Whereas, the new law amends the Fair Labor Standards Act of 1938 and gradually raises the federal minimum wage from $5.15 per hour to $7.25 per hour over a two year period; and

Whereas, the Minimum Wage Act was a component of the new Democratic majority's 100–Hour Plan in the United States House of Representatives; and

Whereas, as part of the new law, $4.8 billion worth of tax breaks are going to be given to small businesses over a ten year period to offset the wage increase; and

Whereas, the Minimum Wage Act is the first national minimum wage increase in over a decade and provides a wage boost for 12.5 million workers nationwide. Now, therefore, be it

Resolved, That the Senate of the Legislature of Louisiana does hereby commend President George W. Bush and the Congress of the United States for passing the Federal Minimum Wage Act of 2007. Be it further

Resolved, That a copy of this Resolution be transmitted to the President of the United States, the secretary of the United States Senate, and the clerk of the United States House of Representatives.

POM–163. A resolution adopted by the House of Representatives of the State of Pennsylvania urging Congress to enact improvements to the No Child Left Behind Act of 2001; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 345

Whereas NCLB, reauthorizing the Elementary and Secondary Education Act (ESEA), was signed into law on January 8, 2002; and

Whereas, NCLB significantly increased the Federal Government's role in elementary and secondary education; and

Whereas, NCLB represented the most sweeping changes in Federal education policy in 30 years; and

Whereas, the House of Representatives of the Commonwealth of Pennsylvania supports the goals of raising student achievement, closing achievement gaps and ensuring that each child has a qualified teacher; and

Whereas, NCLB, while establishing a rigorous standard for our nation's public schools and a model for assessing school achievement, has produced unintended consequences; and

Whereas, school districts in the Commonwealth of Pennsylvania have incurred additional costs under NCLB for staff development, certification requirements, testing, data collection, public school choice-related transportation, supplemental education services and other school improvement programs; and

Whereas, NCLB has resulted in overreliance on standardized testing to the exclusion of other recognized indicators of student achievement; and

Whereas, NCLB mandates have prevented teachers and paraprofessionals from delivering a comprehensive curriculum; and

Whereas, the present adequate yearly progress (AYP) structure under NCLB is flawed, resulting in a high AYP failure rate; and

Whereas, smaller class sizes and community/parent involvement are proven methods of increasing student achievement; and

Whereas, the Commonwealth of Pennsylvania's certification process requires individuals to meet high standards and complete a rigorous, thorough course of study; and

Whereas, federal funding for NCLB Title I (Improving the Academic Achievement of the Disadvantaged) between 2002 and 2005 fell $21.4 billion short of statutorily authorized levels. Therefore be it

Resolved, That the House of Representatives of the commonwealth of Pennsylvania urge the Congress to enact NCLB improvements including:

State-level development of a research-based school accountability formula incorporating district-level assessments, school-level assessments, performance or portfolio assessments, high school graduation rates and percentage of students participating in dual enrollment or honors, Advanced Placement or International Baccalaureate courses.

(2) Support systems instead of sanctions: increased Federal funding for enhanced Federal and State technical assistance and Federal and State improvement plan assistance.

(3) Differentiated outcomes for schools, with targeted improvement plans for specific subgroups of students.

(4) Transparent growth models, at the State level, with data used exclusively for instructional, curricular and professional development purposes.

(5) Valid, reliable assessments for each child that accurately and fairly reflect student, school and school district performance.

(6) Flexibility relating to test scores of students with disabilities and English Language Learner students: allowing IEP teams to determine appropriate assessment and standards for each child, removing the 1% and 2% limits for alternative assessments and extending to three years the AYP inclusion of test scores of English Language Learner students for whom native language assessments in required core content subjects are not available.

(7) Restoration of the Class Size Reduction program in place prior to NCLB, whose goals were to provide an optimum class size of 15 students and to foster parent and community involvement by funding initiatives such as adult and family literacy, parenting classes and community engagement programs.

(8) Defining ''highly qualified teacher'' as any educator who is teaching in his or her assigned area of certification and who has met the licensure/certification requirements set forth in his or her respective state.

(9) Full funding of all NCLB programs at authorized levels; and be it further

Resolved, That copies of this resolution be transmitted to the Secretary of Education, to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM–164. A resolution adopted by the House of Representatives of the State of Utah urging Congress to suspend or repeal the REAL ID Act; to the Committee on Homeland Security and Governmental Affairs.

HOUSE RESOLUTION NO. 2

Whereas the implementation of the REAL ID Act intrudes upon the states' sovereign power to determine their own policies for identification, licensure, and credentialing of individuals residing therein;

Whereas one page of the 428 page 9/11 Commission report that did not give consideration to identification issues, prompted Congress to pass the legislation which created the REAL ID Act, ignoring states' sovereignty and their right to self-governance;

Whereas the REAL ID Act converts the state driver licensing function into federal law enforcement and national security functions that are outside the purpose and core competency of driver licensing bureaus;

Whereas the REAL ID Act constitutes an unfunded mandate by the federal government to the states;

Whereas the REAL ID Act requires states to confirm their processes of issuing driver licenses and identification cards to federal standards by May 2008;

Whereas the National Governor's Association, National Conference of State Legislatures, and American Association of Motor Vehicle Administrators predict state compliance with the REAL ID Act provisions will require all of the estimated 245 million current driver license and identification card holders in the United States to renew their current identity documents in person by producing three or four identity documents, thereby increasing processing time and doubling wait time at licensing centers;

Whereas identification-based security provides only limited security benefits because it can be avoided by defrauding or corrupting card issuers and because it gives no protection against people not already known to be planning or committing wrongful acts;

Whereas the REAL ID Act will cost the states over $11 billion to implement according to a recent survey of 47 state licensing authorities conducted by the National Governor's Association, the National Conference of State Legislatures, and the American Association of Motor Vehicle Administrators;

Whereas the use of identification-based security cannot be justified as part of a ''layered'' security system if the costs of the identification ''layer''—in dollars, lost privacy, and lost liberty—are greater than the security identification provides;

Whereas the ''common machine-readable technology'' required by the REAL ID Act would convert state-issued driver licenses and identification cards into tracking devices, allowing computers to note and record people's whereabouts each time they are identified;

Whereas a more secure and flexible system of verifying identity may be achieved by less intrusive means to the individual and to states by employing the free market and private sector ingenuity;

Whereas the requirement that states maintain databases of information about their citizens and residents and then share this personal information with all other states will expose every state to the information security weaknesses of every other state and threaten the privacy of every American;

Whereas the REAL ID Act wrongly coerces states into doing the federal government's bidding by threatening to refuse noncomplying states' citizens the privileges and immunities enjoyed by other states' citizens;

Whereas the REAL ID Act threatens the privacy and liberty of those individuals belonging to unpopular or minority groups, including racial and cultural organizations, firearm owners and collectors, faith-based and religious affiliates, political parties, and social movements;

Whereas Congress passed the REAL ID Act without a single hearing in either house and without an up-or-down vote in either house;

Whereas the REAL ID Act thus imposes a national identification system through the states, premised upon the threat to national security, but without the benefit of public debate and discourse; and

Whereas the REAL ID Act is determined by the Utah State House of Representatives to be in opposition to the Jeffersonian principles of individual liberty, free markets,

and limited government: Now, therefore, be it

Resolved, That the Utah House of Representatives urges the United States Congress and the United States Department of Homeland Security to suspend implementation of the REAL ID Act; and be it further

Resolved, That the REAL ID Act should be repealed outright by the United States Congress to avoid the significant problems it currently poses to state sovereignty, individual liberty, and limited government; and be it further

Resolved, That a copy of this resolution be sent to the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and the members of Utah's congressional delegation.

POM–165. A joint resolution adopted by the Legislature of the State of Tennessee opposing the implementation of the REAL 10 Act of 2005; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 248

Whereas the State of Tennessee recognizes the Constitution of the United States as our charter of liberty and the Bill of Rights as affirming the fundamental and inalienable rights of Americans, including freedom of privacy and freedom from unreasonable searches; and

Whereas the people of Tennessee recognize that the Constitution of the State of Tennessee affords even greater privacy rights for her citizens than those provided by the Constitution of the United States; and

Whereas Tennessee has a diverse population whose contributions are vital to the state's economy, culture and civic character; and

Whereas Tennessee is proud of her tradition of protecting the civil rights and liberties of all her residents, affirming the fundamental rights of all people, and providing more expansive protections than are granted by the Constitution of the United States; and

Whereas the federal REAL 1D Act of 2005, Public Law 109–12, creates a national identification card by mandating federal standards for state driver's licenses and identification cards and requires states to share their motor vehicle databases; and

Whereas the REAL ID Act mandates the documents that states must require to issue driver's licenses and requires states to place uniform information on every driver's license in a standard, machine-readable format; and

Whereas the REAL ID Act prohibits federal agencies and federally regulated commercial aircraft from accepting a driver's license or identification card issued by a state that has not fully complied with the act; and

Whereas the REAL ID Act places a costly, unfunded mandate on states, with initial estimates for Tennessee of more than one hundred million dollars, plus the additional burden of millions of taxpayers' dollars in ongoing annual expenses, and a national estimate of more than eleven billion dollars over the five years following its implementation; and

Whereas the REAL ID Act requires the creation of a massive public sector database containing information on every American that is accessible to all motor vehicle employees and law enforcement officers nationwide and that can be used to gather and manage information on citizens. Such activities are not the business or responsibility of government; and

Whereas the REAL ID Act enables the creation of additional massive private sector databases, combining both transactional information and driver's license information gained from scanning the machine-readable information contained on every driver's license; and

Whereas these public and private databases are likely to contain numerous errors and false information, creating significant hardship for Americans attempting to verify their identities in order to travel on commercial aircraft, open a bank account, or perform any of the numerous functions required to live in the United States today; and

Whereas the Federal Trade Commission estimates that ten million Americans are victims of identify theft annually, and because identity thieves are increasingly targeting motor vehicle departments, the REAL ID Act will enable the crime of identity theft by making the personal information of all Americans, including date of birth and signature, accessible from tens of thousands of locations; and

Whereas the REAL ID Act requires a driver's license to contain a person's actual home address and makes no exception for individuals in potential danger, such as undercover law enforcement personnel or victims of stalking or criminal harassment; and

Whereas the REAL ID Act contains onerous record verification and retention provisions that place unreasonable burdens on state motor vehicle divisions and on third parties required to verify records; and

Whereas the REAL ID Act will place enormous burdens on citizens seeking new driver's licenses, such as longer lines, increased document requests, higher costs, and a waiting period; and

Whereas the REAL ID Act will place state motor vehicle staff on the front lines of immigration enforcement by forcing state employees to determine federal citizenship and immigration status, excessively burdening both foreign-born applicants and motor vehicle staff; and

Whereas the REAL ID Act passed without sufficient deliberation by Congress and did not receive a hearing by any congressional committee or a vote solely on its own merits, despite opposition from more than six hundred organizations; and

Whereas the REAL ID Act eliminated a process of negotiated rulemaking initiated under the Intelligence Reform and Terrorism Prevention Act of 2004, which had convened federal, state and local policymakers, privacy advocates, and industry experts to solve the problem of the misuse of identity documents; and

Whereas the REAL ID Act provides little security benefit and leaves identification systems open to insider fraud, counterfeit documentation, and database failures; Now, therefore, be it

Resolved, By the Senate of the one hundred fifth General Assembly of the State of Tennessee, the House of Representatives concurring, that we support the government of the United States in its campaign to secure our country, while affirming the commitment that this campaign not be waged at the expense of the essential rights and liberties of the citizens of this country, nor by placing the added burden of a costly mandate upon the taxpayers of each state; and be it further

Resolved, That it is the policy of the State of Tennessee to oppose any portion of the REAL ID Act that violates the rights and liberties guaranteed under the constitutions of the State of Tennessee and the United States, including the Declaration of Rights and the Bill of Rights; and be it further

Resolved, That the Tennessee General Assembly urges the Tennessee congressional delegation to support measures to repeal the REAL ID Act; and be it further

Resolved, That there be no implementation of the REAL ID Act of 2005, unless and until funding for the additional cost associated with same is furnished by the United States government; and be it further

Resolved, That the Chief Clerk of the Senate be hereby authorized and directed to forward a certified copy of this resolution to the President of the United States, George W. Bush, the United States Attorney General, Alberto Gonzales, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Tennessee in the Congress of the United States.

POM–166. A resolution adopted by the House of Representatives of the State of Michigan urging the approval of the placement of a statue of President Gerald R. Ford in the United States Capitol; to the Committee on Rules and Administration.

HOUSE RESOLUTION NO. 148

Whereas each state is permitted to have two statues of prominent citizens on display in our nation's capitol as part of the National Statuary Hall Collection, which was created by federal law in 1864. This collection is a strong reminder of the heritage we share and the exceptional men and women who have helped shape our nation. Michigan's two statues are of Lewis Cass and Zachariah Chandler, leaders who played pivotal roles in the history of our state and nation; and

Whereas the federal law governing the National Statuary Hall Collection also provides a procedure for states to replace an existing statue with a new one. This reflects the continuing growth and development of our country. With the recent passing of Gerald R. Ford, Michigan's only president and a man who devoted his entire life to the service of our state and nation, the people of Michigan wish to acknowledge this native son and commence the process of placing a statue of him in the National Statuary Hall Collection; and

Whereas under the established guidelines, the legislature must adopt a resolution to express formally its support for the statue of the person to be honored and to request the Joint Committee on the Library of Congress to approve the placement of the statue. The governor must also express support; and

Whereas under the procedures that govern the replacement of a statue in the collection, the resolution requesting the Joint Committee on the Library of Congress must identify the entity that will select the sculptor and pay for all aspects of the process; and

Whereas relocating the statue of Zachariah Chandler to Michigan would allow many more Michigan citizens, including young people, to learn more of the life of this exceptional man and his contributions to our state; and

Whereas Gerald Ford's life of honesty, integrity, and service constitutes one of Michigan's most important contributions to our nation. As a veteran of World War II and Grand Rapids congressman for a quarter century, Gerald Ford, a man of abiding principle and a strong sense of duty, came to the highest office in our land under most difficult circumstances. As the 38th president, Gerald Ford took the oath of office as our country faced a crisis in confidence. Acting with little regard for political expediency, President Ford helped the country heal through his own honesty and trustworthiness. These qualities, long known by the people of Grand Rapids and his colleagues in Congress, left a legacy that stands strong; and

Whereas the Gerald R. Ford Foundation is committed to the effort to add an image of President Ford to the National Statuary Hall Collection. The Gerald R. Ford Foundation has agreed to serve as the body selecting a sculptor and to fund all of the costs associated with the placement of the new statue and the relocation of the statue of Zachariah Chandler to Michigan; Now, therefore, be it

Resolved by the House of Representatives, That we request the Joint Committee on the Library of Congress to approve the placement of a statue of President Gerald R. Ford as part of the National Statuary Hall Collection in the United States Capitol and to authorize the removal of the statue of Zachariah Chandler and its relocation to Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the Joint Committee on the Library of Congress, the members of the Michigan congressional delegation, the Office of the Governor, and the Gerald R. Ford Foundation.

POM–167. A resolution adopted by the House of Representatives of the State of Michigan urging Congress to enact legislation to improve the health programs available to veterans; to the Committee on Veterans' Affairs.

HOUSE RESOLUTION NO. 53

Whereas, providing medical care for the men and women who risk their lives in defense of our nation is a most important responsibility. While this is always true, the significance of this task should be eminently clear as our armed forces are engaged in battle; and

Whereas, funding for the Department of Veterans Affairs is determined each year by the Congress as part of discretionary spending. This budget is seriously under funded each year. This chronic under funding has a direct impact on the level of services available to our injured veterans. Currently, nearly 90 percent of federal health care spending is carried out through direct, rather than discretionary funding; and

Whereas, the Department of Veterans Affairs has the nation's largest health care system, with more than 150 hospitals, hundreds of clinics, nursing homes, residential rehabilitation treatment programs, and specialized services to deal with the most horrific and widest range of injuries. Recent rises in demand for health care services have far outpaced spending; and

Whereas, the American people owe our returning veterans proper health care services to address the injuries they sustain in defense of our freedoms. Quality health care for those injured in service to the country should not be subject to the annual fluctuations of a budget process that is often held hostage to politics. Clearly, the care of our wounded must be a top priority; Now, therefore, be it

Resolved, By the House of Representatives, That we memorialize the Congress of the United States to enact legislation to increase funding for veterans health programs and to reform budget practices to assure that veterans health care needs are addressed by direct rather than discretionary funding; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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. ROBERTS (for himself and Mr. BROWNBACK):

S. 1772. A bill to designate the facility of the United States Postal Service located at 127 South Elm Street in Gardner, Kansas, as the ''Private First Class Shane R. Austin Post Office''; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SNOWE:

S. 1773. A bill to amend the Internal Revenue Code of 1986 to regulate payroll tax deposit agents; to the Committee on Finance.

By Mrs. BOXER:

S. 1774. A bill to designate the John Krebs Wilderness in the State of California, to add certain land to the Sequoia-Kings Canyon National Park Wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BURR (for himself and Mr. GREGG):

S. 1775. A bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that no child is left behind; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself and Mr. BROWN):

S. 1776. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish a user fee program to ensure food safety, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KENNEDY:

S. 1777. A bill to amend title II of the Public Health Service Act to restore the integrity to the office of the Surgeon General; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LAUTENBERG (for himself, Mr. SMITH, and Mr. LOTT):

S. 1778. A bill to authorize certain activities of the Maritime Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. TESTER (for himself and Mr. DORGAN):

S. 1779. A bill to establish a program for tribal colleges and universities within the Department of Health and Human Services and to amend the Native American Programs Act of 1974 to authorize the provision of grants and cooperative agreements to tribal colleges and universities, and for other purposes; to the Committee on Indian Affairs.

By Mr. ROCKEFELLER (for himself, Mr. STEVENS, Mr. PRYOR, and Mr. INOUYE):

S. 1780. A bill to require the FCC, in enforcing its regulations concerning the broadcast of indecent programming, to maintain a policy that a single word or image may be considered indecent; to the Committee on Commerce, Science, and Transportation.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 1781. A bill to designate the facility of the United States Postal Service located at 118 Minner Avenue in Bakersfield, California, as the ''Buck Owens Post Office''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FEINGOLD (for himself and Mr. DURBIN):

S. 1782. A bill to amend chapter 1 of title 9 of United States Code with respect to arbitration; to the Committee on the Judiciary.

By Mr. ENZI:

S. 1783. A bill to provide 10 steps to transform health care in America; to the Committee on Finance.

By Mr. KERRY (for himself, Ms. SNOWE, Ms. CANTWELL, and Ms. LANDRIEU):

S. 1784. A bill to amend the Small Business Act to improve programs for veterans, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. NELSON of Florida (for himself, Mrs. BOXER, Mr. LAUTENBERG, Mr. SANDERS, Mrs. FEINSTEIN, Mr. MENENDEZ, and Mr. CARDIN):

S. 1785. A bill to amend the Clean Air Act to establish deadlines by which the Administrator of the Environmental Protection Agency shall issue a decision on whether to grant certain waivers of preemption under that Act; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LAUTENBERG (for himself, Mr. CORNYN, Mr. HATCH, Mr. MENENDEZ, Mr. SPECTER, Mr. LEVIN, Mrs. CLINTON, Mr. OBAMA, Ms. MIKULSKI, Mr. DURBIN, Mr. BIDEN, Mrs. HUTCHISON, Mr. DODD, Mrs. BOXER, and Ms. LANDRIEU):

S. Res. 269. A resolution expressing the sense of the Senate that the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that a commemorative postage stamp be issued in honor of former United States Representative Barbara Jordan; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CONRAD (for himself and Mr. DORGAN):

S. Res. 270. A resolution honoring the 75th anniversary of the International Peace Garden; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 65

At the request of Mr. INHOFE, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 65, a bill to modify the age-60 standard for certain pilots and for other purposes.

S. 160

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 160, a bill to provide for compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River.

S. 185

At the request of Mr. SPECTER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 185, a bill to restore habeas corpus for those detained by the United States.

S. 309

At the request of Mr. SANDERS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 309, a bill to amend the Clean Air Act to reduce emissions of carbon dioxide, and for other purposes.

S. 456

At the request of Mrs. FEINSTEIN, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Virginia (Mr. WEBB) were added as cosponsors of S. 456, a bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent

criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, and for other purposes.

S. 479

At the request of Mr. HARKIN, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 479, a bill to reduce the incidence of suicide among veterans.

S. 551

At the request of Mr. ROBERTS, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 551, a bill to amend the Internal Revenue Code of 1986 to provide a credit to certain agriculture-related businesses for the cost of protecting certain chemicals.

S. 617

At the request of Mr. SMITH, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 617, a bill to make the National Parks and Federal Recreational Lands Pass available at a discount to certain veterans.

S. 625

At the request of Mr. KENNEDY, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 625, a bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products.

S. 635

At the request of Mr. BAUCUS, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 635, a bill to provide for a research program for remediation of closed methamphetamine production laboratories, and for other purposes.

S. 638

At the request of Mr. ROBERTS, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Tennessee (Mr. CORKER) were added as cosponsors of S. 638, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 727

At the request of Mr. COCHRAN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 727, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 771

At the request of Mr. HARKIN, the names of the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 771, a bill to amend the Child Nutrition Act of 1966 to improve the nutrition and health of schoolchildren by updating the definition of ''food of minimal nutritional value'' to conform to current nutrition science and to protect the Federal investment in the national school lunch and breakfast programs.

S. 819

At the request of Mr. DORGAN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 819, a bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes.

S. 836

At the request of Mr. LAUTENBERG, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. 836, a bill to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants.

S. 897

At the request of Ms. MIKULSKI, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 897, a bill to amend the Internal Revenue Code of 1986 to provide more help to Alzheimer's disease caregivers.

S. 898

At the request of Ms. MIKULSKI, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 898, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 903

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 903, a bill to award a Congressional Gold Medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 970

At the request of Mr. SMITH, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 970, a bill to impose sanctions on Iran and on other countries for assisting Iran in developing a nuclear program, and for other purposes.

S. 1183

At the request of Mr. HARKIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1183, a bill to enhance and further research into paralysis and to improve rehabilitation and the quality of life for persons living with paralysis and other physical disabilities, and for other purposes.

S. 1239

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1239, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2013, and for other purposes.

S. 1310

At the request of Mr. LOTT, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1310, a bill to amend title XVIII of the Social Security Act to provide for an extension of increased payments for ground ambulance services under the Medicare program.

S. 1353

At the request of Mr. WYDEN, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1353, a bill to nullify the determinations of the Copyright Royalty Judges with respect to webcasting, to modify the basis for making such a determination, and for other purposes.

S. 1359

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 1359, a bill to amend the Public Health Service Act to enhance public and health professional awareness and understanding of lupus and to strengthen the Nation's research efforts to identify the causes and cure of lupus.

S. 1385

At the request of Mr. NELSON of Florida, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 1385, a bill to designate the United States courthouse facility located at 301 North Miami Avenue, Miami, Florida, as the ''C. Clyde Atkins United States Courthouse''.

S. 1469

At the request of Mr. HARKIN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1469, a bill to require the closure of the Department of Defense detention facility at Guantanamo Bay, Cuba, and for other purposes.

S. 1529

At the request of Mr. HARKIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1529, a bill to amend the Food Stamp Act of 1977 to end benefit erosion, support working families with child care expenses, encourage retirement and education savings, and for other purposes.

S. 1606

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 1606, a bill to provide for the establishment of a comprehensive policy on the care and management of wounded warriors in order to facilitate and enhance their care, rehabilitation, physical evaluation, transition from care by the Department of Defense to care by the Department of Veterans Affairs, and transition from military service to civilian life, and for other purposes.

S. 1624

At the request of Mr. BAUCUS, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 1624, a bill to amend the Internal Revenue Code of 1986 to provide that the exception from the treatment of publicly traded partnerships as corporations for partnerships with passive-type income shall not apply to partnerships directly or indirectly deriving income from providing investment adviser and related asset management services.

S. 1742

At the request of Mr. THUNE, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1742, a bill to prevent the Federal Communications Commission from repromulgating the fairness doctrine.

S. 1748

At the request of Mr. COLEMAN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of

S. 1748, a bill to prevent the Federal Communications Commission from repromulgating the fairness doctrine.

S. RES. 82

At the request of Mr. HAGEL, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Res. 82, a resolution designating August 16, 2007 as ''National Airborne Day''.

S. RES. 224

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. Res. 224, a resolution expressing the sense of the Senate regarding the Israeli-Palestinian peace process.

AMENDMENT NO. 2019

At the request of Mr. LEVIN, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Virginia (Mr. WARNER), the Senator from Washington (Mrs. MURRAY), the Senator from South Carolina (Mr. GRAHAM), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Alabama (Mr. SESSIONS), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Maine (Ms. COLLINS), the Senator from West Virginia (Mr. BYRD), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Illinois (Mr. OBAMA), the Senator from North Carolina (Mrs. DOLE), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Texas (Mr. CORNYN), the Senator from Vermont (Mr. SANDERS), the Senator from South Dakota (Mr. THUNE), the Senator from Rhode Island (Mr. REED), the Senator from Florida (Mr. MARTINEZ), the Senator from Ohio (Mr. BROWN), the Senator from Florida (Mr. NELSON), the Senator from Montana (Mr. TESTER), the Senator from Nebraska (Mr. NELSON), the Senator from Indiana (Mr. BAYH), the Senator from New York (Mrs. CLINTON), the Senator from Arkansas (Mr. PRYOR), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Michigan (Ms. STABENOW), the Senator from Iowa (Mr. HARKIN), the Senator from Missouri (Mr. BOND), the Senator from Georgia (Mr. ISAKSON), the Senator from Colorado (Mr. SALAZAR), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Mississippi (Mr. LOTT), the Senator from Connecticut (Mr. DODD), and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of amendment No. 2019 proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Mr. COLEMAN, his name was added as a cosponsor of amendment No. 2019 proposed to H.R. 1585, supra.

At the request of Mr. INHOFE, his name was added as a cosponsor of amendment No. 2019 proposed to H.R. 1585, supra.

At the request of Ms. LANDRIEU, her name was added as a cosponsor of amendment No. 2019 proposed to H.R. 1585, supra.

At the request of Mr. SPECTER, his name was added as a cosponsor of amendment No. 2019 proposed to H.R. 1585, supra.

At the request of Mr. MENENDEZ, his name was added as a cosponsor of amendment No. 2019 proposed to H.R. 1585, supra.

AMENDMENT NO. 2022

At the request of Mr. LEAHY, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of amendment No. 2022 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2024

At the request of Mr. SESSIONS, the names of the Senator from Arizona (Mr. KYL), the Senator from North Carolina (Mrs. DOLE), the Senator from Oklahoma (Mr. INHOFE) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of amendment No. 2024 proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2027

At the request of Mr. PRYOR, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of amendment No. 2027 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2029

At the request of Mr. GREGG, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of amendment No. 2029 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2043

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of amendment No. 2043 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2046

At the request of Mrs. CLINTON, the names of the Senator from Montana (Mr. BAUCUS), the Senator from Maryland (Ms. MIKULSKI), the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Delaware (Mr. BIDEN) were added as cosponsors of amendment No. 2046 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2047

At the request of Mrs. CLINTON, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of amendment No. 2047 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2057

At the request of Mr. FEINGOLD, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Florida (Mr. NELSON) were added as cosponsors of amendment No. 2057 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2067

At the request of Mr. KENNEDY, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Pennsylvania (Mr. SPECTER), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Connecticut (Mr. DODD), the Senator from Maine (Ms. COLLINS), the Senator from Indiana (Mr. BAYH), the Senator from Colorado (Mr. SALAZAR), the Senator from Massachusetts (Mr. KERRY), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Illinois (Mr. OBAMA), the Senator from New York (Mrs. CLINTON), the Senator from Maine (Ms. SNOWE), the Senator from Washington (Mrs. MURRAY) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of amendment No. 2067 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2072

At the request of Mrs. LINCOLN, the name of the Senator from Arkansas

(Mr. PRYOR) was added as a cosponsor of amendment No. 2072 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2086

At the request of Mr. LIEBERMAN, his name was added as a cosponsor of amendment No. 2086 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2100

At the request of Mr. CORNYN, the names of the Senator from Oklahoma (Mr. COBURN) and the Senator from Missouri (Mr. BOND) were added as cosponsors of amendment No. 2100 proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2108

At the request of Mrs. CLINTON, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of amendment No. 2108 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2125

At the request of Mr. SALAZAR, his name was added as a cosponsor of amendment No. 2125 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Mr. DURBIN, his name was added as a cosponsor of amendment No. 2125 intended to be proposed to H.R. 1585, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE:

S. 1773. A bill to amend the Internal Revenue Code of 1986 to regulate payroll tax deposit agents; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise today to introduce the Small Business Payroll Protection Act of 2007. This crucial legislation will protect small businesses from payroll tax fraud and provide them with greater security when working with IRS registered payroll service providers.

By way of background, let me say that in the fall of 2003, small businessman Roger Cyr, owner of the Lily Moon Cafe in Saco, Maine, learned that he was the victim of payroll tax fraud and that he owed $52,000 in back taxes. He was one of a number of small business owners in Maine who were forced to pay their payroll taxes twice after an unscrupulous payroll provider ran off with their tax deposits instead of making the required payments to the Internal Revenue Service.

Unfortunately, this type of payroll fraud is not unique to my State of Maine, with instances of malfeasance occurring in Georgia, Texas, Utah, Iowa, Maryland, New York, and elsewhere throughout the U.S. It is unconscionable that these small business owners, are required to pay their payroll taxes twice. This additional and unexpected expense can drive these companies out of business.

But let me be clear, these egregious examples of payroll fraud hide the fact that most small businesses use payroll providers that are honest, meticulous, and trustworthy. The majority of payroll tax agents pay their clients' taxes accurately, and on time, providing outstanding service as they help their clients with a myriad of complicated tax and accounting issues. Consequently, the organizing principle behind the bill I introduce today is to safeguard small business owners from afew dishonest payroll providers, and to shield the honest payroll providers from the bad actors in their industry.

To that end, this legislation contains a number of provisions designed to guard small business owners against fraud. These provisions include increasing IRS oversight of payroll service providers, creating a separate section of the Internal Revenue code that will govern the payroll industry, defining the responsibilities of payroll tax deposit agents, and requiring all agents to register with the IRS or be penalized. The bill also penalizes payroll providers that collect, but fail to make, required tax payments by extending section 6672 penalties to all payroll tax agents. Additionally, payroll clients will also be informed of their continued liability for all of their payroll taxes as well as their obligation to periodically verify that their payroll taxes are paid in full.

Now, I recognize that the new regulations will be more costly for small payroll companies to implement than for large payroll companies. In order to keep client protections in place, while providing small payroll services providers with some reasonable flexibility, the bill offers a choice. Payroll providers can either obtain a surety bond, or comply with quarterly third-party certifications.

Surety bonds can be very difficult for many small businesses to obtain. Consequently, instead of bonding, many small payroll service providers prefer the targeted quarterly certification option, which ensures that payroll agents are depositing clients' tax funds completely and on time. Small payroll agents assert that the certification process actually provides their clients with greater fraud protection than a surety bond because the certification verifies the payroll agent's sound financial practices quarterly, while a surety boud only requires an annual audit.

As Ranking Member of the Senate Committee on Small Business and Entrepreneurship, I understand how critical it is to defend our small business owners from tax fraud. Enacting these provisions will help protect small companies in Maine, Utah, Georgia and in each of our states, from the very few dangerous payroll providers that would steal their clients' payroll taxes. At the same time, this bill recognizes that small payroll tax agents must be provided flexible and reasonable regulatory options that offer real protection to their clients. This legislation contains both strong safeguards and small business flexibility.

Mr. President, I urge my colleagues to help create a buffer for our small businesses from devious pay roll tax agents by increasing IRS oversight and protections as contained in this bill. I hope my colleagues will strongly support the Small Business Payroll Protection Act of 2007.

By Mr. BURR (for himself and Mr. GREGG):

S. 1775. A bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that no child is left behind; to the Committee on Health, Education, Labor, and Pensions.

Mr. BURR. Mr. President, I rise today to speak on the No Child Left Behind Act of 2007, which I am pleased to introduce with my colleague Senator GREGG of New Hampshire. It has been an honor for my office to work with Senator GREGG, one of the ''Big 4'' architects of the original No Child Left Behind legislation that passed Congress with overwhelmingly bipartisan support and that was signed into law by President Bush in January 2002.

The No Child Left Behind Act of 2007 is the first comprehensive reauthorization legislation to be introduced in either the Senate or the House of Representatives. I hope our introduction today will kick-start the legislative process and get the Senate and the House on the path to a swift reauthorization of NCLB, the most sweeping and important federal K–12 education legislation passed since the original Elementary and Secondary Education Act was passed in 1965.

If ever there were a Federal law that needed to be reauthorized on time, it is No Child Left Behind. As the headline to Ron Brownstein's article in yesterday's Los Angeles Times read: ''Don't leave this law behind: Progress is slow

under Bush's 2001 education reform, but No Child Left Behind is worth improving.'' To be sure there has been lots of gnashing of teeth and grimacing in the K–12 field since NCLB was passed. But as many of us in Congress and across the country recognized when NCLB was passed in 2001, the point of No Child Left Behind wasn't, in the words of Kati Haycock of the Education Trust, ''to make people happy.''

If we had wanted to make the adult stakeholders in K–12 happy, we could have done nothing and just kept the status quo. However, in 2001 this Congress and a number of dedicated individuals and groups across this Nation decided the status quo for our children was not acceptable and that the time had come to eradicate, as President Bush called it, the ''soft bigotry of low expectations.'' Together with strong bipartisanship, this Congress with the passage of No Child Left Behind stated to all the adult stakeholders that we can and will close the achievement gap and to all of America's children that, regardless of background, socio-economics, race, ethnicity, or disability, you can and will learn and you can and will achieve.

We must not turn away from what we began when we passed the original No Child Left Behind legislation. The stakes are too high both for our children and the Nation as a whole. In the ever competitive global economy, all our children, not just some and not just the lucky or the fortunate, must be equipped with the academic skills to succeed. We cannot afford to return to the status quo of days past. The time is now to reauthorize No Child Left Behind and to reassert to all of America's children that this Congress will not give up on them and will not stop this endeavor until the too-long-standing achievement gap is closed once and for all and until all children have the academic skills they need to succeed in both postsecondary education and the workforce.

The No Child Left Behind Act of 2007 that Senator GREGG and I are introducing today does not abandon the basic tenets of No Child Left Behind. To be sure there is still a great deal of work to do to reach our Nation's goal of having all children proficient in reading and math by 2013–2014. Nevertheless, we are seeing historic increases in student achievement. Since the passage of NCLB, the United States has witnessed a greater increase in student achievement in the last five years than in the 30 previous years combined, as well as a significant narrowing in the achievement gap between African-American and Hispanic students and their Caucasian peers. The No Child Left Behind Act of 2007 builds on the original cornerstone laid by Congress in 2001 of holding schools accountable for the academic achievement of all their students and of empowering parents to make better choices for their child's education.

In particular, the No Child Left Behind Act of 2007 preserves the foundational principles of NCLB. It maintains the goal that all children will reach grade-level proficiency in reading in math by 2013–2014; keeps in place annual testing in grades 3–8 and at the high school level; and keeps in place an accountability system rooted in State standards and State assessments. Further, our bill does not water down accountability with the addition of multiple measures; rather, it keeps a laser-like focus on grade-level achievement in math and reading.

While maintaining the fundamentals of NCLB, the No Child Left Behind Act of 2007 rightly responds to legitimate concerns parents, teachers, and principals, have raised regarding the original legislation. In response to concerns raised about impracticable accountability timeframes, the No Child Left Behind Act of 2007 streamlines the accountability timeline to make it easier for schools to develop and implement plans to improve student achievement and to focus on what matters most teaching and learning. Additionally, recognizing that schools and their needs vary, the No Child Left Behind Act of 2007 allows for differentiated interventions for schools in restructuring to allow districts and schools to target resources to students and schools most in need of assistance. Further, in response to calls for the use of a growth model to measure individual student progress and to positively recognize schools and educators who are making tremendous strides in improving the achievement of all children, the bill expands the Department's seven State growth model demonstration to all 50 States.

The No Child Left Behind Act of 2007 also responds to legitimate concerns regarding the special populations of limited English proficient, LEP, students and students with disabilities, by providing greater flexibility, focus, and resources to help schools educate these students to high standards. Notably, the bill grants new flexibility for LEP students who are new to the country and codifies in statute recent flexibility granted by the Department of Education for special education students, which permits the use of alternate academic achievement standards for students with the most significant cognitive disabilities and modified academic achievement standards for students who have disabilities that preclude them from achieving grade-level proficiency. Finally, the bill targets Federal assessment dollars to develop and administer valid and reliable assessments for special education and LEP students and targets professional development dollars to empower teachers with better tools and information for teaching LEP and special education children.

The No Child Left Behind Act of 2007 reasserts that high-quality teachers are the most important factor to improved student academic achievement. The bill authorizes programs to ensure that all students are taught by a highly qualified teacher and to ensure that low-income and minority students are not taught by unqualified and inexperienced teachers at higher rates than their more affluent peers. The No Child Left Behind Act of 2007 maintains the current definition of highly qualified teacher; emphasizes alternative certification, incentive, differential, and performance and merit pay; and has States and districts conduct needs assessments to determine which districts and schools have the most acute teacher quality and staffing needs in order to better target resources to those schools and districts. Further, the bill gives greater authority to local school districts to renegotiate restrictions in collective bargaining agreements that contribute to the least experienced and qualified teachers teaching in the schools with students most in need of a highly qualified teacher.

Finally, the No Child Left Behind Act of 2007 focuses on improving the Nation's high school graduation rate. Included in the legislation is the Graduate for a Better Future Act, which I introduced earlier this year in response to the high school dropout crisis in the United States. The high school graduation rate for the class of 2003 was only 70 percent nationwide. Thus, almost one-third of American students who enter high school in ninth grade drop out of school and never receive a high school diploma. Large disparities exist in the high school graduation rates among various subgroups of students. Although the high school graduation rate for white students was 78 percent in 2003, the rate for African American students was only 55 percent, and the rate for Hispanic students was only 53 percent.

To remain competitive in the world economy, it is critical for America's youth to graduate from high school and to have access to the postsecondary education needed to succeed in the 21st century job market. Funds under the Graduate for a Better Future Act will be used to create models of excellence for academically rigorous high schools to prepare all students for college and the 21st century workplace; to implement accelerated academic catch-up programs for students who enter high school behind; to implement an early warning system to quickly identify students at risk of dropping out of high school; to implement comprehensive college guidance programs; and to implement programs that offer students opportunities for job-shadowing, internships, and community service so that students are able to make the connection between what they are learning in school and how that applies and is used in the workplace.

Additionally, the No Child Left Behind Act of 2007 requires states to get serious and to get accurate in their calculation of graduation rates. The Nation's dropout crisis will not go away

by fudging on the numbers. The graduation rate in the No Child Left Behind Act of 2007 builds on the work of all 50 states through the National Governors Association, which has signed the Graduation Counts Compact, an effort started in 2005 to find a common method for calculating each state's high school graduation rate.

As I stated at the beginning of my remarks, continuing our endeavor begun in 2001, the time is now to reauthorize No Child Left Behind. For the future of our Nation, our children, we must not turn back. Once again let us stand together and State to the American public that we can and will close the achievement gap. And once again let us say to every child, regardless of background, you can achieve.

Mr. GREGG. Mr. President, since its implementation, the No Child Left Behind Act has been successful in narrowing the achievement gap and improving student performance. Since its passage, the U.S. has witnessed a greater increase in student achievement in the last 5 years than in the previous 30 years combined, as well as a significant narrowing in the achievement gap. Because of No Child Left Behind, parents are now empowered with information on the quality of their child's school and given the ability to improve their child's education through additional tutorial services.

No Child Left Behind has been tremendously successful in ensuring that all students have access to the same high academic standards. No longer can a school hide behind the averages of their higher performing students; now all students are given the same opportunities to reach academic proficiency. Today I am introducing the No Child Left Behind Act of 2007 with my colleague Mr. BURR. This bill builds upon the basic tenets of No Child Left Behind and rightly responds to the legitimate concerns of parents, teachers and principals. The No Child Left Behind Act of 2007 maintains the expectation that all students can reach or exceed proficiency when given the opportunity. Any rollback of accountability simply ignores the progress already being made and the belief that all students can reach proficiency when given the opportunity.

Recognizing that each school and its needs vary tremendously, the No Child Left Behind Act of 2007 allows for differentiated consequences to ensure that schools where a majority of students are not performing at grade-level are treated differently than schools where a small segment of the school population is not meeting State standards. Coupled with additional time before advancing into the next stage of Program Improvement, these new differentiated consequences will allow schools to target resources and interventions to the students who need the most assistance in reaching state-determined levels proficiency.

Under this bill, the Federal Government will continue to support States financially in their development, improvement, and administration of State academic assessments through the reauthorization of the Grants for State Assessments program. Additionally, because many States are still striving to improve their assessment systems to assess students with disabilities and limited English proficient students validly and reliably, the No Child Left Behind Act of 2007 creates a fund dedicated solely to the development and improvement of assessments for these students.

The No Child Left Behind Act of 2007 recognizes that high quality teachers are the most important factor to improved student academic achievement. The bill authorizes several programs to ensure that all students are taught by a highly-qualified teacher and to ensure that low-income students are not taught by unqualified and inexperienced teachers at higher rates than their more affluent peers. This bill authorizes the Teacher Incentive Fund, a program to encourage State and schools districts to expand performance-based compensation for teachers and principals in high-need schools who raise student achievement and close the achievement gap. The No Child Left Behind Act of 2007 also authorizes the Adjunct Teacher Corp, a program to encourage highly educated and trained professionals, particularly in the areas of math and science, to teach high school courses in their area of expertise.

One of the key cornerstones of No Child Left Behind, options for parents, is maintained and expanded in the No Child Left Behind Act of 2007. Notably, this bill makes supplemental services available at the same time as public school choice, expands the time period parents can enroll their children in tutorial services programs and makes it easier for supplemental service providers to readily access school facilities.

The No Child Left Behind Act of 2007 authorizes a new ''money follows the child'' program and provides financial assistance to districts that permit Title I dollars to follow the child to the public school of his or her choice. This child-centered program will infuse competition into the public school system, empower parents with new choices and encourage all public schools to improve the academic achievement of all students.

The combination of strengthening supplemental services and the new child-centered program will provide even greater resources for parents to ensure that the educational needs of their children are being met.

This bill maintains what we know is working, accountability, transparency and expanded options, without adding burdensome new requirements. By maintaining the fundamentals of No Child Left Behind, this bill combines maximum flexibility with differentiated consequences to ensure that all schools and students have the tools necessary to reach academic proficiency.

By Mr. DURBIN (for himself and Mr. BROWN):

S. 1776. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish a user fee program to ensure food safety, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. DURBIN. Mr. President, I rise today to introduce legislation to strengthen the ability of the Food and Drug Administration, FDA, to ensure the safety of food imported into the U.S.

The volume of food imports has increased significantly in recent years, from $45.6 billion in 2003 to $64 billion in 2006. According to the USDA, imported food accounts for 13 percent of the average American's diet, including 31 percent of fruits, juices, and nuts; 9.5 percent of red meat; and 78.6 percent of fish and shellfish.

This upward trend in imported food has been accompanied by an increasing number of health and safety incidents related to imported food products. In the past 6 months, we have seen what appears to be the intentional contamination of wheat gluten and rice protein concentrate with melamine, which is an industrial product that should never find its way into food products. In addition, we recently learned that a significant volume of imported fish products from China have been contaminated with chemicals and residues, including Malachine green and Nitrofuren. We have found imported Chinese toothpaste in the U.S. that was contaminated with diethylene glycol, which is a toxic component used in antifreeze.

Unfortunately, the FDA currently lacks the resources and authority to adequately determine the quality and safety of food imports, inspect an adequate volume of imported food, and rapidly detect and respond to incidents of contaminated imports. This legislation would take several steps to correct these problems.

First, the bill would impose a fee for the FDA's oversight of imported food products. These fees would generate revenues to be used for inspections of imported food and critical food safety research. The legislation directs the FDA to use some of this funding to perform cutting-edge research to develop testing technologies and methods that would quickly and accurately detect the presence of pervasive contaminants such as E. coli and listeria. The legislation would also establish a food importer certification program that would require foreign firms and governments to demonstrate that their food safety systems are equivalent to ours.

What has been made clear through the pet food recall and other outbreaks of foodborne illnesses is that the FDA is a severely underfunded and understaffed agency. Much of the responsibility for overseeing and inspecting the safety of imported food rests with the

FDA. However, due to fairly flat budgets and increasing responsibilities, the number of inspectors looking at these shipments has actually decreased from more than 3,000 inspectors in 2003 to the present level of around 2,700 inspectors.

The Centers for Disease Control, CDC, estimates that 76 million Americans become sick from foodborne illnesses each year. More than 300,000 are hospitalized and 5,000 die each year. Less than 1.5 percent of imported food is inspected by the FDA and the FDA lacks the resources and authorities to certify the standards of our trading partners. This situation presents an economic, public health, and bioterrorism risk to the U.S.

The FDA office that is responsible for regulating more than $60 billion of imported food, the Center for Food Safety and Nutrition, CFSAN, is also responsible for regulating $417 billion worth of domestic food and $59 billion in cosmetics. All of this activity is regulated by an office for which the President requested $467 million in fiscal year 2008. Only $312 million of that amount would be for inspectors. We clearly need to review FDA's funding to make sure that it has the resources necessary to safeguard the 80 percent of our food supply that it is responsible for regulating. For this reason, a group of my colleagues and I sent a letter earlier this year to the Agriculture Appropriations Subcommittee, which funds the FDA, asking for a significant increase in the level of funding for the FDA foods program.

But imports present a special challenge. It may cost more to ensure the safety of food produced in other countries, and the logistical challenges are greater. It is important that we supplement the FDA's budget with additional funding streams to make sure that it has the resources necessary to safeguard our food supply from contaminated imports.

Specifically this legislation would direct the FDA to collect a user fee on imported food products, for the administrative review, processing, and inspection costs borne by the FDA. The legislation would use that funding to bolster FDA's import inspection program, which currently inspects less than 1.5 percent of all imports. It would also fund critical research into rapid testing technologies for detecting foodborne pathogens.

Lastly, this bill would establish an imported food certification program. Today, any country and any company can export food products to the United States as long as they inform regulators of the shipment. No checks are performed to ensure that the producer has adequate sanitary standards. The FDA does not ensure that trading partners have equivalent regulatory systems or inspect overseas plants when problems arise.

When the FDA does want to investigate an outbreak, it can be delayed by uncooperative foreign governments. For example, during the pet food recall, U.S. regulators were delayed three weeks in their request for visas to inspect facilities.

This new program would mark a watershed change in the food import safety posture of the U.S. This bill says that if you want a slice of the lucrative U.S. market, you have to comply with the same common-sense standards that apply to U.S. food producers. You have to have equivalent food safety systems and processes in place to those of the U.S. You need to give U.S. regulators access to your facilities and records so they can check your safety record without unnecessary delay. In addition, U.S. regulators would have the power to revoke the certification of a company or country that fails to comply, and to detain products that fail to meet U.S. standards.

For too long, we have gone without a solid safety standard for imported foods. Instead, our regulators jump from alert to alert and recall to recall. This legislation would close these loopholes that allow dangerous imports into our country and put a solid, proactive system in place to protect our food supply.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1776

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the ''Imported Food Security Act of 2007''.

(b) FINDINGS.—Congress finds that—

(1) the safety and integrity of the United States food supply is vital to the public health, to public confidence in the food supply, and to the success of the food sector of the Nation's economy;

(2) illnesses and deaths of individuals and companion pets caused by contaminated food—

(A) have contributed to a loss of public confidence in food safety; and

(B) have caused significant economic loses to manufactures and producers not responsible for contaminated food items;

(3) the task of preserving the safety of the food supply of the United States faces tremendous pressures with regard to—

(A) emerging pathogens and other contaminants and the ability to detect all forms of contamination; and

(B) an increasing volume of imported food, without adequate monitoring and inspection;

(4) the United States is increasing the amount of food that it imports such that—

(A) from 2003 to the present, the value of food imports has increased from $45,600,000,000 to $64,000,000,000; and

(B) imported food accounts for 13 percent of the average Americans diet including 31 percent of fruits, juices, and nuts, 9.5 percent of red meat and 78.6 percent of fish and shellfish; and

(5) the number of full time equivalent Food and Drug Administration employees conducting inspections has decreased from 2003 to 2007.

SEC. 2. USER FEES REGARDING INSPECTIONS OF IMPORTED FOOD SAFETY.

Chapter VIII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381 et seq.) is amended by inserting after section 801 the following:

''USER FEES REGARDING FOOD SAFETY

''SEC. 801A. (a) IN GENERAL.—

''(1) ASSESSMENT.—Beginning in fiscal year 2008, the Secretary shall in accordance with this section assess and collect fees on food imported into the United States.

''(2) PURPOSE OF FEES.—

''(A) IN GENERAL.—The purpose of fees under paragraph (1) is to defray the costs of carrying out section 801 with respect to food. Costs referred to in the preceding sentence include increases in such costs for an additional number of full-time equivalent positions in the Department of Health and Human Services to be engaged in carrying out such section.

''(B) ALLOCATIONS BY SECRETARY.—Of the total fee revenues collected under paragraph (1) for a fiscal year, the Secretary shall reserve and expend amounts in accordance with the following:

''(i) The Secretary shall reserve not less than 50 percent for carrying out section 801 with respect to food, other than research under section 801(p). In expending the amount so reserved, the Secretary shall give first priority to inspections conducted at ports of entry into the United States and second priority to the implementation of the import certification program under section 805.

''(ii) The Secretary shall reserve not more than 50 percent for carrying out research under section 801(p).

''(3) AMOUNT OF FEE; COLLECTION.—A fee under paragraph (1) shall be assessed on each line item of food, as defined by the Secretary by regulation. The amount of the fee shall be based on the number of line items, and may not exceed $20 per line item, notwithstanding subsection (b). The liability for the fee constitutes a personal debt due to the United States, and such liability accrues on the date on which the Secretary approves the food under section 801(c)(1). The Secretary may coordinate with and seek the cooperation of other agencies of the Federal Government regarding the collection of such fees.

''(b) TOTAL FEE REVENUES.—The total fee revenues collected under subsection (a) for a fiscal year shall be the amount appropriated under subsection (f)(3).

''(c) ANNUAL FEE ADJUSTMENT.—Not later than 60 days after the end of each fiscal year beginning after fiscal year 2008, the Secretary, subject to not exceeding the maximum fee amount specified in subsection (a)(3), shall adjust the amounts that otherwise would under subsection (a) be assessed as fees during the fiscal year in which the adjustment occurs so that the total revenues collected in such fees for such fiscal year equal the amount applicable pursuant to subsection (b) for the fiscal year.

''(d) FEE WAIVER OR REDUCTION.—The Secretary shall grant a waiver from or a reduction of a fee assessed under subsection (a) where the Secretary finds that the fee to be paid will exceed the anticipated present and future costs incurred by the Secretary in carrying out section 801 with respect to food (which finding may be made by the Secretary using standard costs).

''(e) ASSESSMENT OF FEES.—

''(1) LIMITATION.—Fees may not be assessed under subsection (a) for a fiscal year beginning after fiscal year 2008 unless the amount appropriated for salaries and expenses of the Food and Drug Administration for such fiscal year is equal to or greater than the amount appropriated for salaries and expenses of the Food and Drug Administration

for fiscal year 2008 multiplied by the adjustment factor applicable to the fiscal year involved, except that in making determinations under this paragraph for the fiscal years involved there shall be excluded—

''(A) the amounts appropriated under subsection (f)(3) for the fiscal years involved; and

''(B) the amounts appropriated under section 736(g) for such fiscal years.

''(2) AUTHORITY.—If the Secretary does not assess fees under subsection (a) during any portion of a fiscal year because of paragraph (1) and if at a later date in such fiscal year the Secretary may assess such fees, the Secretary may assess and collect such fees, without any modification in the rate of the fees, at any time in such fiscal year notwithstanding the provisions of subsection (a)(3) relating to the time at which fees are to be paid.

''(f) CREDITING AND AVAILABILITY OF FEES.—

''(1) IN GENERAL.—Fees collected for a fiscal year pursuant to subsection (a) shall be credited to the appropriation account for salaries and expenses of the Food and Drug Administration and shall be available in accordance with appropriation Acts until expended without fiscal year limitation. Such sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account without fiscal year limitation to such appropriation account for salaries and expenses with such fiscal year limitation. The sums transferred shall be available solely for carrying out section 801 with respect to food, and the sums are subject to allocations under subsection (a)(2)(B).

''(2) COLLECTIONS AND APPROPRIATION ACTS.—The fees authorized in subsection (a)—

''(A) shall be collected in each fiscal year in accordance with subsections (a)(3) and (b); and

''(B) shall only be collected and available for the purpose specified in subsection (a)(2).

''(3) AUTHORIZATION OF APPROPRIATIONS; ALLOCATIONS BY SECRETARY.—Subject to paragraph (4), there is authorized to be appropriated for fees under this section such sums as may be necessary to carry out the purposes of this section for each of the fiscal years 2008 through 2012. Such appropriated funds may be in addition to any other funds appropriated for such purposes.

''(4) OFFSET.—Any amount of fees collected for a fiscal year under subsection (a) that exceeds the amount of fees specified in appropriation Acts for such fiscal year shall be credited to the appropriation account of the Food and Drug Administration as provided in paragraph (1), and shall be subtracted from the amount of fees that would otherwise be authorized to be collected under this section pursuant to appropriation Acts for a subsequent fiscal year.

''(g) COLLECTION OF UNPAID FEES.—In any case where the Secretary does not receive payment of a fee assessed under subsection (a) within 30 days after it is due, such fee shall be treated as a claim of the United States Government subject to subchapter II of chapter 37 of title 31, United States Code.

''(h) CONSTRUCTION.—This section may not be construed as requiring that the number of full-time equivalent positions in the Department of Health and Human Services, for officers, employees, and advisory committees not engaged in carrying out section 801 with respect to food be reduced to offset the number of officers, employees, and advisory committees so engaged.

''(i) DEFINITION OF ADJUSTMENT FACTOR.—For purposes of this section, the term 'adjustment factor' applicable to a fiscal year is the Consumer Price Index for all urban consumers (all items; United States city average) for April of the preceding fiscal year divided by such Index for April 2007.''.

SEC. 3. RESEARCH ON TESTING TECHNIQUES FOR FOOD SAFETY INSPECTIONS OF IMPORTED FOOD; PRIORITY REGARDING DETECTION OF INTENTIONAL ADULTERATION.

Section 801 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381) is amended by adding at the end the following:

''(p) RESEARCH ON TESTING TECHNIQUES FOR FOOD SAFETY INSPECTIONS OF IMPORTED FOOD.—

''(1) IN GENERAL.—The Secretary shall (directly or through grants or contracts) provide for research on the development of tests and sampling methodologies, for use in inspections of food under this section—

''(A) whose purpose is to determine whether food is adulterated by reason of being contaminated with microorganisms or pesticide chemicals or related residues; and

''(B) whose results are available not later than approximately 60 minutes after the administration of the tests.

''(2) PRIORITY.—In providing for research under paragraph (1), the Secretary shall give priority to conducting research on the development of tests that are suitable for inspections of food at ports of entry into the United States. In providing for research under paragraph (1), the Secretary shall under the preceding sentence give priority to conducting research on the development of tests for detecting the presence in food of the pathogens E. coli, salmonella, cyclospora, cryptosporidium, hepatitis A, or listeria, the presence in or on food of pesticide chemicals and related residues, and the presence in or on food of such other pathogens or substances as the Secretary determines to be appropriate. The Secretary shall establish the goal of developing, by the expiration of the 3-year period beginning on the date of the enactment of the Imported Food Security Act of 2007, tests under paragraph (1) for each of the pathogens and substances receiving priority under the preceding sentence.

''(3) PERIODIC REPORTS.—The Secretary shall submit to Congress periodic reports describing the progress that has been made toward the goal referred to in paragraph (1) and describing plans for future research toward the goal. Each of the reports shall provide an estimate by the Secretary of the amount of funds needed to meet such goal, and shall provide a determination by the Secretary of whether there is a need for further research under this subsection. The first such report shall be submitted not later than March 1, 2008, and subsequent reports shall be submitted semiannually after the submission of the first report until the goal is met.

''(4) CONSULTATION.—The Secretary shall carry out the program of research under paragraph (1) in consultation with the Director of the Centers for Disease Control and Prevention, the Director of the National Institutes of Health, and the Administrator of the Environmental Protection Agency. The Secretary shall with respect to such research coordinate the activities of the Department of Health and Human Services. The Secretary shall in addition consult with the Secretary of Agriculture (acting through the Food Safety and Inspection Service of the Department of Agriculture) in carrying out the program.

''(5) AWARDS TO PRIVATE ENTITIES.—Of the amounts reserved under section 801A(a)(2)(B)(ii) for a fiscal year for carrying out the program of research under paragraph (1), the Secretary shall make available not less than 50 percent for making awards of grants or contracts to private entities to conduct such research.''.

SEC. 4. CERTIFICATION OF FOOD IMPORTS.

(a) IN GENERAL.—Chapter VIII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381 et seq.) is amended by adding at the end the following:

''SEC. 805. CERTIFICATION OF FOOD IMPORTS.

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of this section, the Secretary shall establish a system under which a foreign government or foreign food establishment seeking to import food to the United States shall submit a request for certification to the Secretary.

''(b) CERTIFICATION STANDARD.—A foreign government or foreign food establishment requesting a certification to import food to the United States shall demonstrate, in a manner determined appropriate by the Secretary, that food produced under the supervision of a foreign government or by the foreign food establishment has met standards for food safety, inspection, labeling, and consumer protection that are at least equivalent to standards applicable to food produced in the United States.

''(c) CERTIFICATION APPROVAL.—

''(1) REQUEST BY FOREIGN GOVERNMENT.—Prior to granting the certification request of a foreign government, the Secretary shall review, audit, and certify the food safety program of a requesting foreign government (including all statutes, regulations, and inspection authority) as at least equivalent to the food safety program in the United States, as demonstrated by the foreign government.

''(2) REQUEST BY FOREIGN FOOD ESTABLISHMENT.—Prior to granting the certification request of a foreign food establishment, the Secretary shall certify, based on an onsite inspection, the food safety programs and procedures of a requesting foreign firm as at least equivalent to the food safety programs and procedures of the United States.

''(d) LIMITATION.—A foreign government or foreign firm approved by the Secretary to import food to the United States under this section shall be certified to export only the approved food products to the United States for a period not to exceed 5 years.

''(e) WITHDRAWAL OF CERTIFICATION.—The Secretary may withdraw certification of any food from a foreign government or foreign firm—

''(1) if such food is linked to an outbreak of human illness;

''(2) following an investigation by the Secretary that finds that the foreign government programs and procedures or foreign food establishment is no longer equivalent to the food safety programs and procedures in the United States; or

''(3) following a refusal to allow United States officials to conduct such audits and investigations as may be necessary to fulfill the requirements under this section.

''(f) RENEWAL OF CERTIFICATION.—The Secretary shall audit foreign governments and foreign food establishments at least every 5 years to ensure the continued compliance with the standards set forth in this section.

''(g) REQUIRED ROUTINE INSPECTION.—The Secretary shall routinely inspect food and food animals (via a physical examination) before it enters the United States to ensure that it is—

''(1) safe;

''(2) labeled as required for food produced in the United States; and

''(3) otherwise meets requirements under this Act.

''(h) ENFORCEMENT.—The Secretary is authorized to—

''(1) deny importation of food from any foreign government that does not permit United States officials to enter the foreign country to conduct such audits and inspections as may be necessary to fulfill the requirements under this section;

''(2) deny importation of food from any foreign government or foreign firm that does not consent to an investigation by the Secretary when food from that foreign country or foreign firm is linked to a food-borne illness outbreak or is otherwise found to be adulterated or mislabeled; and

''(3) promulgate rules and regulations to carry out the purposes of this section, including setting terms and conditions for the destruction of products that fail to meet the standards of this Act.

''(i) DETENTION AND SEIZURE.—Any food imported for consumption in the United States may be detained, seized, or condemned pursuant to section 304.

''(j) DEFINITION.—For purposes of this section, the term 'food establishment'—

''(1) means a slaughterhouse, factory, warehouse, or facility owned or operated by a person located in any State that processes food or a facility that holds, stores, or transports food or food ingredients; and

''(2) does not include a farm, restaurant, other retail food establishment, nonprofit food establishment in which food is prepared for or served directly to the consumer, or fishing vessel (other than a fishing vessel engaged in processing, as that term is defined in section 123.3 of title 21, Code of Federal Regulations).''.

(b) TRANSITIONAL PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services shall promulgate regulations to establish a transitional food safety import review program, with minimal disruption to commerce, that shall be in effect until the date of implementation of the food import certification program under section 805 of the Federal Food, Drug, and Cosmetic Act (as added by subsection (a)).

By Mr. TESTER (for himself and Mr. DORGAN):

S. 1779. A bill to establish a program for tribal colleges and universities within the Department of Health and Human Services and to amend the Native American Programs Act of 1974 to authorize the provision of grants and cooperative agreements to tribal colleges and universities, and for other purposes; to the Committee on Indian Affairs.

Mr. TESTER. Mr. President, Indian Education is perhaps the most important issue facing Indian Country today because education represents hope. Higher education leads to better job opportunities. Better jobs lead to higher income and happier days. Higher income leads to greater access to health care and adequate housing and overall, a higher quality of life. Higher quality of life leads to strong communities. Happy, healthy, and strong communities are more resistant to the destructive forces of poverty such as chemical abuse, violence and neglect.

No one disagrees that 85 percent unemployment in Indian Country is unacceptable. No one disagrees that it is unacceptable that the majority of America's at-risk youth live in Indian Country. However, merely reciting these statistics over and over won't make the situation any better. We need to work together to make Indian Country a better place to live, work and raise a family.

Senator DORGAN and I introduce this vital legislation to help advance the remarkable work tribal colleges and universities are doing. Through grants awarded under this bill, tribal colleges and universities will have additional resources necessary to strengthen Indian communities through the provision of health promotion and disease prevention education, outreach and workforce development programs, through program implementation, research, and capacity building. Not only will it improve education, but it will also improve the delivery of culturally appropriate health care services. In addition to good education and increased access to health care, this bill will also help create good jobs in Indian Country.

Tribal colleges and universities are accredited by independent, regional accreditation agencies, and like all institutions of higher education, must undergo stringent performance reviews to retain their accreditation status. In addition to offering postsecondary education opportunities, tribal colleges serve reservation communities by providing critical services including: libraries, community centers, cultural, historical and language programs; tribal archives, career centers, economic development and business centers; health and wellness centers, public meeting places, child and elder care centers. Despite their many obligations, functions, and notable achievements, tribal colleges remain the most poorly funded institutions of higher education in this country.

The continued success and future of the Nation's tribal colleges and universities depends on their ability to provide higher education and community outreach programs. For them to succeed however, they must have the financial resources to do so. I am honored to rise today to introduce this important legislation for improving conditions in America's Indian Country. I am proud of the folks who came together to help craft the bill and am proud to cosponsor it with my friend, Chairman of the Senate Committee on Indian Affairs, Senator DORGAN.

I am proud to serve on the Indian Affairs Committee and to work to improve conditions in Indian Country.

For example, on April 5th, I held a Tribal College Summit at the Blackfeet Community College in Browning, the first of its kind.

Leaders of all the Tribal nations in Montana and leaders throughout Indian higher education met to brainstorm about how we can improve tribal colleges in the State of Montana and across the country. By the end of the day, each group pledged to take specific actions to improve tribal college education throughout the U.S.

Part of my pledge includes introducing this PATH legislation. By training more Indian students to enter the health care field, we will provide Indian country with more educated and self-sufficient members and improve the quality of and access to healthcare in Indian Country.

Healthier communities and good-paying jobs lead to improved overall conditions in Indian Country.

As a Montanan and member of the Senate Indian Affairs Community, I am proud to introduce this legislation. I look forward to swift consideration and eventual passage.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 1781. A bill to designate the facility of the United States Postal Service located at 118 Minner Avenue in Bakersfield, California, as the ''Buck Owens Post Office''; to the Committee on Homeland Security and Governmental Affairs.

Mrs. BOXER. Mr. President, today I am joined by my colleague, Senator FEINSTEIN, to introduce legislation to designate the facility of the United States Postal Service located at 118 Minner Avenue in Bakersfield, California, as the Buck Owens Post Office.

Country western legend, Buck Owens was one of the pioneers of the ''Bakersfield Sound,'' that brought the raw edge of electric guitars and a rock and roll beat to country music. A great musician and a generous man, Buck left behind a legacy of artistry and love for his adopted hometown of Bakersfield and California's Central Valley.

The son of a sharecropper, Buck was born Alvis Edgar Owens, Jr. in Sherman, TX, in 1929. At an early age, he nicknamed himself ''Buck'' after a mule on the family farm. In 1937, the Owens family moved west seeking better fortune during the Great Depression. When he was just 13 years old, Buck dropped out of school to find work, but he never stopped pursuing his passion for music.

A natural musician, Buck taught himself to play guitar in his early teens. When he was just 16, he had already landed a regular show on a local radio station and was playing shows in honky tonks and bars around Phoenix. Just 6 years later, Buck moved his young family to Bakersfield, California, where he began to make his mark on country music as a performer, a songwriter, and a recording artist.

Buck's trademark stinging electric guitar and rhythm sound revolutionized country music and challenged the Nashville establishment. His 20 number-one hits are a testament to his place among the greatest artists in country music history. Throughout his decades as an entertainer, Buck delighted audiences from Bakersfield to Nashville, all the way to Japan and even the White House.

Buck's pioneering work has continued to inspire a new generation of musicians. In 1986, when Buck had finished a 25-year run as the cohost of the Hee Haw television show, Dwight Yoakam and other new traditional performers were just beginning a revival of his hallmark Bakersfield Sound.

I was fortunate to have met Buck back in 1997 at his Crystal Palace in Bakersfield, when I was invited to

present one of his special red, white, and blue guitars to a promising music student named William Villatoro. I still vividly remember how the young man was deeply moved and inspired by Buck's generous gesture. I will certainly remember Buck Owens as a man of great compassion who possessed a profound love for his country. Although he is no longer with us, I take great comfort in knowing that Buck Owens was able to be a shining light not only in the life of a young man from Bakersfield but also to the millions of others who admired his musical gifts and were touched by his humanity.

I encourage my colleagues to join me in support of this legislation as we commemorate an icon of American music whose artistry and generosity touched so many lives in his community.

By Mr. FEINGOLD (for himself and Mr. DURBIN):

S. 1782. A bill to amend chapter 1 of title 9 of United States Code with respect to arbitration; to the Committee on the Judiciary.

Mr. FEINGOLD. Mr. President, today I will introduce the Arbitration Fairness Act of 2007. Just as its name suggests, the Arbitration Fairness Act is designed to return fairness to the arbitration system. This bill is not an anti-arbitration bill. If anything, it is pro-arbitration. I firmly believe that this bill will strengthen the arbitration system by returning arbitration to a more equitable design that reflects the intent of the original arbitration legislation, the Federal Arbitration Act.

President Calvin Coolidge signed the Federal Arbitration Act, FAA, into law on February 12, 1925. Congress passed the FAA to make arbitration an enforceable alternative to the civil courts. Even as early as the 1920s, there were concerns about the efficiency of the civil court system and a desire to allow a speedier alternative. The intent of the FAA, as expressed in a 1923 hearing before a subcommittee of the Senate Judiciary Committee, was ''to enable business men to settle their disputes expeditiously and economically.'' In a later hearing on the FAA, it was clarified that the legislation was not intended to apply to the employment contracts of those businesses. This distinction is important because it illustrates that, while arbitration was something that the FAA's original sponsors wanted to promote, they were also careful to make clear that they didn't intend for arbitration to become a weapon to be wielded by the powerful against those with less financial and negotiating power.

Since the FAA's enactment, the use of arbitration has grown exponentially. Arbitration certainly has advantages. It can be a fair and efficient way to settle disputes. I strongly support voluntary, alternative dispute resolution methods, and I believe we ought to encourage their use. But I also believe that arbitration is a fair way to settle disputes between consumers and lenders only when it is entered into knowingly and voluntarily by both parties to the dispute after the dispute has arisen. Otherwise arbitration can be used as a weapon by the stronger party against the weaker party.

One of the most fundamental principles of our justice system is the constitutional right to take a dispute to court. Indeed, all Americans have the right in civil and criminal cases to a trial by jury. The right to a jury trial in civil cases in Federal court is contained in the Seventh Amendment to the Constitution. Many States provide a similar right to a jury trial in civil matters filed in State court.

I have been concerned for many years that mandatory arbitration clauses are slowly eroding the legal protections that should be available to all Americans. A large and growing number of corporations now require millions of consumers and employees to sign contracts that include mandatory arbitration clauses. Most of these individuals have little or no meaningful opportunity to negotiate the terms of their contracts and so find themselves having to choose either to accept a mandatory arbitration clause or to forgo securing employment or needed goods and services. Incredibly, mandatory arbitration clauses have been used to prevent individuals from trying to vindicate their civil rights under statutes specifically passed by Congress to protect them.

There is a range of ways in which mandatory arbitration can be particularly hostile to individuals attempting to assert their rights. For example, the administrative fees, both to gain access to the arbitration forum and to pay for the ongoing services of the arbitrator or arbitrator, can be so high as to act as a de facto bar for many individuals who have a claim that requires resolution. In addition, arbitration generally lacks discovery proceedings and other civil due process protections.

Furthermore, there is no meaningful judicial review of arbitrators' decisions. Under mandatory, binding arbitration, even if a party believes that the arbitrator did not consider all the facts or follow the law, the party cannot file a suit in court. The only basis for challenging a binding arbitration decision is fairly narrow: if there is reason to believe that the arbitrator committed actual fraud, or was biased, corrupt, or guilty of misconduct, or exceeded his or her powers. Because mandatory, binding arbitration is so conclusive, it is a credible means of dispute resolution only when all parties understand the full ramifications of agreeing to it.

Unfortunately, in a variety of contexts, employment agreements, credit card agreements, HMO contracts, securities broker contracts, and other consumer and franchise agreements, mandatory arbitration is fast becoming the rule, rather than the exception. The practice of forcing employees to use arbitration has been on the rise since the Supreme Court's Circuit City decision in 2001. Unless Congress acts, the protections it has provided through law for American workers, investors, and consumers, will slowly become irrelevant.

The Arbitration Fairness Act of 2007, which I am happy to say will also be introduced in the House by Representative HANK JOHNSON, D–GA, reinstates the FAA's original intent by requiring that agreements to arbitrate employment, consumer, franchise, or civil rights disputes be made after the dispute has arisen. The act does not apply to mandatory arbitration systems agreed to in collective bargaining, and it does not prohibit arbitration. What it does do is prevent a party with greater bargaining power from forcing individuals into arbitration through a contractual provision. It will ensure that citizens once again have a true choice between arbitration and the traditional civil court system.

In our system of Government, Congress and State legislatures pass laws and the courts are available to citizens to make sure those laws are enforced. But the rule of law means little if the only forum available to those who believe they have been wronged is an alternative, unaccountable system where the law passed by the legislature does not necessarily apply. This legislation both protects Americans from exploitation and strengthens a valuable alternative method of dispute resolution. These are both worthy ends, and I hope that my colleagues in the Senate will join me in working to pass this important bill.

I ask unanimous consent that the text of the bill and a section-by-section analysis be printed in the RECORD.

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

S. 1782

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 ''Arbitration Fairness Act of 2007''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The Federal Arbitration Act (now enacted as chapter 1 of title 9 of the United States Code) was intended to apply to disputes between commercial entities of generally similar sophistication and bargaining power.

(2) A series of United States Supreme Court decisions have changed the meaning of the Act so that it now extends to disputes between parties of greatly disparate economic power, such as consumer disputes and employment disputes. As a result, a large and rapidly growing number of corporations are requiring millions of consumers and employees to give up their right to have disputes resolved by a judge or jury, and instead submit their claims to binding arbitration.

(3) Most consumers and employees have little or no meaningful option whether to submit their claims to arbitration. Few people

realize, or understand the importance of the deliberately fine print that strips them of rights; and because entire industries are adopting these clauses, people increasingly have no choice but to accept them. They must often give up their rights as a condition of having a job, getting necessary medical care, buying a car, opening a bank account, getting a credit card, and the like. Often times, they are not even aware that they have given up their rights.

(4) Private arbitration companies are sometimes under great pressure to devise systems that favor the corporate repeat players who decide whether those companies will receive their lucrative business.

(5) Mandatory arbitration undermines the development of public law for civil rights and consumer rights, because there is no meaningful judicial review of arbitrators' decisions. With the knowledge that their rulings will not be seriously examined by a court applying current law, arbitrators enjoy near complete freedom to ignore the law and even their own rules.

(6) Mandatory arbitration is a poor system for protecting civil rights and consumer rights because it is not transparent. While the American civil justice system features publicly accountable decision makers who generally issue written decisions that are widely available to the public, arbitration offers none of these features.

(7) Many corporations add to their arbitration clauses unfair provisions that deliberately tilt the systems against individuals, including provisions that strip individuals of substantive statutory rights, ban class actions, and force people to arbitrate their claims hundreds of miles from their homes. While some courts have been protective of individuals, too many courts have upheld even egregiously unfair mandatory arbitration clauses in deference to a supposed Federal policy favoring arbitration over the constitutional rights of individuals.

SEC. 3. DEFINITIONS.

Section 1 of title 9, United States Code, is amended—

(1) by amending the heading to read as follows:

"§ 1. Definitions";

(2) by inserting before "'Maritime'" the following:

"As used in this chapter—";

(3) by striking "'Maritime transactions'" and inserting the following:

"(1) 'maritime transactions';";

(4) by striking "commerce" and inserting the following:

"(2) 'commerce'";

(5) by striking ", but nothing" and all that follows through the period at the end, and inserting a semicolon; and

(6) by adding at the end the following:

"(3) 'employment dispute', as herein defined, means a dispute between an employer and employee arising out of the relationship of employer and employee as defined by the Fair Labor Standards Act;

"(4) 'consumer dispute', as herein defined, means a dispute between a person other than an organization who seeks or acquires real or personal property, services, money, or credit for personal, family, or household purposes and the seller or provider of such property, services, money, or credit;

"(5) 'franchise dispute', as herein defined, means a dispute between a franchisor and franchisee arising out of or relating to contract or agreement by which—

"(A) a franchisee is granted the right to engage in the business of offering, selling, or distributing goods or services under a marketing plan or system prescribed in substantial part by a franchisor;

"(B) the operation of the franchisee's business pursuant to such plan or system is substantially associated with the franchisor's trademark, service mark, trade name, logotype, advertising, or other commercial symbol designating the franchisor or its affiliate; and

"(C) the franchisee is required to pay, directly or indirectly, a franchise fee; and

"(6) 'pre-dispute arbitration agreement', as herein defined, means any agreement to arbitrate disputes that had not yet arisen at the time of the making of the agreement.".

SEC. 4. VALIDITY AND ENFORCEABILITY.

Section 2 of title 9, United States Code, is amended—

(1) by amending the heading to read as follows:

"§ 2. Validity and enforceability",

(2) by inserting "(a)" before "A written";

(3) by striking ", save" and all that follows through "contract", and inserting "to the same extent as contracts generally, except as otherwise provided in this title"; and

(4) by adding at the end the following:

"(b) No predispute arbitration agreement shall be valid or enforceable if it requires arbitration of—

"(1) an employment, consumer, or franchise dispute; or

"(2) a dispute arising under any statute intended to protect civil rights or to regulate contracts or transactions between parties of unequal bargaining power.

"(c) An issue as to whether this chapter applies to an arbitration agreement shall be determined by Federal law. Except as otherwise provided in this chapter, the validity or enforceability of an agreement to arbitrate shall be determined by the court, rather than the arbitrator, irrespective of whether the party resisting arbitration challenges the arbitration agreement specifically or in conjunction with other terms of the contract containing such agreement.

"(d) Nothing in this chapter shall apply to any arbitration provision in a collective bargaining agreement.".

SEC. 5. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect on the date of the enactment of this Act and shall apply with respect to any dispute or claim that arises on or after such date.

SECTION-BY-SECTION ANALYSIS

When Congress enacted the Federal Arbitration Act ("FAA"), its goal was to allow an alternative forum for parties on equal footing to resolve their disputes. Yet a series of court decisions moved the law away from its original intent and opened the door for arbitration to be used to deprive ordinary citizens in employment, consumer, and franchise disputes of their constitutional right to use the civil justice system.

The Arbitration Fairness Act of 2007, introduced in the Senate by Sen. Russ Feingold (D–WI) and in the House by Rep. Hank Johnson (D–GA), reflects the FAA's original intent by requiring that agreements to arbitrate employment, consumer, franchise, or civil rights disputes be made after the dispute has arisen. The Act does not prohibit arbitration, but it will prevent a party with greater bargaining power from forcing individuals into arbitration through a contract entered into prior to a dispute arising. It will ensure that citizens have a true choice between arbitration and the traditional civil court system.

Sec. 1: Short Title: the "Arbitration Fairness Act of 2007"

Sec. 2: Findings: This section details how the law has moved away from the original intent of the Federal Arbitration Act and has now exposed growing numbers of individual consumers and employees to mandatory arbitration agreements. It also discusses the ways in which mandatory arbitration systems are skewed in favor of powerful, corporate, repeat players.

Sec. 3: Definitions: This section amends section 1 of the FAA (9 U.S.C. §1) to include specific definitions of "employment dispute," "consumer dispute," and "franchise dispute," which are covered by the Act. An employment dispute is any dispute between an employer and employee arising out of the relationship as defined by the Fair Labor Standards Act. A consumer dispute is a dispute between an individual person who seeks or acquires property, services, money, or credit for non-business purposes and the seller or provider of those goods or services. A franchise dispute is a dispute between a franchisor and franchisee arising out of or relating to the contract establishing the franchise.

Sec. 4: Validity and Enforceability: This section amends section 2 of the FAA (9 U.S.C. §2) to establish that agreements to arbitrate employment, consumer, or franchise disputes will not be enforceable if they are entered before the actual dispute arises. It extends this rule to disputes arising under civil rights statutes and statutes regulating contracts or transactions between parties of unequal bargaining power. This section also states that disputes as to whether the Act applies shall be resolved by the court, rather than through arbitration. Finally, the section clarifies that the Act does not apply to collective bargaining agreements.

Sec. 5: Effective Date: The Act shall apply to claims and disputes arising on or after the date of enactment.

By Mr. ENZI:

S. 1783. A bill to provide 10 steps to transform health care in America; to the Committee on Finance.

Mr. ENZI. Mr. President, I rise for the purpose of introducing a bill on health care reform. I know the Presiding Officer has immense interest in it, as do a number of other Senators. I have read his bill and incorporated many parts of that.

Health care reform is one of the biggest needs in this country. It is the fastest escalating price in this country. It is the biggest cost to companies and individuals in this country. We need to have a solution.

I have been working with Senator KENNEDY, who is the chairman of the Health, Education, Labor and Pensions Committee. He has a very full plate with the Higher Education Act, the higher education reconciliation, information technology, and I could go on to mention about 53 bills we are working on in that committee. So I have had some latitude as ranking member to try to pull together some information—some legislation that would deal with health care for this Nation. This is a work in progress. This is not a finished document.

I wish to thank Senator KENNEDY for working with me and his staff and my staff to come up with some health care principles we wanted to follow. Of course, I appreciate the work Senator NELSON did with me in previous times and currently on small business health plans. I appreciate Senator BAUCUS's efforts on health care and how the tax

package goes together with that. We can see there are a lot of moving parts to anything we do with health. Senator COBURN has an outstanding and very comprehensive package on how we can solve many of the health care and health insurance problems in this Nation. Senator LOTT, Senator DEMINT, Senator MCCONNELL; as I mentioned, the Presiding Officer, Senator WHITEHOUSE; Senator LINCOLN, Senator CARPER, Senator SALAZAR, and Senator DURBIN—these are all people who have come up with either a comprehensive plan or a piece of a plan that would work to make an important difference in health care in this country.

Congressman McCreary on the House side has been a real leader on this and, of course, the President and the administration have made contributions as well. The President, in his State of the Union speech, made some comments about how taxes would fit in with solving some of the uninsured problems in the country, and some of those provisions are in here as well.

Without the work of everyone on this, it can't be done. If it gets polarized, it can't be done. This is something which has to be done in a very bipartisan way. I hope we have a framework from which we can all operate, making changes, finding third ways.

I work on an 80-percent rule. I anticipate and from experience have found that usually everybody can agree on 80 percent of the issues, and among the 80 percent of the issues on which they agree, they can agree on 80 percent of any one of those issues. You never get a perfect bill around here. If you can get 80 percent, you can get a lot done. That is what we are trying to do on health care—make an 80-percent change for the people of America. Eighty percent would be a huge difference and will help out a lot of people.

So I rise today to talk about an issue that is literally a heartbeat away from devastating the lives of every American; that is, our current health care crisis. Undeniably, we have a problem. There are 46.1 million Americans, according to the last tabulation, who are uninsured. Now, we always talk about that figure and change it slightly differently because there are 7 million of those people who make over $80,000 a year and don't have insurance, so they must choose not to have insurance, but they are uninsured. People who are on Medicaid, they don't have to sign up for anything before they have an emergency. When they go to the hospital, they can sign up then. That is a significant number of the 46.1 million people as well. So I don't know whether to really say they don't have insurance, but at any rate, let's just use that figure of 46.1 million Americans who are uninsured and figure out a way to solve that, as well as to help people who also have insurance to perhaps be able to handle the situation even better.

Health care costs are outstripping inflation. They are increasing annually at three times the rate of the Consumer Price Index. It is little surprise that three out of every four Americans are concerned about health care—three out of four. I think probably, if you are talking to people, you would think the percentage was even higher than that.

Employer-provided health insurance is voluntary and in critical condition. Sixty percent of the country's employers offer insurance today, but that is down 9 percent from a few years ago. It is partly due to the fact that the cost of health insurance for companies has nearly doubled in the same amount of time. With employers expected to pay over $8,000 per employee versus $4,000 5 years ago, we have no choice but to stabilize the system and provide more options for businesses so they can continue to provide health care for their employees.

We must also provide real options—real options for those without employer-based health care. My own home State of Wyoming is hard-hit. On average, one in five Wyoming residents is uninsured, and more and more residents are losing the coverage they do have as the costs go up. It is largely due to the fact that much of Wyoming's economy is small business. Nearly 70 percent of Wyoming employers are small business. Actually, if you use the Federal definition of small business and you talk about companies headquartered in Wyoming, 100 percent of the companies are small business. We don't have a single one, according to the Federal definition, that is based in Wyoming. But nearly 70 percent of the employers find that it is nearly impossible to afford health care coverage for their employees.

Thankfully, I am not here today to talk about these problems; I am here to provide real solutions. Americans need and deserve real solutions to this crisis now, and they are counting on this body to work together to get that. The time has come to move beyond the rhetoric and principles to true comprehensive health care reform.

Congress could enact 10 major steps for health care reform. These 10 steps are the basis of the legislation I am introducing today, the Ten Steps to Transform Health Care in America, or simply ''Ten Steps.''

In putting together these 10 steps, I first wanted to understand the problem, and all the proposals others have been discussing help with that. I have studied those other proposals very carefully, and my colleagues will find that I have included many of the concepts of those other proposals in the 10 steps. I particularly wish to recognize again and thank Senator BAUCUS, Senator KENNEDY, Senator NELSON, Senator COBURN, Senator LOTT, Senator DEMINT, Senator MCCONNELL, Senator WHITEHOUSE, Senator LINCOLN, Senator CARPER, Senator SALAZAR, Senator DURBIN, Congressman MCCREARY, the President, the administration—all of them for their contributions, for their patience, and for their willingness to share their ideas.

However, to truly do this right, we have to move beyond the usual jurisdictional issues, beyond the usual reauthorizations of a single program at a time. We have to examine the whole health care system and together—together, we have to put forward a bold and comprehensive solution that addresses our health care crisis. That is what Ten Steps does. It is a comprehensive solution to a very big problem. It can be done in parts. It doesn't have to be done as one structure.

It needs to go through the committee process. I have pointed out several times that bills that don't go through the committee process usually don't make it through the process at all. They are good for making rhetoric, they are good for making points, they are sometimes good for advancing a principle, but they seldom ever make it to the President's desk for signature. So I know this will have to go through more than one committee. I know the jurisdictional issues between Health, Education, Labor and Pensions and the Finance Committees. I have no problem. We did the pensions bill last year, going through those same kinds of multiple committees and getting agreement from everybody, and that can be done on this issue as well—of course, as long as we don't polarize it.

So I want to reiterate again that this is not a final bill. One of the things we have done in the HELP Committee which has helped to move things along is to consider every bill a work in progress. At a lot of the committee meetings, when you have a markup, different amendments are presented and they are voted up or down, just like on the floor. Well, that doesn't result in a lot of compromise. So what we have done on the HELP Committee is use the markup process as an indication of problems and the level of intensity of those problems, and we have agreed to work through those problems even after the bill makes it through committee. As a result, it seldom makes it through committee unanimously, but it makes it through committee in a bipartisan way, and that encourages people to work together to find solutions. Sometimes it is one way or the other, but usually it is finding a third way to come up with a mechanism to do what we are trying to do. Once we can put away some of the old ''diving into the weeds'' things that have happened year after year, we are able to come up with something new and different that actually reaches the goal we have been trying to reach as we jumped into the weeds through the whole process.

So I want to remind everybody that it is a work in progress. We want more ideas. We want some of those third ways. But primarily, we want everybody to take a look at what is in here because it is a compilation of a number of people who have really taken a look at the situation.

So what does it do? These 10 steps—I will break them down into the actual 10 steps and go through each of them.

First, we eliminate unfair tax treatment of health insurance, which expands choices and coverage and gives all Americans more control over their health care.

Our current health insurance system is biased toward employer-based coverage—kind of due to a historical accident. The wage controls of World War II increased competition among employers for recruiting the best employees and incentivized employers to offer health benefits instead of what they couldn't do, which was increase wages. In 1954, Congress codified a provision declaring that such a contribution would not count as taxable income. This tax policy made it very favorable for individuals to get their health benefits through their employers and consequently has penalized individuals who get coverage through the individual market. So if you work for a big company—a tax break. If you don't—penalized.

The Joint Committee on Taxation estimated that moving this tax bias and a few related health care tax policies will save the Government $3.6 trillion over the next 10 years. Even around here, that is a lot of money. That is a lot of money which can and should be used to expand choices and access and give individuals more control over their health care. Ten Steps ensures that every American can benefit from this savings—whether they get their health care from their employer, from the individual insurance market or they decide they want to get off Medicaid and switch to private insurance.

Let me be clear. My goal is not to erode employer-based health insurance, given that the Ten Steps does not alter the way employers treat health insurance. Rather, I wish to provide more options for individuals who don't currently have insurance through their employer. Everyone should be treated equally.

Once the employee exclusion for health care insurance is eliminated, we must provide additional tax incentives for the purchase of health care insurance. Ten Steps is a hybrid approach, combining the standard deduction for health insurance with a tax subsidy for those who need it the most. That way, no particular population is adversely affected.

The second step of Ten Steps would increase affordable options for working families to purchase health insurance through a standard tax deduction. The national above-the-line standard deduction for health insurance will equal $15,000 for a family and $7,500 for an individual. I wish to also note the earned-income tax credit for taxpayers with qualifying children is held harmless—that is very important—so those receiving the earned-income tax credit will not be affected by these changes. Actually, they will be affected in a positive way.

For example, say Bob from Gillette, WY, has total compensation of $38,000, made up of $34,000 in wages and $4,000 in health insurance premiums paid by his employer. Because of the current unfair tax treatment of premiums, Bob's current taxable income is reduced to $34,000, which means he paid about $5,000 in taxes. To an accountant, this is all fascinating; for other people, I am not so sure.

Under the Ten Steps, which eliminates the exclusion of premiums from tax, Bob's total compensation and thus taxable income would be $38,000. By providing Bob with a $7,500 standard deduction for health insurance, his taxable income under this bill would be lowered to $30,500, which means he would pay about $4,000 in taxes. So Bob's total savings under this proposal is $1,000 a year.

The third step of Ten Steps is what makes this a hybrid approach. I couple the standard deduction with a refundable, advanceable, assignable tax-based subsidy. That is a mouthful, but it ensures that Americans receive this credit in a meaningful way that allows them to purchase real insurance coverage.

Given that everybody is not familiar with these terms, I will explain them. As a refundable credit, it benefits folks even if they don't have tax liability. They don't have to owe taxes in order to get it. This helps low-income individuals. Advanceable means the subsidy would be paid at the beginning of the year so individuals can use the funds to immediately purchase health insurance. If it wasn't advanceable, individuals would need to first pay for their health insurance and then get the money back at the end of the year to pay them back for that purchase. To encourage everyone to obtain health insurance right away, we should provide those funds upfront. Further, to ensure that the subsidy goes toward the purchase of health care insurance, it is also assignable—paid directly from the IRS to the insurance carrier that the individual chooses.

Ten Steps includes the tax subsidy equal to $5,000 for a family or $2,500 for an individual. The full subsidy amount is available to individuals at or below 100 percent of the Federal poverty level, which is $20,650 right now for a family of four. The subsidy is phased out between up to 300 percent of Federal poverty level, with individuals at 200 percent receiving half the subsidy and individuals at 301 percent receiving the standard deduction instead of the subsidy. I am sure everybody got that.

The fourth key step for health care reform is to provide market-based pooling to reduce growing health care costs and increase access not only for small businesses, unions and other kinds of organizations and their workers, members, and families. That is a change from anything I have done on pooling before, but it is a change that was requested by the other organizations and unions, as well as small business. Those of you who know me well recognize how central this would be to any health care reform proposal of mine.

While I have not yet introduced the small business health plan legislation from last year, I have not abandoned those key principles. Every day, emergency rooms treat more than 30,000 uninsured Americans who work for or depend on small businesses. That is at least 30,000 reasons why I will not abandon the concept. However, in the proposal I am introducing, I have addressed some of the criticisms of the bill, and I have offered what I believe are appropriate solutions.

For instance, while the earlier bill focused heavily on small businesses—and this one still does—it simply became clear that other organizations, including unions and churches, can benefit from better pooling options too. Therefore, under this bill, the umbrella of the pooling option has been expanded to include more kinds of organizations but with the same strong focus on consumer protections and State-based oversight.

Of course, a big elephant in the room was dealing with those who were misled to fear how the initial proposal dealt with insurance mandates. I hope those who were so vocal before will pause this time around. By incorporating what many have described as the Snowe amendment—which I am sure we would have passed at the time we were talking about that before—the legislation would require benefit mandate categories if a majority of the States required them. While I still have some concerns, I am comfortable with this compromise because the mandate requirement is coupled with something it needs to encourage pooling and that is a common definition of what that mandate means. We do it with the Federal insurance plan because definitions in all the States run a little bit different. If you are trying to do something comprehensively, it is pretty hard to figure out what each definition means, so there needs to be a way of streamlining it and coming up with a common definition for that mandate. I don't think people have a problem with that, especially since we do it with the Federal plan.

As I learned with the previous debate, mandates for many different services and items are not consistent from State to State. Thus, if we are to discuss requiring those, we should at least have a consistent definition of what those mandates require. We should not further complicate the pooling option with a multitude of definitions. We want to make insurance as simple as possible. I know that is kind of an oxymoron, I am sure, because I know nobody in America relishes having their insurance agent come over and spend an evening explaining the bill to them. But we want to have this little bit of streamlining so it is simpler and people will be able to understand it, to the degree that is possible with insurance.

While the next step is probably one of the most obvious ones, it is also one many have not yet discussed. Currently, HIPAA portability protections

are provided to group health plans. The protections provide assurances to consumers that insurers will deal with preexisting conditions fairly and provide coverage, even to small groups.

These protections have been a great help for individuals purchasing health care coverage in the group market. However, those consumer protections are not provided nearly as well to individuals who are purchasing in the individual market. Ten Steps blends the individual and group market to extend important HIPAA portability protections to the individual market so the insurance security can better move with you from job to job. It allows people to take that new opportunity and still be sure they will be covered, even if they have had some preexisting conditions.

The sixth step emphasizes preventive benefits and helps individuals with chronic diseases better manage their health. America should have health care, not sick care. Prevention, prevention, prevention. That makes a big difference in the cost.

We have all been discussing the need to do more to prevent disease, not just treat its symptoms. Even though I leave much to the markets to define some health insurance components, the one thing we must emphasize is the need for prevention. Any plan purchased with the tax subsidy must include basic preventive services and a medical self-management component.

This concept is modeled after a very successful program in Wyoming. In 2005, Wyoming EqualityCare, our Medicaid Program, began providing one-on-one case management for Medicaid participants with chronic illnesses, such as diabetes, asthma, depression or heart disease, to encourage better self-management of these conditions. The program provides educational information on self-management, as well as a nurse health coach who follows up with each patient to ensure they have what they need to take care of themselves.

In addition, EqualityCare provides a nursing hotline so all patients have a direct line to a health care provider when they are concerned about an illness. These programs targeting those with chronic illnesses were estimated to save nearly $13 million for the EqualityCare program in 2006. In a lot of States, that would not sound like a lot, but Wyoming is the least-populated of all of the States. We are hoping to get 500,000 people in the next census. When you talk about $13 million being saved in this EqualityCare Program dealing with Medicaid participants, it is a lot of money, proportionately, particularly because it cut down on inappropriate use of emergency room services.

Now, another key step of the Ten Steps for health care reform is to give individuals the choice to convert the value of their Medicaid and SCHIP program benefits into private health insurance, putting them in control of their health care, not the Federal Government. The rationale for this step is simple. If the market can provide better coverage at a lower price, why not allow Americans to access that care?

This gives low-income individuals more options about where they can receive their care and what care is available to them. Some providers don't see Medicaid and SCHIP patients. This provision will change that by letting the market forces work and give all patients more choices. It is time for people to start making decisions about their care. Let's get the Government out of the doctors office.

About 6,000 kids are enrolled in the Wyoming SCHIP program. An additional 6,000 kids are eligible for the program but are not enrolled. I wonder why that is. Maybe it is because folks in Wyoming are wary about accepting Government help, and they think there is a negative stigma associated with SCHIP and Medicaid. Well, under Ten Steps, they can use that money to purchase health care insurance through the private sector so that their family can attain the high quality care they need and deserve. This will cover more people.

The eighth step in Ten Steps is a bipartisan proposal which the HELP Committee approved last month—the ''Wired for Health Care Quality Act,'' which encouraged the adoption of cutting-edge information technologies in health care to improve patient care, reduce medical errors, and cut health care costs. Some of the most serious challenges facing health care today—medical errors, inconsistent quality, and rising costs—can be addressed through the effective application of available health information technology linking all elements of the health care system.

The widespread use of health IT can save lives. If somebody is traveling and gets in a car wreck or gets hurt in some other way, the emergency room doctor would be able to find out everything he or she needs to know to make the right treatment decisions, without the person having to fill out one of those little papers at the doctors office, which they may not be capable of doing if they have been in a requiem or have some other problem.

Better use of health IT would also allow medical data to move with people when they go to other locations. When someone goes to the doctor's office, they won't have to take the clipboard and a pencil and write down everything they can remember about their history. It will already be recorded and go with them. It will make a huge difference.

Beyond saving lives and saving time, more effective use of health information technology would save us a lot of money. A RAND study suggested that health IT has the potential to save—listen to this—$162 billion a year. Even around here that is real money. In order for these savings to be realized, we have to create an infrastructure for interoperability.

All the different health providers and insurers and doctors have to be able to get the information electronically, but doctors, hospitals, health care advocates, the business community, including small businesses, are clamoring for Congress to take action and establish uniform health IT standards. That will cut down on the cost of the software.

Time is of the essence. If Congress does not act, our health care system will move forward in a highly inefficient, fragmented, and disjointed way. Among other things, this bill will eliminate duplicative tests and reduce medical errors. That is a lot of where that $162 billion a year in savings comes from.

Health care reform cannot simply expand health insurance coverage. It must also expand access to actual providers of care. There are growing shortages of health care providers nationally, with a shortage of up to 200,000 primary care physicians and 1 million nurses expected by 2020. Who is going to take care of us at the hospital if we don't have nurses? Who is going to help make a diagnosis if we don't have doctors?

That is why the ninth step of Ten Steps helps future providers and nurses pay for their education while encouraging them to serve in areas with great need with five key reforms.

This legislation provides competitive matching grants for States to encourage nurses to return to the profession after having left the workforce for 3 years or more while reaffirming the commitment to current programs targeting nurse educators and nurse education. So this will encourage people to come back into providing that excellent service. To deal with the shortage right now, this legislation will expand the number of nonimmigrant skilled workers visa slots for nurses serving in medically underserved areas.

To expand access to those most vulnerable, Ten Steps reaffirms the commitment to current programs that are working, such as the Community Health Centers program and the loan repayment programs at the National Health Service Corps. Working together, these two programs provide key support in underserved areas.

To allow for greater access to health care services, clarification will be made that convenient care clinics may accept and receive reimbursement from Medicaid and SCHIP patients. These convenient care clinics are small health care facilities located in retail outlets providing affordable and accessible nonemergency health care from nurses, physician assistants, and physicians. Often open 7 days a week, these clinics provide an option for those seeking routine and preventive care services in a more convenient setting—at the retail outlets—and with patients seen typically within 15 minutes.

Finally, building upon the successes of current rural health programs, Ten Steps will ensure appropriate development of rural health systems and access to care for residents in rural areas.

In providing access to health care, I believe it is important to envision where we want to provide that care. Community and home-based care is often much preferred, less costly, and proven to increase quality of life. To encourage innovative approaches to keeping long-term care in residential settings, competitive grants will be available to give seniors more options for receiving care in home or community-based settings. We just had a hearing on that subject in the HELP Committee. It was both very helpful and very convincing.

The final step to Ten Steps decreases the skyrocketing cost of health care by restoring reliability in our medical justice system through State-based solutions. The bill I have been discussing today includes the Fair and Reliable Medical Justice Act, which I just introduced with Senator BAUCUS, for States to encourage early disclosure of preventable health care errors, prompt and fair compensation for injured patients, and careful analysis on patterns of health care errors to prevent future injuries. By funding demonstration projects, States are enabled to experiment with and learn from ideas leading to long-term solutions tailored to the unique circumstances of each State.

No one—not patients or health care providers—is appropriately served by our current medical litigation procedures. Right now, many patients who are hurt by negligent actions receive no compensation for their loss. Those who do receive merely 40 cents of every premium dollar, given the high cost of legal fees and administrative costs. That is simply a waste of medical resources.

Furthermore, the likelihood and the outcomes of lawsuits and settlements bear little relation to whether the health care provider was at fault. Consequently, we are not learning from our mistakes. Rather, we are simply diverting our doctors. When someone has a medical emergency, they want to see a doctor in an operating room, not a courtroom.

The medical liability system is losing information that could be used to improve the practice of medicine. Although zero medical errors is an unattainable goal, the reduction of medical errors should be the ultimate goal in medical reform. The Institute of Medicine, in its landmark study called ''To Err is Human,'' estimated that preventable medical errors kill somewhere between 44,000 and 98,000 Americans each year. That study further emphasized that to improve our health care outcomes, we should no longer focus on individual situations but on the whole system of care that is failing American patients.

In the 8 years since that study, little progress has been made. Instead, the practice of medicine has become more specialized and complex while the tort system is more focused on individual blame than on a system safety.

I realize I have talked for quite a bit about Ten Steps, and given the current crisis, we should be talking a lot more about real solutions, not just problems. I also want everyone to know I believe the introduction of this bill today is simply the first step forward. I look forward to talking with others about their thoughts on how to improve this proposal, how to better refine it so it can better serve all Americans.

With all of that talk, I also want action, real action, to provide real coverage for Americans, not a large expansion of a government program with a huge pricetag that does little to impact those who are uninsured.

We have an opportunity, we have an obligation to take care of the people of this country, and they are demanding it. Let's work from a basis of some information and see where we can take it so that we get a solution and we get action now.

By Mr. KERRY (for himself, Ms. SNOWE, Ms. CANTWELL, and Ms. LANDRIEU):

S. 1784. A bill to amend the Small Business Act to improve programs for veterans, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Mr. KERRY. Mr. President, I am pleased to introduce today the Military Reservist and Veteran Small Business Reauthorization and Opportunity Act. As the Chairman of the Senate Committee on Small Business and Entrepreneurship, I am gratified that I was able to work with Ranking Member Senator SNOWE on behalf of the 25 million veterans currently in America, including over 1 million who have left military service since September 11, 2001. As the conflicts in Iraq and Afghanistan continue, the number of veterans, including service disabled veterans, will increase and reservists will continue to carry more of the burden then ever before. As veterans and reservists reenter civilian life, the small business programs provided by the Federal Government will become even more critical. I am serious about addressing the problems affecting veterans and reservists who wish or are already engaged in small business and this bill is another step forward in doing so.

The Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2007 reauthorizes the veteran programs in the Small Business Administration. Specifically, this legislation increases the funding authorization for the Office of Veteran Business Development from $2 million today to $2.5 million over three years. In light of the large numbers of veterans returning from Iraq and Afghanistan and increased responsibilities placed on this office by Executive Order 13360, it is high time that the Office of Veteran Business Development receive the funding levels that it needs.

The bill also creates an Interagency Task Force to improve coordination between agencies in administrating veteran small business programs. One of the biggest complaints that our Committee heard at the ''Assessing Federal Small Business Assistance Programs for Veterans and Reservists'' hearing held on January 31st was that Federal agencies do not work together in reaching out to veterans and informing them about small business programs. This task force is an attempt to improve that. The task force is composed of representatives from Small Business Administration, Department of Defense, Department of Veterans Affairs, Department of Labor, General Services Administration, Office of Management Budget and four veterans service organizations appointed by the President. The task force will focus on increasing veterans' small business success, including procurement and franchising opportunities, access to capital, and other types of business development assistance.

This bill also permanently extends the SBA Advisory Committee on Veterans Business Affairs. The committee was created to serve as an independent source of advice and policy recommendations to the SBA, the Congress, and the President. The veteran small business owners who serve on this committee provide a unique perspective which is sorely needed at this challenging time. Unfortunately, continuing uncertainty about the Committee's future has, at times, distracted the committee from focusing on its core function. Therefore, I have called for its permanent extension. It is clear to me that more needs to be done to address the issues facing veterans and reservists, and the role this committee plays will continue to be important.

Additionally, I have taken a number of steps to better serve the reservists who are serving their country abroad while their businesses are suffering at home. Over the past decade, the Department of Defense has increased its reliance on the National Guard and reserves. This has intensified since September 11, 2001, and increased deployments are expected to continue. The affect of this increase on reservists and small businesses continues to remain of concern. A 2003 GAO report indicated that 41 percent of reservists lost income when mobilized. This had a higher effect on self-employed reservists, 55 percent of whom lost income.

In 1999, I created the Military Reservist Economic Injury Disaster Loan, MREIDL, program to provide loans to small businesses that incur economic injury as a result of an essential employee being called to active duty. However, since 2002, fewer than 300 of these loans have been approved by the SBA, despite record numbers of reservists being called to active duty. It is clear that changes need to be made, so that reservists are informed about the availability of the MREIDL program and that the program better meets their needs.

At the hearing on January 31, we heard suggestions for a number of

changes which would improve the Military Reservist Economic Injury Disaster Loan program, and I have included those changes in this bill. They include increasing the application deadline for such a loan from 90 days to 1 year following the date of discharge; creating a predeployment loan approval process; and improved outreach and technical assistance.

This bill also increases to $50,000 the amount SBA can disburse without requiring collateral under the MREIDL program. Reservist families have already sacrificed enough when a family member goes away to serve their country and when their business is harmed as a result. This loan program would allow reservist dependent businesses to access the capital they need to stay afloat without having to sacrifice beyond the service of the key employees. In order to give reservists time to repay the loans, the non-collaterized loan created in this bill would not accumulate interest or require payments for one year or until after the deployment ends, whichever is longer.

While addressing the funding needs of reservists is essential, I also want to make sure that reservists receive the technical and management assistance they need to succeed. For that reason, this bill also includes the establishment of the Reservists Enterprise Transition and Sustainability Task Force. This grant program would allow Small Business Development Centers, Women's Business Centers and veteran centers to compete for grants to create programs that help small businesses prepare for and cope with the mobilization of reservist-employees and owners.

There are two more provisions which will help this Nation's service members. One section of the bill will require the SBA to give priority to MREIDL loans during loan processing. Another provision will give activated service members an extension of any SBA time limitations equal to the time spent on active duty. This will make it easier for service members to serve their country while continuing to meet their obligations at home.

Lastly, this bill calls for two reports. One report will look at the needs of service-disabled veterans who are interested in becoming entrepreneurs. As a result of the war on terror and improved medicine, we are seeing more service-disabled veterans than we have seen in decades. For some service-disabled veterans, entrepreneurship is the best or only way of achieving economic independence. Therefore, it is essential that we understand and take steps to address the needs of the service-disabled veteran entrepreneur or small business owner.

This bill also calls for a study to investigate how to improve relations between reservists and their employers. In January, the Committee heard that recent changes by the Department of Defense to policies regulating the length and frequency of reservist deployments is harming the ability of reservists to find jobs and the ability of small business owners to continue hiring them. Witnesses testified about reservists being turned down or not considered for jobs because they are reservists. I have heard reservists talk about being pressured to leave the reserves if they would like to continue to advance at work. I have also heard the concerns of small business owners who want to support servicemembers; however, they cannot do so if it means the survival of their business. Understanding more about this issue is important and essential to making sure that policymakers can continue to support citizen soldiers and the small businesses that employ them across the Nation.

Veterans possess great technical skills and valuable leadership experience, but they require financial resources and small business training to turn that potential into a viable enterprise. A recent report by the Small Business Administration stated that 22 percent of veterans plan to start or are starting a business when they leave the military. For service-disabled veterans, this number rises to 28 percent. This bill is another step forward in providing the necessary resources for veterans and reservists to succeed in starting or growing a small business.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1784

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 ''Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2007''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''activated'' means receiving an order placing a Reservist on active duty;

(2) the term ''active duty'' has the meaning given that term in section 101 of title 10, United States Code;

(3) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(4) the term ''Reservist'' means a member of a reserve component of the Armed Forces, as described in section 10101 of title 10, United States Code;

(5) the term ''Service Corps of Retired Executives'' means the Service Corps of Retired Executives authorized by section 8(b)(1) of the Small Business Act (15 U.S.C. 637(b)(1));

(6) the terms ''service-disabled veteran'' and ''small business concern'' have the meanings given those terms in section 3 of the Small Business Act (15 U.S.C. 632);

(7) the term ''small business development center'' means a small business development center described in section 21 of the Small Business Act (15 U.S.C. 648); and

(8) the term ''women's business center'' means a women's business center described in section 29 of the Small Business Act (15 U.S.C. 656).

TITLE I—VETERANS BUSINESS DEVELOPMENT

SEC. 101. INCREASED FUNDING FOR THE OFFICE OF VETERANS BUSINESS DEVELOPMENT.

(a) IN GENERAL.—There are authorized to be appropriated to the Office of Veterans Business Development of the Administration, to remain available until expended—

(1) $2,100,000 for fiscal year 2008;

(2) $2,300,000 for fiscal year 2009; and

(3) $2,500,000 for fiscal year 2010.

(b) SENSE OF CONGRESS.—It is the sense of Congress that any amounts provided pursuant to this section that are in excess of amounts provided to the Administration for the Office of Veterans Business Development in fiscal year 2007, should be used to support Veterans Business Outreach Centers.

SEC. 102. INTERAGENCY TASK FORCE.

Section 32 of the Small Business Act (15 U.S.C. 657b) is amended by adding at the end the following:

''(d) INTERAGENCY TASK FORCE.—

''(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this subsection, the President shall establish an interagency task force to coordinate the efforts of Federal agencies necessary to increase capital and business development opportunities for, and increase the award of Federal contracting and subcontracting opportunities to, small business concerns owned and controlled by service-disabled veterans and small business concerns owned and controlled by veterans (in this section referred to as the 'task force').

''(2) MEMBERSHIP.—The members of the task force shall include—

''(A) the Administrator, who shall serve as chairperson of the task force;

''(B) a representative from—

''(i) the Department of Veterans Affairs;

''(ii) the Department of Defense;

''(iii) the Administration (in addition to the Administrator);

''(iv) the Department of Labor;

''(v) the General Services Administration; and

''(vi) the Office of Management and Budget; and

''(C) 4 representatives of veterans service organizations, selected by the President.

''(3) DUTIES.—The task force shall coordinate administrative and regulatory activities and develop proposals relating to—

''(A) increasing capital access and capacity of small business concerns owned and controlled by service-disabled veterans and small business concerns owned and controlled by veterans through loans, surety bonding, and franchising;

''(B) increasing access to Federal contracting and subcontracting for small business concerns owned and controlled by service-disabled veterans and small business concerns owned and controlled by veterans through increased use of contract reservations, expanded mentor-protégé assistance, and matching such small business concerns with contracting opportunities;

''(C) increasing the integrity of certifications of status as a small business concern owned and controlled by service-disabled veterans or a small business concern owned and controlled by veterans;

''(D) reducing paperwork and administrative burdens on veterans in accessing business development and entrepreneurship opportunities; and

''(E) making other improvements relating to the support for veterans business development by the Federal Government.

''(4) REPORTING.—The task force shall submit an annual report regarding its activities and proposals to—

''(A) the Committee on Small Business and Entrepreneurship and the Committee on Veterans' Affairs of the Senate; and

''(B) the Committee on Small Business and the Committee on Veterans' Affairs of the House of Representatives.''.

SEC. 103. PERMANENT EXTENSION OF SBA ADVISORY COMMITTEE ON VETERANS BUSINESS AFFAIRS.

(a) ASSUMPTION OF DUTIES.—Section 33 of the Small Business Act (15 U.S.C. 657c) is amended—

(1) by striking subsection (h); and

(2) by redesignating subsections (i) through (k) as subsections (h) through (j), respectively.

(b) PERMANENT EXTENSION OF AUTHORITY.—Section 203 of the Veterans Entrepreneurship and Small Business Development Act of 1999 (15 U.S.C. 657b note) is amended by striking subsection (h).

TITLE II—NATIONAL RESERVIST ENTERPRISE TRANSITION AND SUSTAINABILITY

SEC. 201. SHORT TITLE.

This title may be cited as the ''National Reservist Enterprise Transition and Sustainability Act of 2007''.

SEC. 202. PURPOSE.

The purpose of this title is to establish a program to—

(1) provide managerial, financial, planning, development, technical, and regulatory assistance to small business concerns owned and operated by Reservists;

(2) provide managerial, financial, planning, development, technical, and regulatory assistance to the temporary heads of small business concerns owned and operated by Reservists;

(3) create a partnership between the Small Business Administration, the Department of Defense, and the Department of Veterans Affairs to assist small business concerns owned and operated by Reservists;

(4) utilize the service delivery network of small business development centers, women's business centers, Veterans Business Outreach Centers, and centers operated by the National Veterans Business Development Corporation to expand the access of small business concerns owned and operated by Reservists to programs providing business management, development, financial, procurement, technical, regulatory, and marketing assistance;

(5) utilize the service delivery network of small business development centers, women's business centers, Veterans Business Outreach Centers, and centers operated by the National Veterans Business Development Corporation to quickly respond to an activation of Reservists that own and operate small business concerns; and

(6) utilize the service delivery network of small business development centers, women's business centers, Veterans Business Outreach Centers, and centers operated by the National Veterans Business Development Corporation to assist Reservists that own and operate small business concerns in preparing for future military activations.

SEC. 203. NATIONAL GUARD AND RESERVE BUSINESS ASSISTANCE.

(a) IN GENERAL.—Section 21(a)(1) of the Small Business Act (15 U.S.C. 648(a)(1)) is amended by inserting ''any small business development center, women's business center, Veterans Business Outreach Center, or center operated by the National Veterans Business Development Corporation providing enterprise transition and sustainability assistance to Reservists under section 37,'' after ''any women's business center operating pursuant to section 29,''.

(b) PROGRAM.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 37 (15 U.S.C. 631 note) as section 38; and

(2) by inserting after section 36 the following:

''SEC. 37. RESERVIST ENTERPRISE TRANSITION AND SUSTAINABILITY.

''(a) IN GENERAL.—The Administrator shall establish a program to provide business planning assistance to small business concerns owned and operated by Reservists.

''(b) DEFINITIONS.—In this section—

''(1) the terms 'activated' and 'activation' mean having received an order placing a Reservists on active duty, as defined by section 101(1) of title 10, United States Code;

''(2) the term 'Administrator' means the Administrator of the Small Business Administration, acting through the Associate Administrator for Small Business Development Centers;

''(3) the term 'Association' means the association established under section 21(a)(3)(A);

''(4) the term 'eligible applicant' means—

''(A) a small business development center that is accredited under section 21(k);

''(B) a women's business center;

''(C) a Veterans Business Outreach Center that receives funds from the Office of Veterans Business Development; or

''(D) an information and assistance center operated by the National Veterans Business Development Corporation under section 33;

''(5) the term 'enterprise transition and sustainability assistance' means assistance provided by an eligible applicant to a small business concern owned and operated by a Reservist, who has been activated or is likely to be activated in the next 12 months, to develop and implement a business strategy for the period while the owner is on active duty and 6 months after the date of the return of the owner;

''(6) the term 'Reservist' means any person who is—

''(A) a member of a reserve component of the Armed Forces, as defined by section 10101 of title 10, United States Code; and

''(B) on active status, as defined by section 101(d)(4) of title 10, United States Code;

''(7) the term 'small business development center' means a small business development center as described in section 21 of the Small Business Act (15 U.S.C. 648);

''(8) the term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, and Guam; and

''(9) the term 'women's business center' means a women's business center described in section 29 of the Small Business Act (15 U.S.C. 656).

''(c) AUTHORITY.—The Administrator may award grants, in accordance with the regulations developed under subsection (d), to eligible applicants to assist small business concerns owned and operated by Reservists by—

''(1) providing management, development, financing, procurement, technical, regulatory, and marketing assistance;

''(2) providing access to information and resources, including Federal and State business assistance programs;

''(3) distributing contact information provided by the Department of Defense regarding activated Reservists to corresponding State directors;

''(4) offering free, one-on-one, in-depth counseling regarding management, development, financing, procurement, regulations, and marketing;

''(5) assisting in developing a long-term plan for possible future activation; and

''(6) providing enterprise transition and sustainability assistance.

''(d) RULEMAKING.—

''(1) IN GENERAL.—The Administrator, in consultation with the Association and after notice and an opportunity for comment, shall promulgate regulations to carry out this section.

''(2) DEADLINE.—The Administrator shall promulgate final regulations not later than 180 days of the date of enactment of the Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2007.

''(3) CONTENTS.—The regulations developed by the Administrator under this subsection shall establish—

''(A) procedures for identifying, in consultation with the Secretary of Defense, States that have had a recent activation of Reservists;

''(B) priorities for the types of assistance to be provided under the program authorized by this section;

''(C) standards relating to educational, technical, and support services to be provided by a grantee;

''(D) standards relating to any national service delivery and support function to be provided by a grantee;

''(E) standards relating to any work plan that the Administrator may require a grantee to develop; and

''(F) standards relating to the educational, technical, and professional competency of any expert or other assistance provider to whom a small business concern may be referred for assistance by a grantee.

''(e) APPLICATION.—

''(1) IN GENERAL.—Each eligible applicant desiring a grant under this section shall submit an application to the Administrator at such time, in such manner, and accompanied by such information as the Administrator may reasonably require.

''(2) CONTENTS.—Each application submitted under paragraph (1) shall describe—

''(A) the activities for which the applicant seeks assistance under this section; and

''(B) how the applicant plans to allocate funds within its network.

''(3) MATCHING NOT REQUIRED.—Subparagraphs (A) and (B) of section 21(a)(4), requiring matching funds, shall not apply to grants awarded under this section.

''(f) AWARD OF GRANTS.—

''(1) DEADLINE.—The Administrator shall award grants not later than 60 days after the promulgation of final rules and regulations under subsection (d).

''(2) AMOUNT.—Each eligible applicant awarded a grant under this section shall receive a grant in an amount—

''(A) not less than $75,000 per fiscal year; and

''(B) not greater than $300,000 per fiscal year.

''(g) REPORT.—

''(1) IN GENERAL.—The Comptroller General of the United States shall—

''(A) initiate an evaluation of the program not later than 30 months after the disbursement of the first grant under this section; and

''(B) submit a report not later than 6 months after the initiation of the evaluation under paragraph (1) to—

''(i) the Administrator;

''(ii) the Committee on Small Business and Entrepreneurship of the Senate; and

''(iii) the Committee on Small Business of the House of Representatives.

''(2) CONTENTS.—The report under paragraph (1) shall—

''(A) address the results of the evaluation conducted under paragraph (1); and

''(B) recommend changes to law, if any, that it believes would be necessary or advisable to achieve the goals of this section.

''(h) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

''(A) $5,000,000 for the first fiscal year beginning after the date of enactment of the

Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2007; and

''(B) $5,000,000 for each of the 3 fiscal years following the fiscal year described in subparagraph (A).

''(2) LIMITATION ON USE OF OTHER FUNDS.—The Administrator may carry out the program authorized by this section only with amounts appropriated in advance specifically to carry out this section.''.

TITLE III—RESERVIST PROGRAMS

SEC. 301. RESERVIST PROGRAMS.

(a) APPLICATION PERIOD.—Section 7(b)(3)(C) of the Small Business Act (15 U.S.C. 636(b)(3)(C)) is amended by striking ''90 days'' and inserting ''1 year''.

(b) PRE-CONSIDERATION PROCESS.—

(1) DEFINITION.—In this subsection, the term ''eligible Reservist'' means a Reservist who—

(A) has not been ordered to active duty;

(B) expects to be ordered to active duty during a period of military conflict; and

(C) can reasonably demonstrate that the small business concern for which that Reservist is a key employee will suffer economic injury in the absence of that Reservist.

(2) ESTABLISHMENT.—Not later than 6 months after the date of enactment of this Act, the Administrator shall establish a preconsideration process, under which the Administrator—

(A) may collect all relevant materials necessary for processing a loan to a small business concern under section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3)) before an eligible Reservist employed by that small business concern is activated; and

(B) shall distribute funds for any loan approved under subparagraph (A) if that eligible Reservist is activated.

(c) OUTREACH AND TECHNICAL ASSISTANCE PROGRAM.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator, in consultation with the Secretary of Veterans Affairs and the Secretary of Defense, shall develop a comprehensive outreach and technical assistance program (in this subsection referred to as the ''program'') to—

(A) market the loans available under section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3)) to Reservists, and family members of Reservists, that are on active duty and that are not on active duty; and

(B) provide technical assistance to a small business concern applying for a loan under that section.

(2) COMPONENTS.—The program shall—

(A) incorporate appropriate websites maintained by the Administration, the Department of Veterans Affairs, and the Department of Defense; and

(B) require that information on the program is made available to small business concerns directly through—

(i) the district offices and resource partners of the Administration, including small business development centers, women's business centers, and the Service Corps of Retired Executives; and

(ii) other Federal agencies, including the Department of Veterans Affairs and the Department of Defense.

(3) REPORT.—

(A) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, and every 6 months thereafter until the date that is 30 months after such date of enactment, the Administrator shall submit to Congress a report on the status of the program.

(B) CONTENTS.—Each report submitted under subparagraph (A) shall include—

(i) for the 6-month period ending on the date of that report—

(I) the number of loans approved under section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3));

(II) the number of loans disbursed under that section; and

(III) the total amount disbursed under that section; and

(ii) recommendations, if any, to make the program more effective in serving small business concerns that employ Reservists.

SEC. 302. RESERVIST LOANS.

(a) IN GENERAL.—Section 7(b)(3)(E) of the Small Business Act (15 U.S.C. 636(b)(3)(E)) is amended by striking ''$1,500,000'' each place such term appears and inserting ''$2,000,000''.

(b) LOAN INFORMATION.—

(1) IN GENERAL.—The Administrator and the Secretary of Defense shall develop a joint website and printed materials providing information regarding any program for small business concerns that is available to veterans or Reservists.

(2) MARKETING.—The Administrator is authorized—

(A) to advertise and promote the program under section 7(b)(3) of the Small Business Act jointly with the Secretary of Defense and veterans' service organizations; and

(B) to advertise and promote participation by lenders in such program jointly with trade associations for banks or other lending institutions.

SEC. 303. NONCOLLATERALIZED LOANS.

Section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3)) is amended by adding at the end the following:

''(G)(i) Notwithstanding any other provision of law, the Administrator may make a loan under this paragraph of not more than $50,000 without collateral.

''(ii) The Administrator may defer payment of principal and interest on a loan described in clause (i) during the longer of—

''(I) the 1-year period beginning on the date of the initial disbursement of the loan; and

''(II) the period during which the relevant essential employee is on active duty.''.

SEC. 304. LOAN PRIORITY.

Section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3)), as amended by this Act, is amended by adding at the end the following:

''(H) The Administrator shall give priority to any application for a loan under this paragraph and shall process and make a determination regarding such applications prior to processing or making a determination on other loan applications under this subsection, on a rolling basis.''.

SEC. 305. RELIEF FROM TIME LIMITATIONS FOR VETERAN-OWNED SMALL BUSINESSES.

Section 3(q) of the Small Business Act (15 U.S.C. 632(q)) is amended by adding at the end the following:

''(5) RELIEF FROM TIME LIMITATIONS.—

''(A) IN GENERAL.—Any time limitation on any qualification, certification, or period of participation imposed under this Act on any program available to small business concerns shall be extended for a small business concern that—

''(i) is owned and controlled by—

''(I) a veteran who was called or ordered to active duty under a provision of law specified in section 101(a)(13)(B) of title 10, United States Code, on or after September 11, 2001; or

''(II) a service-disabled veteran who became such a veteran due to an injury or illness incurred or aggravated in the active military, naval, or air service during a period of active duty pursuant to a call or order to active duty under a provision of law referred to in subclause (I) on or after September 11, 2001; and

''(ii) was subject to the time limitation during such period of active duty.

''(B) DURATION.—Upon submission of proper documentation to the Administrator, the extension of a time limitation under subparagraph (A) shall be equal to the period of time that such veteran who owned or controlled such a concern was on active duty as described in that subparagraph.''.

SEC. 306. SERVICE-DISABLED VETERANS.

Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report describing—

(1) the types of assistance needed by service-disabled veterans who wish to become entrepreneurs; and

(2) any resources that would assist such service-disabled veterans.

SEC. 307. STUDY ON OPTIONS FOR PROMOTING POSITIVE WORKING RELATIONS BETWEEN EMPLOYERS AND THEIR RESERVE COMPONENT EMPLOYEES.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study on options for promoting positive working relations between employers and Reserve component employees of such employers, including assessing options for improving the time in which employers of Reservists are notified of the call or order of such members to active duty other than for training.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the study conducted under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall—

(A) provide a quantitative and qualitative assessment of—

(i) what measures, if any, are being taken to inform Reservists of the obligations and responsibilities of such members to their employers;

(ii) how effective such measures have been; and

(iii) whether there are additional measures that could be taken to promote positive working relations between Reservists and their employers, including any steps that could be taken to ensure that employers are timely notified of a call to active duty; and

(B) assess whether there has been a reduction in the hiring of Reservists by business concerns because of—

(i) any increase in the use of Reservists after September 11, 2001; or

(ii) any change in any policy of the Department of Defense relating to Reservists after September 11, 2001.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Small Business and Entrepreneurship of the Senate; and

(2) the Committee on Armed Services and the Committee on Small Business of the House of Representatives.

Ms. SNOWE. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, I rise today, with Senator KERRY, to introduce the Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2007. This bill improves the programs and resources available to our Nation's veteran entrepreneurs and the small businesses that employ our veterans.

Thank you, Senator KERRY, for working so closely with me on this bipartisan legislation and for your long

standing commitment to our Nation's veterans. This bipartisan measure contains key provisions from both S. 904, the Veterans Small Business Opportunity Act of 2007, which I introduced in March, and Senator KERRY's S. 1005, Military Reservist and Veteran Small Business Reauthorization Act of 2007. It is truly critical that all of our fellow Senators, on both sides of the aisle, continue to collaborate on our veterans' behalf and support swift passage of this legislation.

In October 2003, I requested a Congressional Budget Office Report entitled ''The Effects of Reserve Call-Ups on Civilian Employers.'' That report, issued in May 2005, highlighted the problems that our nation's small businesses face when their owners or key employees are ''called up'' to serve in defense of our Nation. In response to that report's findings, I offered two bills to improve the resources and programs targeted to these veterans and small businesses. Those bills, S. 1014, the Supporting our Patriotic Businesses Act, and S. 3122, the Patriot Loan Act of 2006, were the genesis of S. 904 that I introduced earlier this year. Similarly, Senator KERRY has an established history of working on these issues, and the Small Business Committee on January 31 held its first hearing of the 110th Congress regarding programs to assist veterans and reservists.

In recent years, our Nation's Guard and Reserve forces, which I collectively refer to as reservists, have selflessly answered the call to duty in both Iraq and Afghanistan. In fact, there have been over 425,000 reservist deployments, including nearly 3,000 from my home State of Maine, to those two countries since September 11, 2001. With the majority of nongovernmental reservists either being self-employed or working for small businesses, it is easy to see that veteran entrepreneurs and small businesses are profoundly and disproportionately impacted by these deployments.

As our reservists answer our Nation's call to duty, we must similarly fulfill our obligations to help protect their livelihood back home. In addition to addressing this responsibility, our legislation includes other broad provisions to help our Nation's veteran entrepreneurs across the board.

First, our bill makes vast improvements to the Small Business Administration's, SBA, Military Reservist Economic Disaster Loan, MREIDL, program. The MREIDL program provides funds to businesses to meet ordinary and necessary business expenses that they could have made, if not for the deployment of a reservist who is one of their essential employees.

Specifically, the bill establishes a preapplication process so businesses can be prepared, in advance, to apply for an MREIDL and includes a provision allowing a businesses up to 1 year, as opposed to 90 days, to apply. The legislation increases, from $1.5 million to $2 million, the maximum MREIDL loan a business can take and raises, from $5,000 to $50,000, the level of uncollateralized MREIDL loans available to businesses. Finally, our changes to the MREIDL program would allow the SBA Administrator to defer the payment of principal and interest while the employee is deployed.

Second, the measure also includes a national reservist enterprise transition and sustainability provision. This provision would allow the SBA to award grants to entities that assist businesses with preparing and implementing a business strategy to cover the period of time that the owner is called-up on active duty through 6 months after that owner's date of return.

Third, our bill would create a new Interagency Task Force to coordinate the efforts of Federal agencies necessary to increase capital and business development opportunities for, and increase the award of Federal contracting opportunities to, small businesses owned and controlled by veterans. This type of coordinated and targeted effort by our Federal Government is long overdue.

Finally, today's legislation would increase funding for the SBA's Office of Veterans Business Development, and permanently extend the duties and responsibilities of the SBA Advisory Committee on Veterans Business Affairs. It would also allow small businesses owned and operated by veterans to extend their SBA program participation time limitations by the duration of their owner's deployment.

While I have not provided an exhaustive list of this bill's provisions and all that it would do, a simple review of the legislation will reveal that it goes far toward helping our nation's veteran entrepreneurs and our patriotic small businesses that employ reservists, despite the risk that deployments entail. Our legislation is not a silver bullet, but it is certainly a step in the right direction. To that end, I urge my colleagues to join us in support of this bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 269—EXPRESSING THE SENSE OF THE SENATE THAT THE CITIZENS' STAMP ADVISORY COMMITTEE SHOULD RECOMMEND TO THE POSTMASTER GENERAL THAT A COMMEMORATIVE POSTAGE STAMP BE ISSUED IN HONOR OF FORMER UNITED STATES REPRESENTATIVE BARBARA JORDAN

Mr. LAUTENBERG (for himself, Mr. CORNYN, Mr. HATCH, Mr. MENENDEZ, Mr. SPECTER, Mr. LEVIN, Mrs. CLINTON, Mr. OBAMA, Ms. MIKULSKI, Mr. DURBIN, Mr. BIDEN, Mrs. HUTCHISON, Mr. DODD, Mrs. BOXER, and Ms. LANDRIEU) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 269

Whereas, in 1966, Barbara Jordan became the first African American since 1883 to serve in the Texas Senate, where she served with distinction until 1972;

Whereas Barbara Jordan became the first African American United States Representative from Texas when she won election to represent Texas's 18th District in the United States House of Representatives in 1972;

Whereas, from 1979 to 1996, Barbara Jordan served as a distinguished professor at the University of Texas Lyndon B. Johnson School of Public Affairs, where she also held the Lyndon B. Johnson Centennial Chair in National Policy;

Whereas President Bill Clinton awarded Barbara Jordan the Presidential Medal of Freedom, the Nation's highest civilian honor, in August 1994; and

Whereas Barbara Jordan was a pioneer whose devotion to civil rights for all people in the United States resonates to this day: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that a commemorative postage stamp be issued in honor of former United States Representative Barbara Jordan.

Mr. LAUTENBERG. Mr. President, I submit today a resolution calling on former Congresswoman Barbara Jordan to be honored with a commemorative stamp. Congresswoman Jordan was the first African American and the first woman to deliver a keynote address at the Democratic National Convention, which was delivered exactly 31 years ago today.

Congresswoman Barbara Jordan was a pioneer whose devotion to civil rights certainly warrants recognition. She was born in Houston on February 21, 1936, educated in Houston's public schools, and received a B.A. in political science and history from Texas Southern University in 1956. Congresswoman Jordan graduated from Boston University School of Law in 1959, after which she was admitted to the Massachusetts and Texas bars.

In 1966, Congresswoman Jordan became the first African American since 1883 to serve in the Texas Senate, where she served with distinction until 1972. That year, she won election to represent Texas' 18th District in the U.S. House of Representatives and became the State's first African-American Representative. In August 1994, President Bill Clinton awarded Congresswoman Jordan the Medal of Freedom, the Nation's highest civilian honor.

Overcoming some of the most difficult odds imaginable, Congresswoman Jordan always fought hard for what she believed in, devoting herself to improving the quality of life for all Americans. I am pleased that the Senate is considering this resolution which is cosponsored by 14 other Senators, including the 2 distinguished Senators from Texas, Congresswoman Jordan's home State.

SENATE RESOLUTION 270—HONORING THE 75TH ANNIVERSARY OF THE INTERNATIONAL PEACE GARDEN

Mr. CONRAD (for himself and Mr. DORGAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 270

Whereas the International Peace Garden was conceived in 1928 by Dr. Henry J. Moore, a Canadian member of the National Association of Gardeners, who said the garden would be ''a memorial to international friendship that shall endure to all time'';

Whereas the International Peace Garden, a National Park affiliate, was dedicated in 1932, with 50,000 people in attendance, on the border between the State of North Dakota and the Province of Manitoba as a symbol of the long-standing peace, friendship, and cooperation between the United States and Canada;

Whereas a cairn of native stone was constructed on the international border and inscribed ''To God in His Glory. . . We two nations dedicate this garden and pledge ourselves that as long as men shall live we will not take up arms against one another'';

Whereas in 1934 the Civilian Conservation Corps helped plant and construct the garden on the 2,339 acres of land donated by the State of North Dakota and Province of Manitoba;

Whereas the first building built by the Civilian Conservation Corps, the Lodge, made of North Dakota granite and timber from the Duck Mountains in Manitoba, still remains in the garden today;

Whereas more than 150,000 flowers grace the garden each year and another 2,000 to 5,000 plants and flowers comprise a large working floral clock, a centerpiece of the garden;

Whereas symbols of peace appear throughout the garden, including the 120 foot Peace Tower honoring early immigrants, the Peace Poles donated by the Japanese government that declare ''May Peace Prevail'' in 28 different languages, and the Peace Chapel, the only building to straddle the international border;

Whereas the garden's bell tower has a set of Sifton chimes, cast by Gillett and Johnston of Croydon, England, that are 1 of only 4 sets that exist in the world today;

Whereas more than 150,000 visitors travel to the International Peace Garden every year to view the floral displays, fountains, sunken garden, and other scenic vistas;

Whereas the International Peace Garden hosts the International Music Camp, which offers musical opportunities and instruction for students and adults from around the world, and the Legion Athletic Camp, one of the top student athletic training camps;

Whereas the State of North Dakota proudly declares itself the Peace Garden State in recognition and honor of the International Peace Garden;

Whereas the State of North Dakota, the Province of Manitoba, the United States, and the Canadian Governments have each contributed to the garden and its continued preservation;

Whereas the International Peace Garden is undertaking numerous restoration efforts of existing facilities and the addition of a stone-and-glass interpretive center, a tropical plant observatory, and a conflict resolution center; and

Whereas on July 14, 2007, the International Peace Garden will commemorate its 75th Anniversary: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the International Peace Garden on its 75th anniversary;

(2) honors the International Peace Garden for sharing its history, beautiful gardens, and a message of peace with the public; and

(3) urges support for continued restoration and expansion efforts at the International Peace Garden.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2131. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2019 proposed by Mr. LEVIN (for himself and Mr. MCCAIN) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SA 2132. Mr. AKAKA (for himself, Mr. CRAIG, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. BROWN, Ms. MIKULSKI, Mr. OBAMA, Mr. SPECTER, Mr. BIDEN, Mr. TESTER, Mr. DORGAN, Mr. SANDERS, and Mr. WEBB) submitted an amendment intended to be proposed to amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, supra.

SA 2133. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2134. Mr. LAUTENBERG (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2135. Mr. DORGAN (for himself, Mr. CONRAD, and Mr. SALAZAR) submitted an amendment intended to be proposed to amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, supra.

SA 2136. Mrs. CLINTON (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2137. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2138. Mr. PRYOR (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2139. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2140. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2141. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2142. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2143. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2144. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2145. Mr. NELSON of Nebraska (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2146. Mr. BYRD (for himself, Mrs. CLINTON, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2147. Mr. SESSIONS (for himself and Mr. SHELBY) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2148. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2149. Mr. OBAMA (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2150. Mr. LAUTENBERG (for himself, Mr. DODD, Mr. COBURN, and Mr. HAGEL) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2151. Mr. FEINGOLD (for himself, Mr. GRASSLEY, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2152. Mr. BIDEN submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2153. Mr. BIDEN submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2154. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, supra.

SA 2155. Ms. SNOWE (for herself and Mrs. LINCOLN) submitted an amendment intended to be proposed to amendment SA 2019 proposed by Mr. LEVIN (for himself and Mr. MCCAIN) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2156. Ms. SNOWE (for herself and Mrs. LINCOLN) submitted an amendment intended to be proposed to amendment SA 2019 proposed by Mr. LEVIN (for himself and Mr. MCCAIN) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2157. Ms. SNOWE (for herself and Mrs. LINCOLN) submitted an amendment intended to be proposed to amendment SA 2019 proposed by Mr. LEVIN (for himself and Mr. MCCAIN) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2158. Mr. NELSON of Nebraska (for Mr. JOHNSON) submitted an amendment intended to be proposed by Mr. NELSON of Nebraska to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2159. Mr. NELSON of Nebraska (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 2019 proposed by Mr. LEVIN (for himself and Mr. MCCAIN) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, supra.

SA 2160. Mr. NELSON of Nebraska (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 2019 proposed by Mr. LEVIN (for himself and Mr. MCCAIN) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, supra.

SA 2161. Mr. NELSON of Nebraska (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2162. Ms. SNOWE (for herself and Mrs. LINCOLN) submitted an amendment intended to be proposed to amendment SA 2019 proposed by Mr. LEVIN (for himself and Mr. MCCAIN) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, supra.

SA 2163. Mrs. CLINTON (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2164. Mr. SMITH (for himself, Mr. HARKIN, Ms. COLLINS, and Mrs. LINCOLN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2165. Mr. BOND (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2166. Mr. SMITH submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2167. Mr. GRASSLEY (for himself, Ms. STABENOW, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2168. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2169. Mr. WHITEHOUSE (for himself, Mr. DURBIN, Ms. MIKULSKI, Mr. FEINGOLD, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2170. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2171. Mr. FEINGOLD (for himself, Mr. LEAHY, Mr. DODD, Mr. KERRY, Mrs. BOXER, Mr. WHITEHOUSE, Mr. KENNEDY, Mr. HARKIN, Mr. SANDERS, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2172. Mr. CONRAD (for himself, Mr. DORGAN, Ms. LANDRIEU, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2173. Mr. KOHL (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2174. Mr. LEVIN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2175. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2176. Mr. DODD submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2177. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2178. Mr. KYL (for himself, Mr. VITTER, Mr. INHOFE, Mr. LIEBERMAN, and Mr. LOTT) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2179. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2180. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2181. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2182. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2183. Mr. WYDEN (for himself, Mr. BOND, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2184. Mr. SUNUNU proposed an amendment to amendment SA 2135 submitted by Mr. DORGAN (for himself, Mr. CONRAD, and Mr. SALAZAR) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, supra.

SA 2185. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2186. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2187. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2019 proposed by Mr. LEVIN (for himself and Mr. MCCAIN) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2188. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2131. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2019 proposed by Mr. LEVIN (for himself and Mr. MCCAIN) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

At the end of section 1631(b), add the following:

(16) A program under which each member of the Armed Forces who incurs a traumatic brain injury or post-traumatic stress disorder during service in the Armed Forces—

(A) is enrolled in the program; and

(B) receives, under the program, treatment and rehabilitation meeting a standard of care such that each individual who is a member of the Armed Forces who qualifies for care under the program shall—

(i) be provided the highest quality of care possible based on the medical judgment of qualified medical professionals in facilities that most appropriately meet the specific needs of the individual; and

(ii) be rehabilitated to the fullest extent possible using the most up-to-date medical technology, medical rehabilitation practices, and medical expertise available.

(17) A requirement that if a member of the Armed Forces participating in a program established in accordance with paragraph (16) believes that care provided to such participant does not meet the standard of care specified in subparagraph (B) of such paragraph, the Secretary of Defense shall, upon request of the participant, provide to such participant a referral to another Department of Defense or Department of Veterans Affairs provider of medical or rehabilitative care for a second opinion regarding the care that would meet the standard of care specified in such subparagraph.

(18) The provision of information by the Secretary of Defense to members of the Armed Forces with traumatic brain injury or post-traumatic stress disorder and their families about their rights with respect to the following:

(A) The receipt of medical and mental health care from the Department of Defense and the Department of Veterans Affairs.

(B) The options available to such members for treatment of traumatic brain injury and post-traumatic stress disorder.

(C) The options available to such members for rehabilitation.

(D) The options available to such members for a referral to a public or private provider of medical or rehabilitative care.

(E) The right to administrative review of any decision with respect to the provision of care by the Department of Defense for such members.

SA 2132. Mr. AKAKA (for himself, Mr. CRAIG, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. BROWN, Ms. MIKULSKI, Mr. OBAMA, Mr. SPECTER, Mr. BIDEN, Mr. TESTER, Mr. DORGAN, Mr. SANDERS, and Mr. WEBB) submitted an amendment intended to be proposed to amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

At the end of division A, add the following:

TITLE XVI—VETERANS MATTERS

SEC. 1601. SENSE OF CONGRESS ON DEPARTMENT OF VETERANS AFFAIRS EFFORTS IN THE REHABILITATION AND REINTEGRATION OF VETERANS WITH TRAUMATIC BRAIN INJURY.

It is the sense of Congress that—

(1) the Department of Veterans Affairs is a leader in the field of traumatic brain injury care and coordination of such care;

(2) the Department of Veterans Affairs should have the capacity and expertise to provide veterans who have a traumatic brain injury with patient-centered health care, rehabilitation, and community integration services that are comparable to or exceed similar care and services available to persons with such injuries in the academic and private sector;

(3) rehabilitation for veterans who have a traumatic brain injury should be individualized, comprehensive, and interdisciplinary with the goals of optimizing the independence of such veterans and reintegrating them into their communities;

(4) family support is integral to the rehabilitation and community reintegration of veterans who have sustained a traumatic brain injury, and the Department should provide the families of such veterans with education and support;

(5) the Department of Defense and Department of Veterans Affairs have made efforts

to provide a smooth transition of medical care and rehabilitative services to individuals as they transition from the health care system of the Department of Defense to that of the Department of Veterans Affairs, but more can be done to assist veterans and their families in the continuum of the rehabilitation, recovery, and reintegration of wounded or injured veterans into their communities;

(6) in planning for rehabilitation and community reintegration of veterans who have a traumatic brain injury, it is necessary for the Department of Veterans Affairs to provide a system for life-long case management for such veterans; and

(7) in such system for life-long case management, it is necessary to conduct outreach and to tailor specialized traumatic brain injury case management and outreach for the unique needs of veterans with traumatic brain injury who reside in urban and non-urban settings.

SEC. 1602. INDIVIDUAL REHABILITATION AND COMMUNITY REINTEGRATION PLANS FOR VETERANS AND OTHERS WITH TRAUMATIC BRAIN INJURY.

(a) IN GENERAL.—Subchapter II of chapter 17 of title 38, United States Code, is amended by inserting after section 1710B the following new section:

"§ 1710C. Traumatic brain injury: plans for rehabilitation and reintegration into the community

''(a) PLAN REQUIRED.—The Secretary shall, for each veteran or member of the Armed Forces who receives inpatient or outpatient rehabilitation care from the Department for a traumatic brain injury—

''(1) develop an individualized plan for the rehabilitation and reintegration of such individual into the community; and

''(2) provide such plan in writing to such individual before such individual is discharged from inpatient care, following transition from active duty to the Department for outpatient care, or as soon as practicable following diagnosis.

''(b) CONTENTS OF PLAN.—Each plan developed under subsection (a) shall include, for the individual covered by such plan, the following:

''(1) Rehabilitation objectives for improving the physical, cognitive, and vocational functioning of such individual with the goal of maximizing the independence and reintegration of such individual into the community.

''(2) Access, as warranted, to all appropriate rehabilitative components of the traumatic brain injury continuum of care.

''(3) A description of specific rehabilitative treatments and other services to achieve the objectives described in paragraph (1), which description shall set forth the type, frequency, duration, and location of such treatments and services.

''(4) The name of the case manager designated in accordance with subsection (d) to be responsible for the implementation of such plan.

''(5) Dates on which the effectiveness of the plan will be reviewed in accordance with subsection (f).

''(c) COMPREHENSIVE ASSESSMENT.—

''(1) IN GENERAL.—Each plan developed under subsection (a) shall be based upon a comprehensive assessment, developed in accordance with paragraph (2), of—

''(A) the physical, cognitive, vocational, and neuropsychological and social impairments of such individual; and

''(B) the family education and family support needs of such individual after discharge from inpatient care.

''(2) FORMATION.—The comprehensive assessment required under paragraph (1) with respect to an individual is a comprehensive assessment of the matters set forth in that paragraph by a team, composed by the Secretary for purposes of the assessment from among, but not limited to, individuals with expertise in traumatic brain injury, including the following:

''(A) A neurologist.
''(B) A rehabilitation physician.
''(C) A social worker.
''(D) A neuropsychologist.
''(E) A physical therapist.
''(F) A vocational rehabilitation specialist.
''(G) An occupational therapist.
''(H) A speech language pathologist.
''(I) A rehabilitation nurse.
''(J) An educational therapist.
''(K) An audiologist.
''(L) A blind rehabilitation specialist.
''(M) A recreational therapist.
''(N) A low vision optometrist.
''(O) An orthotist or prostetist.
''(P) An assistive technologist or rehabilitation engineer.
''(Q) An otolaryngology physician.
''(R) A dietician.
''(S) An opthamologist.
''(T) A psychiatrist.

''(d) CASE MANAGER.—(1) The Secretary shall designate a case manager for each individual described in subsection (a) to be responsible for the implementation of the plan, and coordination of such care, required by such subsection for such individual.

''(2) The Secretary shall ensure that such case manager has specific expertise in the care required by the individual to whom such case manager is designated, regardless of whether such case manager obtains such expertise through experience, education, or training.

''(e) PARTICIPATION AND COLLABORATION IN DEVELOPMENT OF PLANS.—(1) The Secretary shall involve each individual described in subsection (a), and the family or legal guardian of such individual, in the development of the plan for such individual under that subsection to the maximum extent practicable.

''(2) The Secretary shall collaborate in the development of a plan for an individual under subsection (a) with a State protection and advocacy system if—

''(A) the individual covered by such plan requests such collaboration; or

''(B) in the case such individual is incapacitated, the family or guardian of such individual requests such collaboration.

''(3) In the case of a plan required by subsection (a) for a member of the Armed Forces who is on active duty, the Secretary shall collaborate with the Secretary of Defense in the development of such plan.

''(4) In developing vocational rehabilitation objectives required under subsection (b)(1) and in conducting the assessment required under subsection (c), the Secretary shall act through the Under Secretary for Health in coordination with the Vocational Rehabilitation and Employment Service of the Department of Veterans Affairs.

''(f) EVALUATION.—

''(1) PERIODIC REVIEW BY SECRETARY.—The Secretary shall periodically review the effectiveness of each plan developed under subsection (a). The Secretary shall refine each such plan as the Secretary considers appropriate in light of such review.

''(2) REQUEST FOR REVIEW BY VETERANS.—In addition to the periodic review required by paragraph (1), the Secretary shall conduct a review of the plan of a veteran under paragraph (1) at the request of such veteran, or in the case that such veteran is incapacitated, at the request of the guardian or the designee of such veteran.

''(g) STATE DESIGNATED PROTECTION AND ADVOCACY SYSTEM DEFINED.—In this section, the term 'State protection and advocacy system' means a system established in a State under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.) to protect and advocate for the rights of persons with development disabilities.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1710B the following new item:

''1710C. Traumatic brain injury: plans for rehabilitation and reintegration into the community.''.

SEC. 1603. USE OF NON-DEPARTMENT OF VETERANS AFFAIRS FACILITIES FOR IMPLEMENTATION OF REHABILITATION AND COMMUNITY REINTEGRATION PLANS FOR TRAUMATIC BRAIN INJURY.

(a) IN GENERAL.—Subchapter II of chapter 17 of title 38, United States Code, is amended by inserting after section 1710C, as added by section 1602 of this Act, the following new section:

"§ 1710D. Traumatic brain injury: use of non-Department facilities for rehabilitation

''(a) IN GENERAL.—Subject to section 1710(a)(4) of this title and subsection (b) of this section, the Secretary shall provide rehabilitative treatment or services to implement a plan developed under section 1710C of this title at a non-Department facility with which the Secretary has entered into an agreement for such purpose, to an individual—

''(1) who is described in section 1710C(a) of this title; and

''(2)(A) to whom the Secretary is unable to provide such treatment or services at the frequency or for the duration prescribed in such plan; or

''(B) for whom the Secretary determines that it is optimal with respect to the recovery and rehabilitation of such individual .

''(b) STANDARDS.—The Secretary may not provide treatment or services as described in subsection (a) at a non-Department facility under such subsection unless such facility maintains standards for the provision of such treatment or services established by an independent, peer-reviewed organization that accredits specialized rehabilitation programs for adults with traumatic brain injury.

''(c) AUTHORITIES OF STATE PROTECTION AND ADVOCACY SYSTEMS.—With respect to the provision of rehabilitative treatment or services described in subsection (a) in a non-Department facility, a State designated protection and advocacy system established under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.) shall have the authorities described under such subtitle.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1710C, as added by section 1602 of this Act, the following new item:

''1710D. Traumatic brain injury: use of non-Department facilities for rehabilitation.''.

(c) CONFORMING AMENDMENT.—Section 1710(a)(4) of such title is amended by inserting ''the requirement in section 1710D of this title that the Secretary provide certain rehabilitative treatment or services,'' after ''extended care services,''.

SEC. 1604. RESEARCH, EDUCATION, AND CLINICAL CARE PROGRAM ON SEVERE TRAUMATIC BRAIN INJURY.

(a) PROGRAM REQUIRED.—Subchapter II of chapter 73 of title 38, United States Code, is amended by inserting after section 7330 the following new section:

"§ 7330A. Severe traumatic brain injury research, education, and clinical care program

''(a) PROGRAM REQUIRED.—The Secretary shall establish a program on research, education, and clinical care to provide intensive neuro-rehabilitation to veterans with a severe traumatic brain injury, including veterans in a minimally conscious state who would otherwise receive only long-term residential care.

''(b) COLLABORATION REQUIRED.—The Secretary shall establish the program required by subsection (a) in collaboration with the Defense and Veterans Brain Injury Center and other relevant programs of the Federal Government (including other Centers of Excellence).

''(c) EDUCATION REQUIRED.—As part of the program required by subsection (a), the Secretary shall, in collaboration with the Defense and Veterans Brain Injury Center and any other relevant programs of the Federal Government (including other Centers of Excellence), conduct educational programs on recognizing and diagnosing mild and moderate cases of traumatic brain injury.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary for each of fiscal years 2008 through 2012, $10,000,000 to carry out the program required by subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 is amended by inserting after the item relating to section 7330 the following new item:

''7330A. Severe traumatic brain injury research, education, and clinical care program.''.

(c) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the research to be conducted under the program required by section 7330A of title 38, United States Code, as added by subsection (a).

SEC. 1605. PILOT PROGRAM ON ASSISTED LIVING SERVICES FOR VETERANS WITH TRAUMATIC BRAIN INJURY.

(a) PILOT PROGRAM.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall, in collaboration with the Defense and Veterans Brain Injury Center, carry out a pilot program to assess the effectiveness of providing assisted living services to eligible veterans to enhance the rehabilitation, quality of life, and community integration of such veterans.

(b) DURATION OF PROGRAM.—The pilot program shall be carried out during the five-year period beginning on the date of the commencement of the pilot program.

(c) PROGRAM LOCATIONS.—

(1) IN GENERAL.—The pilot program shall be carried out at locations selected by the Secretary for purposes of the pilot program. Of the locations so selected—

(A) at least one shall be in each health care region of the Veterans Health Administration that contains a polytrauma center of the Department of Veterans Affairs; and

(B) any other locations shall be in areas that contain high concentrations of veterans with traumatic brain injury, as determined by the Secretary.

(2) SPECIAL CONSIDERATION FOR VETERANS IN RURAL AREAS.—Special consideration shall be given to provide veterans in rural areas with an opportunity to participate in the pilot program.

(d) PROVISION OF ASSISTED LIVING SERVICES.—

(1) AGREEMENTS.—In carrying out the pilot program, the Secretary may enter into agreements for the provision of assisted living services on behalf of eligible veterans with a provider participating under a State plan or waiver under title XIX of such Act (42 U.S.C. 1396 et seq.).

(2) STANDARDS.—The Secretary may not place, transfer, or admit a veteran to any facility for assisted living services under this program unless the Secretary determines that the facility meets such standards as the Secretary may prescribe for purposes of the pilot program. Such standards shall, to the extent practicable, be consistent with the standards of Federal, State, and local agencies charged with the responsibility of licensing or otherwise regulating or inspecting such facilities.

(e) CONTINUATION OF CASE MANAGEMENT AND REHABILITATION SERVICES.—In carrying the pilot program under subsection (a), the Secretary shall continue to provide each veteran who is receiving assisted living services under the pilot program with rehabilitative services and shall designate Department health-care employees to furnish case management services for veterans participating in the pilot program.

(f) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the completion of the pilot program, the Secretary shall submit to the congressional veterans affairs committees a report on the pilot program.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the pilot program.

(B) An assessment of the utility of the activities under the pilot program in enhancing the rehabilitation, quality of life, and community reintegration of veterans with traumatic brain injury.

(C) Such recommendations as the Secretary considers appropriate regarding the extension or expansion of the pilot program.

(g) DEFINITIONS.—In this section:

(1) The term ''assisted living services'' means services of a facility in providing room, board, and personal care for and supervision of residents for their health, safety, and welfare.

(2) The term ''case management services'' includes the coordination and facilitation of all services furnished to a veteran by the Department of Veterans Affairs, either directly or through contract, including assessment of needs, planning, referral (including referral for services to be furnished by the Department, either directly or through a contract, or by an entity other than the Department), monitoring, reassessment, and followup.

(3) The term ''congressional veterans affairs committees'' means—

(A) the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Veterans' Affairs of the House of Representatives.

(4) The term ''eligible veteran'' means a veteran who—

(A) is enrolled in the Department of Veterans Affairs health care system;

(B) has received treatment for traumatic brain injury from the Department of Veterans Affairs;

(C) is unable to manage routine activities of daily living without supervision and assistance; and

(D) could reasonably be expected to receive ongoing services after the end of the pilot program under this section under another government program or through other means.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Veterans Affairs to carry out this section, $8,000,000 for each of fiscal years 2008 through 2013.

SEC. 1606. RESEARCH ON TRAUMATIC BRAIN INJURY.

(a) INCLUSION OF RESEARCH ON TRAUMATIC BRAIN INJURY UNDER ONGOING RESEARCH PROGRAMS.—The Secretary of Veterans Affairs shall, in carrying out research programs and activities under the provisions of law referred to in subsection (b), ensure that such programs and activities include research on the sequelae of mild to severe forms of traumatic brain injury, including—

(1) research on visually-related neurological conditions;

(2) research on seizure disorders;

(3) research on means of improving the diagnosis, rehabilitative treatment, and prevention of such sequelae;

(4) research to determine the most effective cognitive and physical therapies for the sequelae of traumatic brain injury; and

(5) research on dual diagnosis of post-traumatic stress disorder and traumatic brain injury.

(b) RESEARCH AUTHORITIES.—The provisions of law referred to in this subsection are the following:

(1) Section 3119 of title 38, United States Code, relating to rehabilitation research and special projects.

(2) Section 7303 of such title, relating to research programs of the Veterans Health Administration.

(3) Section 7327 of such title, relating to research, education, and clinical activities on complex multi-trauma associated with combat injuries.

(c) COLLABORATION.—In carrying out the research required by subsection (a), the Secretary shall collaborate with facilities that—

(1) conduct research on rehabilitation for individuals with traumatic brain injury; and

(2) receive grants for such research from the National Institute on Disability and Rehabilitation Research of the Department of Education.

(d) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report describing in comprehensive detail the research to be carried out pursuant to subsection (a).

SEC. 1607. AGE-APPROPRIATE NURSING HOME CARE.

(a) FINDING.—Congress finds that young veterans who are injured or disabled through military service and require long-term care should have access to age-appropriate nursing home care.

(b) REQUIREMENT TO PROVIDE AGE-APPROPRIATE NURSING HOME CARE.—Section 1710A of title 38, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) The Secretary shall ensure that nursing home care provided under subsection (a) is provided in an age-appropriate manner.''.

SEC. 1608. EXTENSION OF PERIOD OF ELIGIBILITY FOR HEALTH CARE FOR COMBAT SERVICE IN THE PERSIAN GULF WAR OR FUTURE HOSTILITIES.

Section 1710(e)(3)(C) of title 38, United States Code, is amended by striking ''2 years'' and inserting ''5 years''.

SEC. 1609. MENTAL HEALTH: SERVICE-CONNECTION STATUS AND EVALUATIONS FOR CERTAIN VETERANS.

(a) PRESUMPTION OF SERVICE-CONNECTION OF MENTAL ILLNESS FOR CERTAIN VETERANS.—Section 1702 of title 38, United States Code, is amended—

(1) by striking ''psychosis'' and inserting ''mental illness''; and

(2) in the heading, by striking ''**psychosis**'' and inserting ''**mental illness**''.

(b) PROVISION OF MENTAL HEALTH EVALUATIONS FOR CERTAIN VETERANS.—Upon the request of a veteran described in section 1710(e)(3)(C) of title 38, United States Code, the Secretary shall provide to such veteran a

preliminary mental health evaluation as soon as practicable, but not later than 30 days after such request.

SEC. 1610. MODIFICATION OF REQUIREMENTS FOR FURNISHING OUTPATIENT DENTAL SERVICES TO VETERANS WITH A SERVICE-CONNECTED DENTAL CONDITION OR DISABILITY.

Section 1712(a)(1)(B)(iv) of title 38, United States Code, is amended by striking ''90-day'' and inserting ''180-day''.

SEC. 1611. DEMONSTRATION PROGRAM ON PREVENTING VETERANS AT-RISK OF HOMELESSNESS FROM BECOMING HOMELESS.

(a) DEMONSTRATION PROGRAM.—The Secretary of Veterans Affairs shall carry out a demonstration program for the purpose of—

(1) identifying members of the Armed Forces on active duty who are at risk of becoming homeless after they are discharged or released from active duty; and

(2) providing referral, counseling, and supportive services, as appropriate, to help prevent such members, upon becoming veterans, from becoming homeless.

(b) PROGRAM LOCATIONS.—The Secretary shall carry out the demonstration program in at least three locations.

(c) IDENTIFICATION CRITERIA.—In developing and implementing the criteria to identify members of the Armed Forces, who upon becoming veterans, are at-risk of becoming homeless, the Secretary of Veterans Affairs shall consult with the Secretary of Defense and such other officials and experts as the Secretary considers appropriate.

(d) CONTRACTS.—The Secretary of Veterans Affairs may enter into contracts to provide the referral, counseling, and supportive services required under the demonstration program with entities or organizations that meet such requirements as the Secretary may establish.

(e) SUNSET.—The authority of the Secretary under subsection (a) shall expire on September 30, 2011.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $2,000,000 for the purpose of carrying out the provisions of this section.

SEC. 1612. CLARIFICATION OF PURPOSE OF THE OUTREACH SERVICES PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) CLARIFICATION OF INCLUSION OF MEMBERS OF THE NATIONAL GUARD AND RESERVE IN PROGRAM.—Subsection (a)(1) of section 6301 of title 38, United States Code, is amended by inserting '', or from the National Guard or Reserve,'' after ''active military, naval, or air service''.

(b) DEFINITION OF OUTREACH.—Subsection (b) of such section is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(2) by inserting before paragraph (2) the following new paragraph (1):

''(1) the term 'outreach' means the act or process of reaching out in a systematic manner to proactively provide information, services, and benefits counseling to veterans, and to the spouses, children, and parents of veterans who may be eligible to receive benefits under the laws administered by the Secretary, to ensure that such individuals are fully informed about, and assisted in applying for, any benefits and programs under such laws;''.

SA 2133. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title VI, add the following:

SEC. 683. MODIFICATION OF AMOUNT OF BACK PAY FOR MEMBERS OF NAVY AND MARINE CORPS SELECTED FOR PROMOTION WHILE INTERNED AS PRISONERS OF WAR DURING WORLD WAR II TO TAKE INTO ACCOUNT CHANGES IN CONSUMER PRICE INDEX.

(a) MODIFICATION.—Section 667(c) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–170) is amended by adding at the end the following new paragraph:

''(3) The amount determined for a person under paragraph (1) shall be increased to reflect increases in cost of living since the basic pay referred to in paragraph (1)(B) was paid to or for that person, calculated on the basis of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics.''.

(b) RECALCULATION OF PREVIOUS PAYMENTS.—In the case of any payment of back pay made to or for a person under section 667 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 before the date of the enactment of this Act, the Secretary of the Navy shall—

(1) recalculate the amount of back pay to which the person is entitled by reason of the amendment made by subsection (a); and

(2) if the amount of back pay, as so recalculated, exceeds the amount of back pay so paid, pay the person, or the surviving spouse of the person, an amount equal to the excess.

SA 2134. Mr. LAUTENBERG (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 358. REPORTS ON SAFETY MEASURES AND ENCROACHMENT ISSUES AT WARREN GROVE GUNNERY RANGE, NEW JERSEY.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States Air Force has 32 training sites in the United States for aerial bombing and gunner training, of which Warren Grove Gunnery Range functions in the densely populated Northeast.

(2) A number of dangerous safety incidents caused by the Air National Guard have repeatedly impacted the residents of New Jersey, including the following:

(A) On May 15, 2007, a fire ignited during an Air National Guard practice mission at Warren Grove Gunnery Range, scorching 17,250 acres of New Jersey's Pinelands, destroying 5 houses, significantly damaging 13 others, and temporarily displacing approximately 6,000 people from their homes in sections of Ocean and Burlington Counties.

(B) In November 2004, an F-16 Vulcan cannon piloted by the District of Columbia Air National Guard was more than 3 miles off target when it blasted 1.5-inch steel training rounds into the roof of the Little Egg Harbor Township Intermediate School.

(C) In 2002, a pilot ejected from an F–16 aircraft just before it crashed into the woods near the Garden State Parkway, sending large pieces of debris onto the busy highway.

(D) In 1999, a dummy bomb was dumped a mile off target from the Warren Grove target range in the Pine Barrens, igniting a fire that burned 12,000 acres of the Pinelands forest.

(E) In 1997, the pilots of F–16 aircraft uplifting from the Warren Grove Gunnery Range escaped injury by ejecting from their aircraft just before the planes collided over the ocean near the north end of Brigantine. Pilot error was found to be the cause of the collision.

(F) In 1986, a New Jersey Air National Guard jet fighter crashed in a remote section of the Pine Barrens in Burlington County, starting a fire that scorched at least 90 acres of woodland.

(b) SEMIANNUAL REPORT ON SAFETY MEASURES.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of the Air Force shall submit to the congressional defense committees a report on efforts made to provide the highest level of safety by all of the military departments utilizing the Warren Grove Gunnery Range.

(c) JOINT LAND USE STUDY ON ENCROACHMENT AT WARREN GROVE GUNNERY RANGE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a joint land use study on encroachment issues at Warren Grove Gunnery Range.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $250,000 for fiscal year 2008 to conduct the joint use study under paragraph (1).

SA 2135. Mr. DORGAN (for himself, Mr. CONRAD, and Mr. SALAZAR) submitted an amendment intended to be proposed to amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1218. JUSTICE FOR OSAMA BIN LADEN AND OTHER LEADERS OF AL QAEDA.

(a) ENHANCED REWARD FOR CAPTURE OF OSAMA BIN LADEN.—Section 36(e)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708e)(1)) is amended by adding at the end the following new sentence: ''The Secretary shall authorize a reward of $50,000,000 for the capture, or information leading to the capture, of Osama bin Laden.''.

(b) STATUS OF EFFORTS TO BRING OSAMA BIN LADEN AND OTHER LEADERS OF AL QAEDA TO JUSTICE.—

(1) REPORTS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of State and the Secretary of Defense shall, in coordination with the Director of National Intelligence, jointly submit to Congress a report on the progress made in bringing Osama bin Laden and other leaders of al Qaeda to justice.

(2) ELEMENTS.—Each report under paragraph (1) shall include, current as of the date of such report, the following:

(A) An assessment of the likely current location of terrorist leaders, including Osama bin Laden, Ayman al-Zawahiri, and other key leaders of al Qaeda.

(B) A description of ongoing efforts to bring to justice such terrorist leaders, particularly those who have been directly implicated in attacks in the United States and its embassies.

(C) An assessment of whether the government of each country assessed as a likely location of top leaders of al Qaeda has fully cooperated in efforts to bring those leaders to justice.

(D) A description of diplomatic efforts currently being made to improve the cooperation of the governments described in subparagraph (C).

(E) A description of the current status of the top leadership of al Qaeda and the strategy for locating them and bringing them to justice.

(F) An assessment of whether al Qaeda remains the terrorist organization that poses the greatest threat to United States interests, including the greatest threat to the territorial United States.

(3) FORM OF REPORT.—Each report submitted to Congress under paragraph (1) shall be submitted in a classified form, and shall be accompanied by a report in unclassified form that redacts the classified information in the report.

SA 2136. Mrs. CLINTON (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 703. TRAINING AND CERTIFICATION PROGRAM FOR FAMILY CAREGIVER PERSONAL CARE ATTENDANTS FOR VETERANS AND MEMBERS OF THE ARMED FORCES WITH TRAUMATIC BRAIN INJURY.

(a) PROGRAM ON TRAINING AND CERTIFICATION OF FAMILY CAREGIVER PERSONAL CARE ATTENDANTS.—The Secretary of Veterans Affairs shall establish a program on training and certification of family caregivers of veterans and members of the Armed Forces with traumatic brain injury as personal care attendants of such veterans and members.

(b) LOCATION.—The program required by subsection (a) shall be located in each of the polytrauma centers of the Department of Veterans Affairs designated as a Tier I polytrauma center.

(c) TRAINING CURRICULA.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall, in collaboration with the Secretary of Defense, develop curricula for the training of personal care attendants described in subsection (a). Such curricula shall incorporate applicable standards and protocols utilized by certification programs of national brain injury care specialist organizations.

(2) USE OF EXISTING CURRICULA.—In developing the curricula required by paragraph (1), the Secretary of Veterans Affairs shall, to the extent practicable, utilize and expand upon training curricula developed pursuant to section 744(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2308).

(d) PROGRAM PARTICIPATION.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall determine the eligibility of a family member of a veteran or member of the Armed Forces for participation in the program required by subsection (a).

(2) BASIS FOR DETERMINATION.—A determination made under paragraph (1) shall be based on the clinical needs of the veteran or member of the Armed Forces concerned, as determined by the physician of such veteran or member.

(e) ELIGIBILITY FOR COMPENSATION.—A family caregiver of a veteran or member of the Armed Forces who receives certification as a personal care attendant under this section shall be eligible for compensation from the Department of Veterans Affairs for care provided to such veteran or member.

(f) COSTS OF TRAINING.—

(1) TRAINING OF FAMILIES OF VETERANS.—Any costs of training provided under the program under this section for family members of veterans shall be borne by the Secretary of Veterans Affairs.

(2) TRAINING OF FAMILIES OF MEMBERS OF THE ARMED FORCES.—The Secretary of Defense shall reimburse the Secretary of Veterans Affairs for any costs of training provided under the program under this section for family members of members of the Armed Forces. Amounts for such reimbursement shall be derived from amounts available for Defense Health Program for the TRICARE program.

(g) CONSTRUCTION.—Nothing in this section shall be construed to require or permit the Secretary of Veterans Affairs to deny reimbursement for health care services provided to a veteran with a brain injury to a personal care attendant who is not a family member of such veteran.

SA 2137. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1107. EDUCATIONAL ASSISTANCE IN SUPPORT OF THE NUCLEAR MISSIONS OF THE NAVY.

(a) IN GENERAL.—The Secretary of the Navy shall carry out a program to provide scholarships, fellowships, and grants for pursuit of programs of education at institutions of higher education that lead to degrees in engineering and technical fields that are necessary for a workforce to support the nuclear missions of the Navy.

(b) ELEMENTS.—The program under subsection (a) shall include the following:

(1) Merit-based scholarships for undergraduate study.

(2) Research fellowships for study the graduate level.

(3) Grants to support the establishment at 2-year public institutions of higher education of programs of study and training that lead to degrees in engineering and technical fields that are necessary for a workforce to support the nuclear missions of the Navy.

(4) Grants to increase the utilization of training, research, and test reactors at institutions of higher education.

(5) Any other elements that the Secretary considers appropriate.

(c) CONSULTATION.—In developing the program, the Secretary shall consult with trade organizations, technical societies, organized labor organizations, and other bodies having an interest in the program.

(d) REPORT ON PROGRAM.—Not later than January 31, 2008, the Secretary shall submit to Congress a report on the program under subsection (a), including a description of the program and a statement of the funding required during fiscal years 2009 through 2013 to carry out the program.

(e) REPORT ON WORKFORCE REQUIREMENTS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Energy shall jointly submit to Congress a report on the requirements for a workforce to support the nuclear missions of the Navy during the 10-year period beginning on the date of the report.

(2) ELEMENTS.—The report shall address anticipated changes to the nuclear missions of the Navy during the 10-year period beginning on the date of the report, anticipated workforce attrition, and retirement, and recruiting trends during that period and knowledge retention programs within the Department of Defense, the Department of Energy, the national laboratories, and federally funded research facilities.

SA 2138. Mr. PRYOR (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VI, add the following:

SEC. 673. EXPANSION OF PROGRAMS OF EDUCATION ELIGIBLE FOR ACCELERATED PAYMENT OF EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.

(a) IN GENERAL.—Subsection (b) of section 3014A of title 38, United States Code, is amended by striking paragraph (1) and inserting the following new paragraph (1):

''(1) enrolled in—

''(A) an approved program of education that leads to employment in a high technology occupation in a high technology industry (as determined pursuant to regulations prescribed by the Secretary); or

''(B) during the period beginning on October 1, 2007, and ending on September 30, 2011, an approved program of education lasting less than two years that (as so determined) leads to employment in—

''(i) the transportation sector of the economy;

''(ii) the construction sector of the economy;

''(iii) the hospitality sector of the economy; or

''(iv) the energy sector of the economy; and''.

(b) CONFORMING AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

''§ 3014A. Accelerated payment of basic educational assistance''.

(2) CLERICAL AMENDMENT.—The item relating to such section in the table of sections at the beginning of chapter 30 of such title is amended to read as follows:

''3014A. Accelerated payment of basic educational assistance.''.

SA 2139. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department

of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1070. IMPROVED HOUSING BENEFITS FOR DISABLED MEMBERS OF THE ARMED FORCES AND EXPANDED BENEFITS FOR VETERANS WITH SEVERE BURNS.

(a) HOME IMPROVEMENTS AND STRUCTURAL ALTERATIONS FOR TOTALLY DISABLED MEMBERS OF THE ARMED FORCES BEFORE DISCHARGE OR RELEASE FROM THE ARMED FORCES.—Section 1717 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) In the case of a member of the Armed Forces who, as determined by the Secretary, has a total disability permanent in nature incurred or aggravated in the line of duty in the active military, naval, or air service, the Secretary may furnish improvements and structural alterations for such member for such disability or as otherwise described in subsection (a)(2) while such member is hospitalized or receiving outpatient medical care, services, or treatment for such disability if the Secretary determines that such member is likely to be discharged or released from the Armed Forces for such disability.

''(2) The furnishing of improvements and alterations under paragraph (1) in connection with the furnishing of medical services described in subparagraph (A) or (B) of subsection (a)(2) shall be subject to the limitation specified in the applicable subparagraph.''.

(b) SPECIALLY ADAPTED HOUSING ASSISTANCE FOR DISABLED VETERANS WITH SEVERE BURNS.—Section 2101 of title 38, United States Code, is amended—

(1) in subsection (a)(2), by adding at the end the following new subparagraph:

''(E) The disability is due to a severe burn injury (as determined pursuant to regulations prescribed by the Secretary).''; and

(2) in subsection (b)(2)—

(A) by striking ''either'' and inserting ''any''; and

(B) by adding at the end the following new subparagraph:

''(C) The disability is due to a severe burn injury (as so determined).''.

(c) REPORT ON SPECIALLY ADAPTED HOUSING FOR DISABLED VETERANS.—

(1) IN GENERAL.—Not later than December 31, 2007, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report that contains an assessment of the adequacy of the authorities available to the Secretary under law to assist disabled veterans in acquiring—

(A) suitable housing units with special fixtures or movable facilities required for their disabilities, and necessary land therefor;

(B) such adaptations to their residences as are reasonably necessary because of their disabilities; or

(C) residences already adapted with special features determined by the Secretary to be reasonably necessary as a result of their disabilities.

(2) FOCUS ON PARTICULAR DISABILITIES.—The report required by paragraph (1) shall pay particular attention to the needs of veterans who have disabilities that are not described in subsections (a)(2) and (b)(2) of section 2101 of title 38, United States Code.

(d) ELIGIBILITY OF DISABLED VETERANS AND MEMBERS OF THE ARMED FORCES WITH SEVERE BURN INJURIES FOR AUTOMOBILES AND ADAPTIVE EQUIPMENT.—Section 3901(1) of title 38, United States Code, is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''or (iii)'' and inserting ''(iii), or (iv)''; and

(B) by adding at the end the following new clause:

''(iv) A severe burn injury (as determined pursuant to regulations prescribed by the Secretary); or''; and

(2) in subparagraph (B), by striking ''or (iii)'' and inserting ''(iii), or (iv)''.

(e) ADAPTED HOUSING ASSISTANCE FOR DISABLED MEMBERS OF THE ARMED FORCES RESIDING TEMPORARILY IN HOUSING OWNED BY A FAMILY MEMBER.—

(1) IN GENERAL.—Subsection (a) of section 2102A of title 38, United States Code, is amended—

(A) by inserting ''(1)'' before ''In the case'';

(B) by striking ''disabled veteran who is described in subsection (a)(2) or (b)(2) of section 2101 of this title and'' and inserting ''person described in paragraph (2)'';

(C) by striking ''such veteran's'' and inserting ''the person's'';

(D) by striking ''the veteran'' and inserting ''the person'';

(E) by striking ''the veteran's'' and inserting ''the person's''; and

(F) by adding at the end the following new paragraph:

''(2) A person described in this paragraph is—

''(A) a veteran who is described in subsection (a)(2) or (b)(2) of section 2101 of this title; or

''(B) a member of the Armed Forces who—

''(i) has, as determined by the Secretary, a disability permanent in nature described in subsection (a)(2) or (b)(2) of section 2101 of this title that has incurred in the line of duty in the active military, naval, or air service;

''(ii) is hospitalized or receiving outpatient medical care, services, or treatment for such disability; and

''(iii) is likely to be discharged or released from the Armed Forces for such disability.''.

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (b), by striking ''veteran'' both places it appears and inserting ''person with a disability''; and

(B) in subsection (c), by striking ''veteran'' and inserting ''person''.

(3) REPORT ON ASSISTANCE FOR DISABLED VETERANS AND MEMBERS OF THE ARMED FORCES WHO RESIDE IN HOUSING OWNED BY FAMILY MEMBER ON PERMANENT BASIS.—Not later than December 31, 2007, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the advisability of providing assistance under section 2102A of title 38, United States Code, to veterans and members of the Armed Forces described in subsection (a) of such section, as amended by paragraph (1) of this subsection, who reside with family members on a permanent basis.

SA 2140. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PERIODS OF ADMISSION.

(a) SHORT TITLE.—This section may be cited as the ''Secure Border Crossing Card Entry Act of 2007''.

(b) PERIODS OF ADMISSION.—Section 214(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(a)(2)) is amended by adding at the end the following:

''(C)(i) Except as provided under clauses (ii) and (iii), the initial period of admission to the United States of an alien who possesses a valid machine-readable biometric border crossing identification card issued by a consular officer, has successfully completed required background checks, and is admitted to the United States as a nonimmigrant under section 101(a)(15)(B) at a port of entry at which such card is processed through a machine reader, shall not be short than the initial period of admission granted to any other alien admitted to the United States under section 101(a)(15)(B).

''(ii) The Secretary of Homeland Security may prescribe, by regulation, the length of the initial period of admission described in clause (i), which period shall be—

''(I) a minimum of 6 months; or

''(II) the length of time provided for under clause (iii)

''(iii) The Secretary may, on a case-by-case basis, provide for a period of admission that is shorter or longer than the initial period described in clause (ii)(I) if the Secretary finds good cause for such action.

''(iv) An alien who possesses a valid machine-readable biometric border crossing identification card may not be admitted to the United States for the period of admission specified under clause (i) or granted extensions of such period of admission if—

''(I) the alien previously violated the terms and conditions of the alien's nonimmigrant status;

''(II) the alien is inadmissible as a nonimmigrant; or

''(III) the alien's border crossing card has not been processed through a machine reader at the United States port of entry or land border at which the person seeks admission to the United States.''.

(c) RULEMAKING.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall promulgate regulations to carry out the amendment made by subsection (b).

(2) WAIVER OF APA.—In promulgating regulations under paragraph (1), the Secretary may waive any provision of chapter 5 of title 5, United States Code (commonly known as the ''Administrative Procedure Act'') or any other law relating to rulemaking if the Secretary determines that compliance with such provision would impede the timely implementation of this Act.

SA 2141. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INTERNATIONAL COMMUTERS.

(a) H–1A TEMPORARY WORKERS.—Section 101(a)(15)(H) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)) is amended by striking ''(H) an alien (i) (b)'' and inserting the following:

''(H) an alien—

''(i)(a) who—

''(aa) continuously maintains a residence at which the alien is actually domiciled outside the United States, which the alien has no intention of abandoning;

''(bb) is coming temporarily to the United States to perform temporary work of a seasonal nature, not to exceed more than 10 months in any calendar year;

''(cc) commutes each business day, across the international border of the United States, to work in a full-time position with a qualified United States employer; and

''(dd) returns, across such border, to his or her foreign residence at the conclusion of each business day, or

''(b)''.

(b) TEMPORARY LABOR CERTIFICATION.—Section 214(c)(1) of such Act (8 U.S.C. 1184(c)(1)) is amended—

(1) by inserting ''(A)'' after ''(c)(1)'';

(2) by striking ''For purposes of this subsection'' and inserting the following:

''(B) For purposes of this subsection with respect to nonimmigrants described in section 101(a)(15)(H)(i)(a) (referred to in this subparagraph as 'H–1A temporary workers'), the term 'appropriate agencies of the Government' means the Department of Labor. Before filing a petition with the Secretary of Homeland Security for an H–1A temporary worker, the employer shall apply for a temporary labor certification with the Secretary of Labor, which shall inform the Secretary of Homeland Security whether—

''(i) United States workers capable of performing the temporary services or labor are available; and

''(ii) the alien's employment would adversely affect the wages and working conditions of similarly employed United States workers.

''(C) For purposes of this subsection''.

(c) NUMERICAL LIMITATIONS.—Section 214(g) of such Act is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(B) by inserting before subparagraph (B), as redesignated, the following:

''(A) under section 101(a)(15)(H)(i)(a) may not exceed 90,000;''; and

(C) in subparagraph (B), as redesignated, by striking ''or'' and inserting ''and'';

(2) in paragraphs (5), (7), and (8), by striking ''paragraph (1)(A)'' each place it appears and inserting ''paragraph (1)(B)''; and

(3) in paragraphs (9) and (10), by striking ''paragraph (1)(B)'' each place it appears and inserting ''paragraph (1)(C)''.

(d) PERIOD OF AUTHORIZED ADMISSION.—Section 214(g)(4) of such Act is amended to read as follows:

''(4)(A) The period of authorized admission for an alien who is provided nonimmigrant status under section 101(a)(15)(H)(i)(a) may not exceed 3 years.

''(B) The period of authorized admission for an alien who is provided nonimmigrant status under section 101(a)(15)(H)(i)(b) may not exceed 6 years.''.

SA 2142. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. LIMITATION ON LANDOWNER'S LIABILITY.

Section 287 of the Immigration and Nationality Act (8 U.S.C. 1357) is amended by inserting after subsection (g) the following:

''(h) INDEMNITY FOR ACTIONS OF LAW ENFORCEMENT OFFICERS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law and subject to appropriations, an owner of land located within 100 miles of the international land border of the United States may seek reimbursement from the Department of Homeland Security for any adverse final tort judgment for negligence (excluding attorneys' fees and costs) authorized under the Federal or State tort law, arising directly from such border security activity if—

''(A) such owner has been found negligent by a Federal or State court in any tort litigation;

''(B) such owner has not already been reimbursed for the final tort judgment, including outstanding attorney's fees and costs;

''(C) such owner did not have or does not have sufficient property insurance to cover the judgment and have had an insurance claim for such coverage denied; and

''(D) such tort action was brought as a direct result of activity of law enforcement officers of the Department of Homeland Security, acting in their official capacity, on the owner's land.

''(2) DEFINITIONS.—In this subsection—

''(A) the term 'land' includes roads, water, watercourses, and private ways, and buildings, structures, machinery and equipment that is attached to real property; and

''(B) the term 'owner' includes the possessor of a fee interest, a tenant, lessee, occupant, the possessor of any other interest in land, or any person having a right to grant permission to use the land.

''(3) EXCEPTIONS.—Nothing in this subsection may be construed to limit landowner liability which would otherwise exist for—

''(A) willful or malicious failure to guard or warn against a known dangerous condition, use, structure, or activity likely to cause harm;

''(B) maintaining an attractive nuisance;

''(C) gross negligence; or

''(D) direct interference with, or hindrance of, any agent or officer of the Federal Government who is authorized to enforce the immigration laws of the United States during—

''(i) a patrol of such landowner's land; or

''(ii) any action taken to apprehend or detain any alien attempting to enter the United States illegally or evade execution of an arrest warrant for a violation of any immigration law.

''(4) SAVINGS PROVISION.—Nothing in this subsection may be construed to affect any right or remedy available pursuant to the Federal Tort Claims Act.''.

SA 2143. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activiites of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. EMPLOYMENT-BASED VISAS.

(a) RECAPTURE OF UNUSED EMPLOYMENT-BASED IMMIGRANT VISAS.—Section 106(d) of the American Competitiveness in the Twenty-first Century Act of 2000 (Public Law 106–313; 8 U.S.C. 1153 note) is amended—

(1) in paragraph (1)—

(A) by inserting ''1996, 1997,'' after ''available in fiscal year'';

(B) by striking ''be available'' and all that follows and inserting the following: ''be available only to—

''(A) employment-based immigrants under paragraphs (1) and (2) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b));

''(B) the family members accompanying or following to join such employment-based immigrants under section 203(d) of such Act; and

''(C) those immigrant workers who had petitions approved based on Schedule A under section 656.5 of title 20, Code of Federal Regulations, as promulgated by the Secretary of Labor.''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting ''1996, 1997, and'' after ''available in fiscal years''; and

(B) in subparagraph (B), by amending clause (ii) to read as follows:

''(ii) DISTRIBUTION OF VISAS.—The total number of visas made available under paragraph (1) from unused visas from fiscal years 1996 and 1997 shall be distributed equally between—

''(I) immigrant workers with approved petitions based on Schedule A (as described in paragraph (1)(C)); and

''(II) employment-based immigrants under paragraphs (1) and (2) of section 203(b) of the Immigration and Nationality Act.''.

(b) H–1B VISA AVAILABILITY.—Section 214(g) of the Immigration and Nationality Act (8 U.S.C. 1184(g)) is amended—

(1) in paragraph (1)(A)—

(A) in clause (vi), by striking ''and'' at the end;

(B) by redesignating clause (vii) as clause (ix); and

(C) by inserting after clause (vi) the following:

''(vii) 65,000 in each of fiscal years 2004 through 2006;

''(viii) 115,000 in fiscal year 2007; and''; and

(2) in paragraph (4)—

(A) by inserting ''(A)'' after ''(4)''; and

(B) by adding at the end the following:

''(B) Subparagraph (A) shall not apply to a nonimmigrant who has an approved petition for an immigrant visa under paragraph (1) or (2) of section 203(b) if at least 180 days have elapsed since the filing an application for adjustment of status under subsection (a), (k) or (i) of section 245 that has not been denied. The Secretary of Homeland may extend the stay of such an alien in 1-year increments until a final decision is made on the alien's application for adjustment of status.''.

(c) IMMIGRANT VISA BACKLOG REDUCTION.—Section 201(d) of the Immigration and Nationality Act (8 U.S.C. 1151(d)) is amended to read as follows:

''(d) WORLDWIDE LEVEL OF EMPLOYMENT-BASED IMMIGRANTS.—The worldwide level of employment-based immigrants under this subsection for a fiscal year is equal to the sum of—

''(1) 290,000; and

''(2) the difference between—

''(A) the maximum number of visas authorized to be issued under this subsection during the previous fiscal year; and

''(B) the number of such visas issued during the previous fiscal year.''.

(d) RETAINING IMMIGRANTS WHO HAVE BEEN EDUCATED IN THE UNITED STATES.—Section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)) is amended by adding at the end the following:

''(F) Aliens who have earned a master's or higher degree from an accredited United States university.

''(G) Aliens who—

''(i) have earned a master's or higher degree in science, technology, engineering, or math; and

''(ii) have been working in the United States in a field related to such degree in a nonimmigrant status during the 3-year period preceding their application for an immigrant visa under paragraph (1) or (2) of section 203(b).

''(H) Aliens who—

''(i) are described in subparagraph (A) or (B) of section 203(b)(1); or

''(ii) have received a national interest waiver under section 203(b)(2)(B).''.

SA 2144. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activiites of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XIV, add the following:

SEC. 1408. ADDITIONAL AMOUNT FOR DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES WITH RESPECT TO AFGHANISTAN.

(a) ADDITIONAL AMOUNT FOR DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.—The amount authorized to be appropriated by section 1405 for Drug Interdiction and Counter-Drug Activities, Defense-wide, is hereby increased by $180,000,000.

(b) AVAILABILITY.—Of the amount authorized to be appropriated by section 1405 for Drug Interdiction and Counter-Drug Activities, Defense-wide, as increased by subsection (a), $180,000,000 may be available for drug interdiction and counterdrug activities with respect to Afghanistan.

(c) SUPPLEMENT NOT SUPPLANT.—The amount available under subsection (b) for the purpose specified in that paragraph is in addition to any other amounts available under this Act for that purpose.

SA 2145. Mr. NELSON of Nebraska (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activiites of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XV, add the following:

SEC. 1535. TRANSITION OF MISSION OF UNITED STATES FORCES IN IRAQ.

(a) IN GENERAL.—Commencing as of the date of the enactment of this Act, the President shall immediately begin the transition of mission for all United States forces in Iraq.

(b) TRANSITION OF MISSION.—United States forces in Iraq shall be limited to—

(1) protecting United States personnel and infrastructure in Iraq;

(2) continuing the training and equipping of Iraqi security forces;

(3) securing Iraq's borders in order to halt and prevent the influx of foreign and al Qaeda fighters into Iraq; and

(4) continuing the conduct of counterterrorism operations against al Qaeda, al Qaeda-affiliated forces, and other terrorist groups engaged in destabilization efforts in Iraq.

(c) GOAL FOR ACTIONS.—The goal of completing the transition and redeployment of United States forces to a new mission in accordance with this section shall be March 31, 2008, as outlined in the report of the Iraq Study Group.

SA 2146. Mr. BYRD (for himself, Mrs. CLINTON, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XV, add the following:

SEC. 1535. EXPIRATION OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ.

(a) FINDINGS.—Congress makes the following findings:

(1) The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243) authorized the President to use force in Iraq for two limited purposes: to defend the national security of the United States against the continuing threat posed by Iraq; and to enforce all relevant United Nations Security Council resolutions regarding Iraq.

(2) The Government of Iraq identified in the resolution has been removed and no longer poses a threat to the national security of the United States and has been replaced with a democratically-elected government.

(3) The situation in Iraq in 2007 is vastly different than it was in 2002, and involves an internal sectarian conflict rather than a dictatorial regime hostile to the United States.

(b) EXPIRATION.—Section 3 of the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 116 Stat. 1501; 50 U.S.C. 1541 note) is amended by adding at the end the following new subsections:

''(d) EXPIRATION.—

''(1) IN GENERAL.—The authorization in subsection (a) shall expire on October 11, 2007.

''(2) CONSTRUCTION.—Nothing in this subsection shall be construed as—

''(A) denying the United States Armed Forces the capacity to act in self-defense or in protection of the United States Embassy in Baghdad and its personnel;

''(B) precluding the President from withdrawing the United States Armed Forces from Iraq at any time before October 11, 2007, if circumstances warrant;

''(C) precluding Congress by joint resolution from directing such a withdrawal; or

''(D) preventing missions that are specifically permitted in the National Defense Authorization Act for Fiscal Year 2008.

''(e) NEW AUTHORITY.—In order to conduct military operations in Iraq that do not relate to the withdrawal of members of the United States Armed Forces after the date specified in subsection (d)(1), the President shall be required to request from Congress specific new authority, and to articulate in detail the mission, strategy, and goals of a continued United States military presence in Iraq.''.

(c) AVAILABILITY OF FUNDS FOR SAFE AND ORDERLY REDEPLOYMENT.—Notwithstanding any other provision of law, any funds made available by any Act for the Department of Defense are immediately available for obligation and expenditure to plan and execute a safe and orderly redeployment of the United States Armed Forces from Iraq.

SA 2147. Mr. SESSIONS (for himself and Mr. SHELBY) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

SEC. 555. AUTHORITY OF THE AIR UNIVERSITY TO CONFER ADDITIONAL ACADEMIC DEGREES.

Section 9317(a) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

''(5) The degree of doctor of philosophy in strategic studies upon graduates of the School of Advanced Airpower Studies who fulfill the requirements for that degree in manner consistent with the guidelines of the Department of Education and the principles of the regional accrediting body for Air University.

''(6) The degree of master of air, space, and cyberspace studies upon graduates of Air University who fulfill the requirements for that degree in a manner consistent with the recommendations of the Department of Education and the principles of the regional accrediting body for Air University.

''(7) The degree of master of flight test engineering science upon graduates of the Air Force Test Pilot School who fulfill the requirements for that degree in a manner consistent with the recommendations of the Department of Education and the principles of the regional accrediting body for Air University.''.

SA 2148. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 358. AUTHORITY FOR DEPARTMENT OF DEFENSE TO PROVIDE SUPPORT FOR CERTAIN SPORTING EVENTS.

(a) PROVISION OF SUPPORT.—Section 2564 of title 10, United States Code, is amended—

(1) in subsection (c), by adding at the end the following new paragraphs:

''(4) A sporting event sanctioned by the United States Olympic Committee through the Paralympic Military Program.

''(5) Any national or international paralympic sporting event (other than a sporting event described in paragraphs (1) through (4))—

''(A) that—

''(i) is held in the United States or any of its territories or commonwealths;

''(ii) is governed by the International Paralympic Committee; and

''(iii) is sanctioned by the United States Olympic Committee;

''(B) for which participation exceeds 100 amateur athletes; and

''(C) in which at least 25 percent of the athletes participating in the sporting event are members or former members of the armed forces who are participating in the sporting event based upon an injury or wound incurred in the line of duty in the armed force and veterans who are participating in the sporting event based upon a service-connected disability.''; and

(2) by adding at the end the following new subsection:

''(g) FUNDING FOR SUPPORT OF CERTAIN EVENTS.—(1) Amounts for the provision of support for a sporting event described in paragraph (4) or (5) of subsection (c) may be derived from the Support for International Sporting Competitions, Defense account established by section 5802 of the Omnibus Consolidated Appropriations Act, 1997 (10 U.S.C. 2564 note), notwithstanding any limitation under that section relating to the availability of funds in such account for the provision of support for international sporting competitions.

''(2) The total amount expended for any fiscal year to provide support for sporting events described in subsection (c)(5) may not exceed $1,000,000.''.

(b) SOURCE OF FUNDS.—Section 5802 of the Omnibus Consolidated Appropriations Act, 1997 (10 U.S.C. 2564 note) is amended—

(1) by inserting after ''international sporting competitions'' the following: ''and for support of sporting competitions authorized under section 2564(c)(4) and (5), of title 10, United States Code,''; and

(2) by striking ''45 days'' and inserting ''15 days''.

SA 2149. Mr. OBAMA (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 703. POSTDEPLOYMENT MEDICAL AND MENTAL HEALTH SCREENINGS FOR MEMBERS OF THE ARMED FORCES.

Section 1074f(b) of title 10, United States Code, is amended—

(1) in the second sentence of paragraph (1), by striking ''(or as soon as possible thereafter)'' and inserting '', but not later than 90 days after the redeployment of the member and before a subsequent deployment of the member to an area in which the system is in operation'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph (2):

''(2) The postdeployment examination of a member of the armed forces required under paragraph (1) shall include a comprehensive medical and mental health assessment of the member conducted on an individualized basis and in person by personnel qualified to conduct such examinations.''.

SA 2150. Mr. LAUTENBERG (for himself, Mr. DODD, Mr. COBURN, and Mr. HAGEL) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XV, add the following:

SEC. 1535. SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION.

(a) FINDINGS.—Congress makes the following findings:

(1) A democratic, stable, and prosperous Afghanistan is vital to the national security of the United States and to combating international terrorism.

(2) Since the fall of the Taliban, the United States has provided Afghanistan with over $20,000,000,000 in reconstruction and security assistance. However, repeated and documented incidents of waste, fraud, and abuse in the utilization of these funds have undermined reconstruction efforts.

(3) There is a stronger need for vigorous oversight of spending by the United States on reconstruction programs and projects in Afghanistan.

(4) The Government Accountability Office (GAO) and departmental Inspectors General provide valuable information on such activities.

(5) The congressional oversight process requires more timely reporting of reconstruction activities in Afghanistan that encompasses the efforts of the Department of State, the Department of Defense, and the United States Agency for International Development and highlights specific acts of waste, fraud, and abuse.

(6) One example of such successful reporting is provided by the Special Inspector General for Iraq Reconstruction (SIGIR), which has met this objective in the case of Iraq.

(7) The establishment of a Special Inspector General for Afghanistan Reconstruction (SIGAR) position using SIGIR as a model will help achieve this objective in Afghanistan. This position will help Congress and the American people to better understand the challenges facing United States programs and projects in that crucial country.

(8) It is a priority for Congress to establish a Special Inspector General for Afghanistan position with similar responsibilities and duties as the Special Inspector General for Iraq Reconstruction. This new position will monitor United States assistance to Afghanistan in the civilian and security sectors, undertaking efforts similar to those of the Special Inspector General for Iraq Reconstruction.

(b) OFFICE OF INSPECTOR GENERAL.—There is hereby established the Office of the Special Inspector General for Afghanistan Reconstruction.

(c) APPOINTMENT OF INSPECTOR GENERAL; REMOVAL.—

(1) APPOINTMENT.—The head of the Office of the Special Inspector General for Afghanistan Reconstruction is the Special Inspector General for Afghanistan Reconstruction (in this section referred to as the ''Inspector General''), who shall be appointed by the President.

(2) QUALIFICATIONS.—The appointment of the Inspector General shall be made solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(3) DEADLINE FOR APPOINTMENT.—The nomination of an individual as Inspector General shall be made not later than 30 days after the date of the enactment of this Act.

(4) REMOVAL.—The Inspector General shall be removable from office in accordance with the provisions of section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.).

(5) PROHIBITION ON POLITICAL ACTIVITIES.—For purposes of section 7324 of title 5, United States Code, the Inspector General shall not be considered an employee who determines policies to be pursued by the United States in the nationwide administration of Federal law.

(6) COMPENSATION.—The annual rate of basic pay of the Inspector General shall be the annual rate of basic pay provided for positions at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(d) SUPERVISION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Inspector General shall report directly to, and be under the general supervision of, the Secretary of State and the Secretary of Defense.

(2) INDEPENDENCE TO CONDUCT INVESTIGATIONS AND AUDITS.—No officer of the Department of Defense, the Department of State, or the United States Agency for International Development shall prevent or prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation, or from issuing any subpoena during the course of any audit or investigation.

(e) DUTIES.—

(1) OVERSIGHT OF AFGHANISTAN RECONSTRUCTION.—It shall be the duty of the Inspector General to conduct, supervise, and coordinate audits and investigations of the treatment, handling, and expenditure of appropriated funds by the United States Government, and of the programs, operations, and contracts carried out utilizing such funds in Afghanistan in order to prevent and detect waste, fraud, and abuse, including—

(A) the oversight and accounting of the obligation and expenditure of such funds;

(B) the monitoring and review of reconstruction activities funded by such funds;

(C) the monitoring and review of contracts funded by such funds;

(D) the monitoring and review of the transfer of such funds and associated information between and among the departments, agencies, and entities of the United States Government, and private and nongovernmental entities;

(E) the maintenance of records on the use of such funds to facilitate future audits and investigations of the use of such funds;

(F) the monitoring and review of the effectiveness of United States coordination with the Government of Afghanistan and other donor countries in the implementation of the Afghanistan Compact and the Afghanistan National Development Strategy and the efficient utilization of funds for economic reconstruction, social and political development, and security assistance;

(G) the recovery of funds for the United States Government, including instances of overpayments such as duplicate payments or duplicate billing; and

(H) the investigation of any potential unethical or illegal actions of Federal employees, contractors, or affiliated entities and the referral of such reports, as necessary, to the Department of Justice to ensure further investigations, prosecutions, or remedies.

(2) OTHER DUTIES RELATED TO OVERSIGHT.—The Inspector General shall establish, maintain, and oversee such systems, procedures, and controls as the Inspector General considers appropriate to discharge the duties under paragraph (1).

(3) DUTIES AND RESPONSIBILITIES UNDER INSPECTOR GENERAL ACT OF 1978.—In addition to the duties specified in paragraphs (1) and (2), the Inspector General shall also have the duties and responsibilities of inspectors general under the Inspector General Act of 1978.

(4) COORDINATION OF EFFORTS.—In carrying out the duties, and responsibilities, and authorities of the Inspector General under this section, the Inspector General shall coordinate with, and receive the cooperation of, each of the following:

(A) The Inspector General of the Department of State.

(B) The Inspector General of the Department of Defense.

(C) The Inspector General of the United States Agency for International Development.

(f) POWERS AND AUTHORITIES.—

(1) AUTHORITIES UNDER INSPECTOR GENERAL ACT OF 1978.—In carrying out the duties specified in subsection (e), the Inspector General shall have the authorities provided in section 6 of the Inspector General Act of 1978.

(2) AUDIT STANDARDS.—The Inspector General shall carry out the duties specified in subsection (e)(1) in accordance with section 4(b)(1) of the Inspector General Act of 1978.

(g) PERSONNEL, FACILITIES, AND OTHER RESOURCES.—

(1) PERSONNEL.—The Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the duties of the Inspector General, subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

(2) EMPLOYMENT OF EXPERTS AND CONSULTANTS.—The Inspector General may obtain services as authorized by section 3109 of title 5, United States Code, at daily rates not to exceed the equivalent rate prescribed for grade GS–15 of the General Schedule by section 5332 of such title.

(3) CONTRACTING AUTHORITY.—To the extent and in such amounts as may be provided in advance by appropriations Acts, the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Inspector General.

(4) RESOURCES.—The Secretary of State shall provide the Inspector General with appropriate and adequate office space at appropriate United States Government locations in Afghanistan, together with such equipment, office supplies, and communications facilities and services as may be necessary for the operation of such offices, and shall provide necessary maintenance services for such offices and the equipment and facilities located therein. The Secretary of State shall not charge the Inspector General or employees of the Office of the Inspector General for Afghanistan Reconstruction for International Cooperative Administrative Support Services.

(5) ASSISTANCE FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—Upon request of the Inspector General for information or assistance from any department, agency, or other entity of the Federal Government, the head of such entity shall, insofar as is practicable and not in contravention of any existing law, furnish such information or assistance to the Inspector General, or an authorized designee.

(B) REPORTING OF REFUSED ASSISTANCE.—Whenever information or assistance requested by the Inspector General is, in the judgment of the Inspector General, unreasonably refused or not provided, the Inspector General shall report the circumstances to the Secretary of Defense and the Secretary of State and the appropriate committees of Congress without delay.

(h) REPORTS.—

(1) QUARTERLY REPORTS.—Not later than 30 days after the end of each fiscal-year quarter, the Inspector General shall submit to the appropriate congressional committees a report summarizing, for the period of that quarter and, to the extent possible, the period from the end of such quarter to the time of the submission of the report, the activities during such period of the Inspector General, including a summary of lessons learned, and summarizing the activities under programs and operations funded with amounts appropriated or otherwise made available for the reconstruction of Afghanistan. Each report shall include, for the period covered by such report, a detailed statement of all obligations, expenditures, and revenues of the United States Government associated with reconstruction and rehabilitation activities in Afghanistan, including the following information:

(A) Obligations and expenditures of appropriated funds.

(B) A project-by-project and program-by-program accounting of the costs incurred to date for the reconstruction of Afghanistan, together with the estimate of the costs to complete each project and each program.

(C) Revenues attributable to or consisting of funds provided by foreign nations or international organizations to programs and projects funded by the United States Government, and any obligations or expenditures of such revenues.

(D) Revenues attributable to or consisting of foreign assets seized or frozen that contribute to programs and projects funded by the United States Government, and any obligations or expenditures of such revenues.

(E) Operating expenses of agencies or entities receiving amounts appropriated or otherwise made available for the reconstruction of Afghanistan.

(F) In the case of any contract, grant, agreement, or other funding mechanism described in paragraph (2)—

(i) the amount of the contract, grant, agreement, or other funding mechanism;

(ii) a brief discussion of the scope of the contract, grant, agreement, or other funding mechanism;

(iii) a discussion of how the United States Government entity or entities involved in the contract or grant identified, and solicited offers from, potential contractors or grantees to perform the contract or grant, together with a list of the potential contractors or grantees that were issued solicitations for the offers;

(iv) the justification and approval documents on which was based the determination to use procedures other than procedures that provide for full and open competition; and

(v) a description of any previous instances of wasteful and fraudulent activities in Afghanistan by current or potential contractors, subcontactors, or grantees and whether and how they were held accountable.

(G) A description of any potential unethical or illegal actions taken by Federal employees, contractors, or affiliated entities in the course of reconstruction efforts.

(2) COVERED CONTRACTS, GRANTS, AGREEMENTS, AND FUNDING MECHANISMS.—A contract, grant, agreement, or other funding mechanism described in this paragraph is any major contract, grant, agreement, or other funding mechanism that is entered into by the United States Government with any public or private sector entity for any of the following purposes:

(A) To build or rebuild physical infrastructure of Afghanistan.

(B) To establish or reestablish a political or societal institution of Afghanistan.

(C) To provide products or services to the people of Afghanistan.

(3) SEMIANNUAL REPORT.—Not later than December 31, 2007, and semiannually thereafter, the Inspector General shall submit to the appropriate congressional committees a report meeting the requirements of section 5 of the Inspector General Act of 1978.

(4) PUBLIC TRANSPARENCY.—The Inspector General shall post each report required under this subsection on a public and searchable website not later than 7 days after the Inspector General submits the report to the appropriate congressional committees.

(5) LANGUAGES.—The Inspector General shall publish on a publicly available Internet website each report under this subsection in English and other languages that the Inspector General determines are widely used and understood in Afghanistan.

(6) FORM.—Each report submitted under this subsection shall be submitted in unclassified form, but may include a classified annex as the Inspector General determines necessary.

(7) LIMITATION ON PUBLIC DISCLOSURE OF CERTAIN INFORMATION.—Nothing in this subsection shall be construed to authorize the public disclosure of information that is—

(A) specifically prohibited from disclosure by any other provision of law;

(B) specifically required by Executive order to be protected from disclosure in the interest of national defense or national security or in the conduct of foreign affairs; or

(C) a part of an ongoing criminal investigation.

(i) WAIVER.—

(1) AUTHORITY.—The President may waive the requirement under paragraph (1) or (3) of subsection (h) for the inclusion in a report under such paragraph of any element otherwise provided for under such paragraph if the President determines that the waiver is justified for national security reasons.

(2) NOTICE OF WAIVER.—The President shall publish a notice of each waiver made under this subsection in the Federal Register not later than the date on which the report required under paragraph (1) or (3) of subsection (h) is submitted to the appropriate congressional committees. The report shall specify whether waivers under this subsection were made and with respect to which elements.

(j) DEFINITIONS.—In this section:

(1) AMOUNTS APPROPRIATED OR OTHERWISE MADE AVAILABLE FOR THE RECONSTRUCTION OF AFGHANISTAN.—The term ''amounts appropriated or otherwise made available for the reconstruction of Afghanistan'' means—

(A) amounts appropriated or otherwise made available for any fiscal year—

(i) to the Afghanistan Security Forces Fund;

(ii) to the program to assist the people of Afghanistan established under section 1202(a)(2) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3455); and

(iii) to the Department of Defense for assistance for the reconstruction of Afghanistan under any other provision of law; and

(B) amounts appropriated or otherwise made available for any fiscal year for Afghanistan reconstruction under the following headings or for the following purposes:

(i) Operating Expenses of the United States Agency for International Development.

(ii) Economic Support Fund.

(iii) International Narcotics Control and Law Enforcement.

(iv) International Affairs Technical Assistance.

(v) Peacekeeping Operations.

(vi) Diplomatic and Consular Programs.

(vii) Embassy Security, Construction, and Maintenance.

(viii) Child Survival and Health.

(ix) Development Assistance.

(x) International Military Education and Training.

(xi) Nonproliferation, Anti-terrorism, Demining and Related Programs.

(xii) Public Law 480 Title II Grants.

(xiii) International Disaster and Famine Assistance.

(xiv) Migration and Refugee Assistance.

(xv) Operations of the Drug Enforcement Agency.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committees on Appropriations, Armed Services, Foreign Relations, and Homeland Security and Governmental Affairs of the Senate; and

(B) the Committees on Appropriations, Armed Services, Foreign Affairs, and Homeland Security of the House of Representatives.

(3) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given the term in section 105 of title 5, United States Code.

(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for fiscal year 2008 from any unobligated balances of any expired appropriation for the Department of Defense. These funds shall remain available until expended.

(l) TERMINATION.—

(1) IN GENERAL.—The Office of the Special Inspector General for Afghanistan Reconstruction shall terminate 10 months after 80 percent of the funds appropriated or otherwise made available for the reconstruction of Afghanistan have been expended.

(2) FINAL ACCOUNTABILITY REPORT.—The Inspector General shall, prior to the termination of the Office of the Special Inspector General for Afghanistan Reconstruction under paragraph (1), prepare and submit to the appropriate congressional committees a final accountability report on all referrals for the investigation of any potential unethical or illegal actions of Federal employees, contractors, or affiliated entities made to the Department of Justice or any other United States law enforcement entity to ensure further investigations, prosecutions, or remedies.

SA 2151. Mr. FEINGOLD (for himself, Mr. GRASSLEY, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 530, after line 18, insert the following:

DIVISION D—STUDY OF WARTIME TREATMENT OF CERTAIN PEOPLE

SEC. 4101. SHORT TITLE.

This division may be cited as the ''Wartime Treatment Study Act''.

SEC. 4102. FINDINGS.

Congress makes the following findings:

(1) During World War II, the United States Government deemed as ''enemy aliens'' more than 600,000 Italian-born and 300,000 German-born United States resident aliens and their families and required them to carry Certificates of Identification and limited their travel and personal property rights. At that time, these groups were the 2 largest foreign-born groups in the United States.

(2) During World War II, the United States Government arrested, interned, or otherwise detained thousands of European Americans, some remaining in custody for years after cessation of World War II hostilities, and repatriated, exchanged, or deported European Americans, including American-born children, to European Axis nations, many to be exchanged for Americans held in those nations.

(3) Pursuant to a policy coordinated by the United States with Latin American nations, many European Latin Americans, including German and Austrian Jews, were arrested, brought to the United States, and interned. Many were later expatriated, repatriated, or deported to European Axis nations during World War II, many to be exchanged for Americans and Latin Americans held in those nations.

(4) Millions of European Americans served in the armed forces and thousands sacrificed their lives in defense of the United States.

(5) The wartime policies of the United States Government were devastating to the Italian American and German American communities, individuals, and their families. The detrimental effects are still being experienced.

(6) Prior to and during World War II, the United States restricted the entry of Jewish refugees who were fleeing persecution or genocide and sought safety in the United States. During the 1930's and 1940's, the quota system, immigration regulations, visa requirements, and the time required to process visa applications affected the number of Jewish refugees, particularly those from Germany and Austria, who could gain admittance to the United States.

(7) The United States Government should conduct an independent review to fully assess and acknowledge these actions. Congress has previously reviewed the United States Government's wartime treatment of Japanese Americans through the Commission on Wartime Relocation and Internment of Civilians. An independent review of the treatment of German Americans and Italian Americans and of Jewish refugees fleeing persecution and genocide has not yet been undertaken.

(8) Time is of the essence for the establishment of commissions, because of the increasing danger of destruction and loss of relevant documents, the advanced age of potential witnesses and, most importantly, the advanced age of those affected by the United States Government's policies. Many who suffered have already passed away and will never know of this effort.

SEC. 4103. DEFINITIONS.

In this division:

(1) DURING WORLD WAR II.—The term ''during World War II'' refers to the period between September 1, 1939, through December 31, 1948.

(2) EUROPEAN AMERICANS.—

(A) IN GENERAL.—The term ''European Americans'' refers to United States citizens and resident aliens of European ancestry, including Italian Americans, German Americans, Hungarian Americans, Romanian Americans, and Bulgarian Americans.

(B) ITALIAN AMERICANS.—The term ''Italian Americans'' refers to United States citizens and resident aliens of Italian ancestry.

(C) GERMAN AMERICANS.—The term ''German Americans'' refers to United States citizens and resident aliens of German ancestry.

(3) EUROPEAN LATIN AMERICANS.—The term ''European Latin Americans'' refers to persons of European ancestry, including Italian or German ancestry, residing in a Latin American nation during World War II.

(4) LATIN AMERICAN NATION.—The term ''Latin American nation'' refers to any nation in Central America, South America, or the Caribbean.

TITLE I—COMMISSION ON WARTIME TREATMENT OF EUROPEAN AMERICANS

SEC. 4111. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF EUROPEAN AMERICANS.

(a) IN GENERAL.—There is established the Commission on Wartime Treatment of European Americans (referred to in this title as the ''European American Commission'').

(b) MEMBERSHIP.—The European American Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of enactment of this Act as follows:

(1) Three members shall be appointed by the President.

(2) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) Two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

(c) TERMS.—The term of office for members shall be for the life of the European American Commission. A vacancy in the European American Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) REPRESENTATION.—The European American Commission shall include 2 members representing the interests of Italian Americans and 2 members representing the interests of German Americans.

(e) MEETINGS.—The President shall call the first meeting of the European American Commission not later than 120 days after the date of enactment of this Act.

(f) QUORUM.—Four members of the European American Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) CHAIRMAN.—The European American Commission shall elect a Chairman and Vice Chairman from among its members. The term of office of each shall be for the life of the European American Commission.

(h) COMPENSATION.—

(1) IN GENERAL.—Members of the European American Commission shall serve without pay.

(2) REIMBURSEMENT OF EXPENSES.—All members of the European American Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

SEC. 4112. DUTIES OF THE EUROPEAN AMERICAN COMMISSION.

(a) IN GENERAL.—It shall be the duty of the European American Commission to review the United States Government's wartime treatment of European Americans and European Latin Americans as provided in subsection (b).

(b) SCOPE OF REVIEW.—The European American Commission's review shall include the following:

(1) A comprehensive review of the facts and circumstances surrounding United States Government actions during World War II with respect to European Americans and European Latin Americans pursuant to the Alien Enemies Acts (50 U.S.C. 21 et seq.), Presidential Proclamations 2526, 2527, 2655, 2662, and 2685, Executive Orders 9066 and 9095, and any directive of the United States Government pursuant to such law, proclamations, or executive orders respecting the registration, arrest, exclusion, internment, exchange, or deportation of European Americans and European Latin Americans. This review shall include an assessment of the underlying rationale of the United States Government's decision to develop related programs and policies, the information the United States Government received or acquired suggesting the related programs and policies were necessary, the perceived benefit of enacting such programs and policies, and the immediate and long-term impact of such programs and policies on European Americans and European Latin Americans and their communities.

(2) A comprehensive review of United States Government action during World War II with respect to European Americans and

European Latin Americans pursuant to the Alien Enemies Acts (50 U.S.C. 21 et seq.), Presidential Proclamations 2526, 2527, 2655, 2662, and 2685, Executive Orders 9066 and 9095, and any directive of the United States Government pursuant to such law, proclamations, or executive orders, including registration requirements, travel and property restrictions, establishment of restricted areas, raids, arrests, internment, exclusion, policies relating to the families and property that excludees and internees were forced to abandon, internee employment by American companies (including a list of such companies and the terms and type of employment), exchange, repatriation, and deportation, and the immediate and long-term effect of such actions, particularly internment, on the lives of those affected. This review shall include a list of—

(A) all temporary detention and long-term internment facilities in the United States and Latin American nations that were used to detain or intern European Americans and European Latin Americans during World War II (in this paragraph referred to as ''World War II detention facilities'');

(B) the names of European Americans and European Latin Americans who died while in World War II detention facilities and where they were buried;

(C) the names of children of European Americans and European Latin Americans who were born in World War II detention facilities and where they were born; and

(D) the nations from which European Latin Americans were brought to the United States, the ships that transported them to the United States and their departure and disembarkation ports, the locations where European Americans and European Latin Americans were exchanged for persons held in European Axis nations, and the ships that transported them to Europe and their departure and disembarkation ports.

(3) A brief review of the participation by European Americans in the United States Armed Forces including the participation of European Americans whose families were excluded, interned, repatriated, or exchanged.

(4) A recommendation of appropriate remedies, including how civil liberties can be protected during war, or an actual, attempted, or threatened invasion or incursion, an assessment of the continued viability of the Alien Enemies Acts (50 U.S.C. 21 et seq.), and public education programs related to the United States Government's wartime treatment of European Americans and European Latin Americans during World War II.

(c) FIELD HEARINGS.—The European American Commission shall hold public hearings in such cities of the United States as it deems appropriate.

(d) REPORT.—The European American Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting called pursuant to section 4111(e).

SEC. 4113. POWERS OF THE EUROPEAN AMERICAN COMMISSION.

(a) IN GENERAL.—The European American Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this title, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandum, papers, and documents as the Commission or such subcommittee or member may deem advisable. The European American Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

(b) GOVERNMENT INFORMATION AND COOPERATION.—The European American Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the European American Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalities, or other authorities of the executive branch of the Government shall cooperate with the European American Commission and furnish all information requested by the European American Commission to the extent permitted by law, including information collected under the Commission on Wartime and Internment of Civilians Act (Public Law 96–317; 50 U.S.C. App. 1981 note) and the Wartime Violation of Italian Americans Civil Liberties Act (Public Law 106–451; 50 U.S.C. App. 1981 note). For purposes of section 552a(b)(9) of title 5, United States Code (commonly known as the ''Privacy Act of 1974''), the European American Commission shall be deemed to be a committee of jurisdiction.

SEC. 4114. ADMINISTRATIVE PROVISIONS.

The European American Commission is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS–15 of the General Schedule under section 5332 of such title;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of such title;

(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege;

(4) enter into agreements with the Administrator of General Services for procurement of necessary financial and administrative services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator;

(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

SEC. 4115. FUNDING.

Of the amounts authorized to be appropriated to the Department of Justice, $600,000 shall be available to carry out this title.

SEC. 4116. SUNSET.

The European American Commission shall terminate 60 days after it submits its report to Congress.

TITLE II—COMMISSION ON WARTIME TREATMENT OF JEWISH REFUGEES

SEC. 4121. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF JEWISH REFUGEES.

(a) IN GENERAL.—There is established the Commission on Wartime Treatment of Jewish Refugees (referred to in this title as the ''Jewish Refugee Commission'').

(b) MEMBERSHIP.—The Jewish Refugee Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of enactment of this Act as follows:

(1) Three members shall be appointed by the President.

(2) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) Two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

(c) TERMS.—The term of office for members shall be for the life of the Jewish Refugee Commission. A vacancy in the Jewish Refugee Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) REPRESENTATION.—The Jewish Refugee Commission shall include 2 members representing the interests of Jewish refugees.

(e) MEETINGS.—The President shall call the first meeting of the Jewish Refugee Commission not later than 120 days after the date of enactment of this Act.

(f) QUORUM.—Four members of the Jewish Refugee Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) CHAIRMAN.—The Jewish Refugee Commission shall elect a Chairman and Vice Chairman from among its members. The term of office of each shall be for the life of the Jewish Refugee Commission.

(h) COMPENSATION.—

(1) IN GENERAL.—Members of the Jewish Refugee Commission shall serve without pay.

(2) REIMBURSEMENT OF EXPENSES.—All members of the Jewish Refugee Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

SEC. 4122. DUTIES OF THE JEWISH REFUGEE COMMISSION.

(a) IN GENERAL.—It shall be the duty of the Jewish Refugee Commission to review the United States Government's refusal to allow Jewish and other refugees fleeing persecution or genocide in Europe entry to the United States as provided in subsection (b).

(b) SCOPE OF REVIEW.—The Jewish Refugee Commission's review shall cover the period between January 1, 1933, through December 31, 1945, and shall include, to the greatest extent practicable, the following:

(1) A review of the United States Government's decision to deny Jewish and other refugees fleeing persecution or genocide entry to the United States, including a review of the underlying rationale of the United States Government's decision to refuse the Jewish and other refugees entry, the information the United States Government received or acquired suggesting such refusal was necessary, the perceived benefit of such refusal, and the impact of such refusal on the refugees.

(2) A review of Federal refugee law and policy relating to those fleeing persecution or genocide, including recommendations for making it easier in the future for victims of persecution or genocide to obtain refuge in the United States.

(c) FIELD HEARINGS.—The Jewish Refugee Commission shall hold public hearings in such cities of the United States as it deems appropriate.

(d) REPORT.—The Jewish Refugee Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting called pursuant to section 4121(e).

SEC. 4123. POWERS OF THE JEWISH REFUGEE COMMISSION.

(a) IN GENERAL.—The Jewish Refugee Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this title, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandum, papers, and documents as the Commission or such subcommittee or member may deem advisable. The Jewish Refugee Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

(b) GOVERNMENT INFORMATION AND COOPERATION.—The Jewish Refugee Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the Jewish Refugee Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalities, or other authorities of the executive branch of the Government shall cooperate with the Jewish Refugee Commission and furnish all information requested by the Jewish Refugee Commission to the extent permitted by law, including information collected as a result of the Commission on Wartime and Internment of Civilians Act (Public Law 96–317; 50 U.S.C. App. 1981 note) and the Wartime Violation of Italian Americans Civil Liberties Act (Public Law 106–451; 50 U.S.C. App. 1981 note). For purposes of section 552a(b)(9) of title 5, United States Code (commonly known as the ''Privacy Act of 1974''), the Jewish Refugee Commission shall be deemed to be a committee of jurisdiction.

SEC. 4124. ADMINISTRATIVE PROVISIONS.

The Jewish Refugee Commission is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS–15 of the General Schedule under section 5332 of such title;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of such title;

(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege;

(4) enter into agreements with the Administrator of General Services for procurement of necessary financial and administrative services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator;

(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

SEC. 4125. FUNDING.

Of the amounts authorized to be appropriated to the Department of Justice, $600,000 shall be available to carry out this title.

SEC. 4126. SUNSET.

The Jewish Refugee Commission shall terminate 60 days after it submits its report to Congress.

SA 2152. Mr. BIDEN submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1008. REPORT ON UNDERFUNDING OF THE DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS FOR HEALTH CARE FOR ANY FISCAL YEAR IN WHICH THE ARMED FORCES ARE ENGAGED IN A MAJOR MILITARY CONFLICT.

(a) FINDINGS.—Congress makes the following findings:

(1) Pressure to reduce the amounts expended by the Department of Defense for health care has contributed to many of the current problems at Walter Reed Army Medical Center.

(2) It is inappropriate to reduce the amounts expended by the Department of Defense and the Department of Veterans Affairs for health care while members of the Armed Forces or veterans who served in Iraq and Afghanistan require health care as a consequence of such service.

(b) REPORT REQUIRED FOR UNDERFUNDING.—If the Armed Forces are involved in a major military conflict when the President submits to Congress the budget for a fiscal year under section 1105 of title 31, United States Code, and the aggregate amount included in that budget for the Department of Defense and the Department of Veterans Affairs for health care for such fiscal year is less than the aggregate amount provided by Congress for the Department of Defense and the Department of Veterans Affairs for health care for such preceding fiscal year, the President shall submit to Congress a report on—

(1) the reasons for the determination that inclusion of a lesser aggregate amount is in the national interest; and

(2) the anticipated effects of the inclusion of such lesser aggregate amount on the access to and delivery of medical and support services to members of the Armed Forces, veterans, and their family members.

SA 2153. Mr. BIDEN submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1044. STUDIES ON PRESUMPTION OF SERVICE CONNECTION FOR TRAUMATIC BRAIN INJURY IN MEMBERS OF THE ARMED FORCES AND VETERANS WHO SERVED IN OPERATION IRAQI FREEDOM OR OPERATION ENDURING FREEDOM.

(a) FINDINGS.—Congress makes the following findings:

(1) Many of the members of the Armed Forces deployed in Operation Iraqi Freedom and Operation Enduring Freedom have traumatic brain injuries.

(2) In many cases, such injuries are not diagnosed because there is no external indication of the injury.

(b) STUDIES ON TREATING TRAUMATIC BRAIN INJURY AS PRESUMPTIVE CONDITION FOR DISABILITY COMPENSATION.—

(1) STUDY BY SECRETARY OF DEFENSE.—

(A) IN GENERAL.—The Secretary of Defense shall conduct a study on the feasibility and advisability of establishing a presumption for treatment of traumatic brain injury in members of the Armed Forces who served in Operation Iraqi Freedom or Operation Enduring Freedom as a service-connected condition for purposes of disability compensation under the laws administered by the Secretary of Defense.

(B) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the results of the study required by subparagraph (A).

(2) STUDY BY SECRETARY OF VETERANS AFFAIRS.—

(A) IN GENERAL.—The Secretary of Veterans Affairs shall conduct a study on the feasibility and advisability of establishing a presumption for treatment of traumatic brain injury in veterans who served in Operation Iraqi Freedom or Operation Enduring Freedom as a service-connected condition for purposes of disability compensation under the laws administered by the Secretary of Veterans Affairs.

(B) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the results of the study required by subparagraph (A).

(3) STUDY BY DIRECTOR OF NATIONAL INSTITUTES OF HEALTH.—

(A) IN GENERAL.—The Director of the National Institutes of Health shall conduct a study on traumatic brain injury, including the detection of traumatic brain injury and the measurement and classification of the severity of traumatic brain injury.

(B) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Institutes of Health shall submit to Congress a report on the results of the study required by subparagraph (A).

SA 2154. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1070. TRAUMATIC SERVICEMEMBERS' GROUP LIFE INSURANCE.

(a) DESIGNATION OF FIDUCIARY FOR MEMBERS WITH LOST MENTAL CAPACITY OR EXTENDED LOSS OF CONSCIOUSNESS.—The Secretary of Defense shall, in consultation with

the Secretary of Veterans Affairs, develop a form for the designation of a recipient for the funds distributed under section 1980A of title 38, United States Code, as the fiduciary of a member of the Armed Forces in cases where the member is medically incapacitated (as determined by the Secretary of Defense in consultation with the Secretary of Veterans Affairs) or experiencing an extended loss of consciousness.

(b) ELEMENTS.—The form under subsection (a) shall require that a member may elect that—

(1) an individual designated by the member be the recipient as the fiduciary of the member; or

(2) a court of proper jurisdiction determine the recipient as the fiduciary of the member for purposes of this subsection.

(c) COMPLETION AND UPDATE.—The form under subsection (a) shall be completed by an individual at the time of entry into the Armed Forces and updated periodically thereafter.

SA 2155. Ms. SNOWE (for herself and Mrs. LINCOLN) submitted an amendment intended to be proposed to amendment SA 2019 proposed by Mr. LEVIN (for himself and Mr. MCCAIN) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 6 and 7, insert the following:

(3) REPORT ON MODERNIZATION OF SCHEDULE FOR RATING DISABILITIES IN USE BY DEPARTMENT OF VETERANS AFFAIRS.—In addition to the report submitted under paragraph (1), the Secretary of Veterans Affairs shall also submit to the appropriate committees of Congress a plan to update the schedule for rating disabilities in use by the Department of Veterans Affairs to reflect the effects of mental health disorders, including traumatic brian injury and post-traumatic stress disorder, on the modern workforce.

SA 2156. Ms. SNOWE (for herself and Mrs. LINCOLN) submitted an amendment intended to be proposed to amendment SA 2019 proposed by Mr. LEVIN (for himself and Mr. MCCAIN) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 89, between lines 2 and 3, insert the following:

SEC. 1664. NO REDUCTION IN DISABILITY RATING.

A disability rating assigned to a member of the Armed Forces by an informal physical evaluation board of the Department of Defense may not be reduced upon appeal.

SA 2157. Ms. SNOWE (for herself and Mrs. LINCOLN) submitted an amendment intended to be proposed to amendment SA 2019 proposed by Mr. LEVIN (for himself and Mr. MCCAIN) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 6 and 7, insert the following:

(3) PLAN FOR INDEPENDENT ADVOCATES FOR COVERED MEMBERS OF THE ARMED FORCES.—In addition to the report submitted under paragraph (1), the Secretary of Defense shall also submit to the appropriate committees of Congress a report setting forth a plan to expand access to organizations recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code, to provide independent service member advocates to covered members of the Armed Forces, which advocates shall—

(A) not report to the Secretary of Defense in the performance of the duties as advocates;

(B) advise covered members of the Armed Forces on matters relating to the medical records and service records of such covered members of the Armed Forces; and

(C) provide covered members of the Armed Forces with such information as may be necessary for such covered members of the Armed Forces to prepare for reviews by physical evaluation boards.

SA 2158. Mr. NELSON of Nebraska (for Mr. JOHNSON) submitted an amendment intended to be proposed by Mr. NELSON of Nebraska to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SECTION 565. HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.

(a) IN GENERAL.—For fiscal year 2008 and each succeeding fiscal year, the Secretary of Education shall—

(1) deem each local educational agency that was eligible to receive a fiscal year 2007 basic support payment for heavily impacted local educational agencies under section 8003(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(2)) as eligible to receive a basic support payment for heavily impacted local educational agencies under such section for the fiscal year for which the determination is made under this subsection; and

(2) make a payment to such local educational agency under such section for such fiscal year.

(b) EFFECTIVE DATES.—Subsection (a) shall remain in effect until the date that a Federal statute is enacted authorizing the appropriations for, or duration of, any program under title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.) for fiscal year 2008 or any succeeding fiscal year.

SA 2159. Mr. NELSON of Nebraska (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 2019 proposed by Mr. LEVIN (for himself and Mr. MCCAIN) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

At the end of part I of subtitle B of title XVI (as proposed to be added by the amendment), add the following:

SEC. 1622. REIMBURSEMENT OF CERTAIN FORMER MEMBERS OF THE UNIFORMED SERVICES WITH SERVICE-CONNECTED DISABILITIES FOR TRAVEL FOR FOLLOW-ON SPECIALTY CARE AND RELATED SERVICES.

(a) TRAVEL.—Section 1074i of title 10, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection (b):

''(b) FOLLOW-ON SPECIALTY CARE AND RELATED SERVICES.—In any case in which a former member of a uniformed service who incurred a disability while on active duty in a combat zone or during performance of duty in combat related operations (as designated by the Secretary of Defense), and is entitled to retired or retainer pay, or equivalent pay, requires follow-on specialty care, services, or supplies related to such disability at a military treatment facility more than 100 miles from the location in which the former member resides, the Secretary shall provide reimbursement for reasonable travel expenses comparable to those provided under subsection (a) for the former member, and when accompaniment by an adult is necessary, for a spouse, parent, or guardian of the former member, or another member of the former member's family who is at least 21 years of age.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect January 1, 2008, and shall apply with respect to travel that occurs on or after that date.

SA 2160. Mr. NELSON of Nebraska (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 2019 proposed by Mr. LEVIN (for himself and Mr. MCCAIN) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

At the end of part II of subtitle B of title XVI (as proposed to be added by the amendment), add the following:

SEC. 1627. EXTENDED BENEFITS UNDER TRICARE FOR PRIMARY CAREGIVERS OF MEMBERS OF THE UNIFORMED SERVICES WHO INCUR A SERIOUS INJURY OR ILLNESS ON ACTIVE DUTY.

(a) IN GENERAL.—Section 1079(d) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2)(A) Subject to such terms, conditions, and exceptions as the Secretary of Defense considers appropriate, the program of extended benefits for eligible dependents under this subsection shall include extended benefits for the primary caregivers of members of the uniformed services who incur a serious injury or illness on active duty.

''(B) The Secretary of Defense shall prescribe in regulations the individuals who shall be treated as the primary caregivers of a member of the uniformed services for purposes of this paragraph.

''(C) For purposes of this paragraph, a serious injury or illness, with respect to a member of the uniformed services, is an injury or illness that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2008.

SA 2161. Mr. NELSON of Nebraska (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

SEC. 555. REPEAL OF ANNUAL LIMIT ON NUMBER OF ROTC SCHOLARSHIPS UNDER ARMY RESERVE AND ARMY NATIONAL GUARD FINANCIAL ASSISTANCE PROGRAM.

Section 2107a(h) of title 10, United States Code, is amended by striking ''not more than 416 cadets each year under this section, to include'' and inserting ''each year under this section''.

SA 2162. Ms. SNOWE (for herself and Mrs. LINCOLN) submitted an amendment intended to be proposed to amendment SA 2019 proposed by Mr. LEVIN (for himself and Mr. MCCAIN) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

On page 23, between lines 6 and 7, insert the following:

(3) REPORT ON REDUCTION IN DISABILITY RATINGS BY THE DEPARTMENT OF DEFENSE.

The Secretary of Defense shall submit a report to the Committees on Armed Services of the Senate and House of Representatives on the numbers of instances in which a disability rating assigned to a member of the Armed Forces by an informal physical evaluation board of the Department of Defense was reduced upon appeal, and the reasons for such reduction.

Such report shall cover the period beginning October 7, 2001 and ending September 30, 2006, and shall be submitted to the appropriate Committees of Congress by February 1, 2008.

SA 2163. Mrs. CLINTON (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 594. COLD WAR SERVICE MEDAL.

(a) AUTHORITY.—Chapter 57 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1135. Cold War service medal

''(a) MEDAL AUTHORIZED.—The Secretary concerned shall issue a service medal, to be known as the 'Cold War service medal', to persons eligible to receive the medal under subsection (b). The Cold War service medal shall be of an appropriate design approved by the Secretary of Defense, with ribbons, lapel pins, and other appurtenances.

''(b) ELIGIBLE PERSONS.—The following persons are eligible to receive the Cold War service medal:

''(1) A person who—

''(A) performed active duty or inactive duty training as an enlisted member during the Cold War;

''(B) completed the person's initial term of enlistment or, if discharged before completion of such initial term of enlistment, was honorably discharged after completion of not less than 180 days of service on active duty; and

''(C) has not received a discharge less favorable than an honorable discharge or a release from active duty with a characterization of service less favorable than honorable.

''(2) A person who—

''(A) performed active duty or inactive duty training as a commissioned officer or warrant officer during the Cold War;

''(B) completed the person's initial service obligation as an officer or, if discharged or separated before completion of such initial service obligation, was honorably discharged after completion of not less than 180 days of service on active duty; and

''(C) has not been released from active duty with a characterization of service less favorable than honorable and has not received a discharge or separation less favorable than an honorable discharge.

''(c) ONE AWARD AUTHORIZED.—Not more than one Cold War service medal may be issued to any person.

''(d) ISSUANCE TO REPRESENTATIVE OF DECEASED.—If a person described in subsection (b) dies before being issued the Cold War service medal, the medal shall be issued to the person's representative, as designated by the Secretary concerned.

''(e) REPLACEMENT.—Under regulations prescribed by the Secretary concerned, a Cold War service medal that is lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom it was issued may be replaced without charge.

''(f) APPLICATION FOR MEDAL.—The Cold War service medal shall be issued upon receipt by the Secretary concerned of an application for such medal, submitted in accordance with such regulations as the Secretary prescribes.

''(g) UNIFORM REGULATIONS.—The Secretary of Defense shall ensure that regulations prescribed by the Secretaries of the military departments under this section are uniform so far as is practicable.

''(h) COLD WAR DEFINED.—In this section, the term 'Cold War' means the period beginning on September 2, 1945, and ending at the end of December 26, 1991.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1135. Cold War service medal.''.

SA 2164. Mr. SMITH (for himself, Mr. HARKIN, Ms. COLLINS, and Mrs. LINCOLN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title X, add the following:

SEC. 1031. PILOT PROGRAM ON ASSISTING VETERANS ORGANIZATIONS IN FACILITATING COMMUNITY REINTEGRATION OF VETERANS.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall carry out a pilot program to demonstrate and assess the feasibility and advisability of delivering community reintegration support and services to veterans by assisting veterans organizations in developing and promoting peer support programs for veterans.

(2) DESIGNATION.—The pilot program required by paragraph (1) shall be known as the ''Heroes Helping Heroes Program''.

(b) DURATION OF PROGRAM.—The pilot program shall be carried out during the three-year period beginning on October 1, 2007.

(c) SELECTION OF PILOT PROGRAM PARTICIPANTS.—

(1) IN GENERAL.—The Secretary shall select not more than 20 eligible entities to participate in the pilot program.

(2) APPLICATION.—Each eligible entity seeking to participate in the pilot program shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary shall require.

(3) SELECTION.—The Secretary shall select participants in the pilot program from among the applicants under paragraph (1) that the Secretary determines—

(A)(i) have existing peer support programs that can be expanded or enhanced, and resources, for the delivery of community reintegration support and services to veterans (including mentoring programs, self-help groups, and Internet and other electronic-based peer support resources) that are suitable for the pilot program; or

(ii) have the capacity, including the skill and resources necessary, to develop and maintain new peer support programs for the delivery of community reintegration support and services (including mentoring programs, self-help groups, and Internet and other electronic-based peer support resources) that are suitable for the pilot program; and

(B) have a plan to continue such peer support programs after the pilot program ends.

(d) GRANTS.—

(1) IN GENERAL.—The Secretary shall award grants to pilot program participants to develop and promote peer support programs that deliver community reintegration support and services for veterans.

(2) AMOUNT.—The Secretary shall ensure that the average amount of the grant awarded under paragraph (1) to a pilot program participant is not more than $300,000 and not less than $100,000 per fiscal year.

(3) MATCHING FUNDS.—A recipient of a grant under paragraph (1) shall contribute towards the development and promotion of peer support programs that deliver community reintegration support and services to veterans an amount equal to not less than ten percent of the grant awarded to such recipient.

(4) DURATION.—The duration of any grant awarded under paragraph (1) may not exceed three years.

(e) USE OF FUNDS.—A grant awarded to a pilot program participant pursuant to subsection (d) shall be used by the pilot program participant for costs and expenses connected with the development and promotion of peer support programs that deliver community reintegration support and services to veterans, including costs and expenses of the following:

(1) Program staff or a coordinator of volunteers, but not more than 50 percent of such grant award may be used for such purpose in any fiscal year of such pilot program.

(2) Consultation services, but not more than 20 percent of such grant award may be used for such purpose in any fiscal year of such pilot program.

(3) Program operations, including costs and expenses relating to the following:

(A) Advertising and recruiting.

(B) Printing.

(C) Training of volunteers, veterans, and staff.

(D) Incentives, such as food and awards.

(E) Overhead expenses, but not more than ten percent of such grant award may be used for such purposes.

(f) TECHNICAL ASSISTANCE.—In addition to the award of grants under subsection (d), the Secretary shall provide technical assistance to pilot program participants to assist them in developing and promoting peer support programs that deliver community reintegration support and services to veterans.

(g) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a veterans service organization;

(B) a not-for-profit organization—

(i) the primary mission of which is to assist veterans;

(ii) that has been in continuous operation for at least 12 months; and

(iii) is not a veterans service organization; or

(C) a partnership between an organization described in subparagraph (A) or (B) and an organization that is not described in subparagraph (A) or (B).

(2) PILOT PROGRAM PARTICIPANT.—The term ''pilot program participant'' means an eligible entity that is selected by the Secretary, in accordance with subsection (c), to participate in the pilot program under this section.

(3) VETERANS SERVICE ORGANIZATION.—The term ''veterans service organization'' means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Department of Veterans Affairs to carry out this section, $4,500,000 for each of fiscal years 2008, 2009, and 2010.

SA 2165. Mr. BOND (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVI—NATIONAL GUARD BUREAU MATTERS AND RELATED MATTERS

SEC. 1601. SHORT TITLE.

(a) SHORT TITLE.—This title may be cited as the ''National Guard Empowerment Act of 2007''.

(b) CONSTRUCTION WITH CERTAIN OTHER PROVISIONS.—Sections 532 and 533 of this Act, and the amendments made by such sections, shall not take effect.

SEC. 1602. EXPANDED AUTHORITY OF CHIEF OF THE NATIONAL GUARD BUREAU AND EXPANDED FUNCTIONS OF THE NATIONAL GUARD BUREAU.

(a) EXPANDED AUTHORITY.—

(1) IN GENERAL.—Subsection (a) of section 10501 of title 10, United States Code, is amended by striking ''joint bureau of the Department of the Army and the Department of the Air Force'' and inserting ''joint activity of the Department of Defense''.

(2) PURPOSE.—Subsection (b) of such section is amended by striking ''between'' and all that follows and inserting ''between—

''(1)(A) the Secretary of Defense, the Joint Chiefs of Staff, and the commanders of the combatant commands of the United States, and (B) the Department of the Army and the Department of the Air Force; and

''(2) the several States.''.

(b) ENHANCEMENTS OF POSITION OF CHIEF OF NATIONAL GUARD BUREAU.—

(1) ADVISORY FUNCTION ON NATIONAL GUARD MATTERS.—Subsection (c) of section 10502 of title 10, United States Code, is amended by inserting ''to the Secretary of Defense, to the Chairman of the Joint Chiefs of Staff,'' after ''principal adviser''.

(2) MEMBER OF JOINT CHIEFS OF STAFF.—(A) Such section is further amended—

(i) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(ii) by inserting after subsection (c) the following new subsection (d):

''(d) MEMBER OF JOINT CHIEFS OF STAFF.—The Chief of the National Guard Bureau shall perform the duties prescribed for him or her as a member of the Joint Chiefs of Staff under section 151 of this title.''.

(B) Section 151(a) of such title is amended by adding at the end the following new paragraph:

''(7) The Chief of the National Guard Bureau.''.

(3) GRADE.—Subsection (e) of such section, as redesignated by paragraph (2)(A)(i) of this subsection, is further amended by striking ''lieutenant general'' and inserting ''general''.

(4) ANNUAL REPORT TO CONGRESS ON VALIDATED REQUIREMENTS.—Section 10504 of such title is amended by adding at the end the following new subsection:

''(c) ANNUAL REPORT ON VALIDATED REQUIREMENTS.—Not later than December 31 each year, the Chief of the National Guard Bureau shall submit to Congress a report on the following:

''(1) The requirements validated under section 10503a(b)(1) of this title during the preceding fiscal year.

''(2) The requirements referred to in paragraph (1) for which funding is to be requested in the next budget for a fiscal year under section 10544 of this title.

''(3) The requirements referred to in paragraph (1) for which funding will not be requested in the next budget for a fiscal year under section 10544 of this title.''.

(c) ENHANCEMENT OF FUNCTIONS OF NATIONAL GUARD BUREAU.—

(1) DEVELOPMENT OF CHARTER.—Section 10503 of title 10, United States Code, is amended—

(A) in the matter preceding paragraph (1), by striking ''The Secretary of the Army and the Secretary of the Air Force shall jointly develop'' and inserting ''The Secretary of Defense, in consultation with the Secretary of the Army and the Secretary of the Air Force, shall develop''; and

(B) in paragraph (12), by striking ''the Secretaries'' and inserting ''the Secretary of Defense''.

(2) ADDITIONAL GENERAL FUNCTIONS.—Such section is further amended—

(A) by redesignating paragraph (12), as amended by paragraph (1)(B) of this subsection, as paragraph (13); and

(B) by inserting after paragraph (11) the following new paragraph (12):

''(12) Facilitating and coordinating with other Federal agencies, and with the several States, the use of National Guard personnel and resources for and in contingency operations, military operations other than war, natural disasters, support of civil authorities, and other circumstances.''.

(3) MILITARY ASSISTANCE FOR CIVIL AUTHORITIES.—Chapter 1011 of such title is further amended by inserting after section 10503 the following new section:

''§ 10503a. Functions of National Guard Bureau: military assistance to civil authorities

''(a) IDENTIFICATION OF ADDITIONAL NECESSARY ASSISTANCE.—The Chief of the National Guard Bureau shall—

''(1) identify gaps between Federal and State capabilities to prepare for and respond to emergencies; and

''(2) make recommendations to the Secretary of Defense on programs and activities of the National Guard for military assistance to civil authorities to address such gaps.

''(b) SCOPE OF RESPONSIBILITIES.—In meeting the requirements of subsection (a), the Chief of the National Guard Bureau shall, in coordination with the adjutants general of the States, have responsibilities as follows:

''(1) To validate the requirements of the several States and Territories with respect to military assistance to civil authorities.

''(2) To develop doctrine and training requirements relating to the provision of military assistance to civil authorities.

''(3) To acquire equipment, materiel, and other supplies and services for the provision of military assistance to civil authorities.

''(4) To assist the Secretary of Defense in preparing the budget required under section 10544 of this title.

''(5) To administer amounts provided the National Guard for the provision of military assistance to civil authorities.

''(6) To carry out any other responsibility relating to the provision of military assistance to civil authorities as the Secretary of Defense shall specify.

''(c) ASSISTANCE.—The Chairman of the Joint Chiefs of Staff shall assist the Chief of the National Guard Bureau in carrying out activities under this section.

''(d) CONSULTATION.—The Chief of the National Guard Bureau shall carry out activities under this section in consultation with the Secretary of the Army and the Secretary of the Air Force.''.

(4) BUDGETING FOR TRAINING AND EQUIPMENT FOR MILITARY ASSISTANCE TO CIVIL AUTHORITIES AND OTHER DOMESTIC MISSIONS.—Chapter 1013 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 10544. National Guard training and equipment: budget for military assistance to civil authorities and for other domestic operations

''(a) IN GENERAL.—The budget justification documents materials submitted to Congress in support of the budget of the President for a fiscal year (as submitted with the budget of the President under section 1105(a) of title 31) shall specify separate amounts for training and equipment for the National Guard for purposes of military assistance to civil authorities and for other domestic operations during such fiscal year.

''(b) SCOPE OF FUNDING.—The amounts specified under subsection (a) for a fiscal year shall be sufficient for purposes as follows:

''(1) The development and implementation of doctrine and training requirements applicable to the assistance and operations described in subsection (a) for such fiscal year.

''(2) The acquisition of equipment, materiel, and other supplies and services necessary for the provision of such assistance and such operations in such fiscal year.''.

(5) LIMITATION ON INCREASE IN PERSONNEL OF NATIONAL GUARD BUREAU.—The Secretary of Defense shall, to the extent practicable, ensure that no additional personnel are assigned to the National Guard Bureau in order to address administrative or other requirements arising out of the amendments made by this subsection.

(d) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENT.—The heading of section 10503 of title 10, United States Code, is amended to read as follows:

"§ 10503. Functions of National Guard Bureau: charter".

(2) CLERICAL AMENDMENTS.—(A) The table of sections at the beginning of chapter 1011 of such title is amended by striking the item relating to section 10503 and inserting the following new items:

''10503. Functions of National Guard Bureau: charter.

''10503a. Functions of National Guard Bureau: military assistance to civil authorities.''.

(B) The table of sections at the beginning of chapter 1013 of such title is amended by adding at the end the following new item:

''10544. National Guard training and equipment: budget for military assistance to civil authorities and for other domestic operations.''.

SEC. 1603. PROMOTION OF ELIGIBLE RESERVE OFFICERS TO LIEUTENANT GENERAL AND VICE ADMIRAL GRADES ON THE ACTIVE-DUTY LIST.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, whenever officers are considered for promotion to the grade of lieutenant general, or vice admiral in the case of the Navy, on the active duty list, officers of the reserve components of the Armed Forces who are eligible for promotion to such grade should be considered for promotion to such grade.

(b) PROPOSAL.—The Secretary of Defense shall submit to Congress a proposal for mechanisms to achieve the objective specified in subsection (a). The proposal shall include such recommendations for legislative or administrative action as the Secretary considers appropriate in order to achieve that objective.

(c) NOTICE ACCOMPANYING NOMINATIONS.—The President shall include with each nomination of an officer to the grade of lieutenant general, or vice admiral in the case of the Navy, on the active-duty list that is submitted to the Senate for consideration a certification that all reserve officers who were eligible for consideration for promotion to such grade were considered in the making of such nomination.

SEC. 1604. PROMOTION OF RESERVE OFFICERS TO LIEUTENANT GENERAL GRADE.

(a) TREATMENT OF SERVICE AS ADJUTANT GENERAL AS JOINT DUTY EXPERIENCE.—

(1) DIRECTORS OF ARMY AND AIR NATIONAL GUARD.—Section 10506(a)(3) of title 10, United States Code, is amended—

(A) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively; and

(B) by inserting after subparagraph (B) the following new subparagraph (C):

''(C) Service of an officer as adjutant general shall be treated as joint duty experience for purposes of subparagraph (B)(ii).''.

(2) OTHER OFFICERS.—The service of an officer of the Armed Forces as adjutant general, or as an officer (other than adjutant general) of the National Guard of a State who performs the duties of adjutant general under the laws of such State, shall be treated as joint duty or joint duty experience for purposes of any provisions of law required such duty or experience as a condition of promotion.

(b) REPORTS ON PROMOTION OF RESERVE MAJOR GENERALS TO LIEUTENANT GENERAL GRADE.—

(1) REVIEW REQUIRED.—The Secretary of the Army and the Secretary of the Air Force shall each conduct a review of the promotion practices of the military department concerned in order to identify and assess the practices of such military department in the promotion of reserve officers from major general grade to lieutenant general grade.

(2) REPORTS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army and the Secretary of the Air Force shall each submit to the congressional defense committees a report on the review conducted by such official under paragraph (1). Each report shall set forth—

(A) the results of such review; and

(B) a description of the actions intended to be taken by such official to encourage and facilitate the promotion of additional reserve officers from major general grade to lieutenant general grade.

SEC. 1605. REQUIREMENT THAT POSITION OF DEPUTY COMMANDER OF THE UNITED STATES NORTHERN COMMAND BE FILLED BY A QUALIFIED NATIONAL GUARD OFFICER.

(a) IN GENERAL.—The position of Deputy Commander of the United States Northern Command shall be filled by a qualified officer of the National Guard who is eligible for promotion to the grade of lieutenant general.

(b) PURPOSE.—The purpose of the requirement in subsection (a) is to ensure that information received from the National Guard Bureau regarding the operation of the National Guard of the several States is integrated into the plans and operations of the United States Northern Command.

SEC. 1606. REQUIREMENT FOR SECRETARY OF DEFENSE TO PREPARE ANNUAL PLAN FOR RESPONSE TO NATURAL DISASTERS AND TERRORIST EVENTS.

(a) REQUIREMENT FOR ANNUAL PLAN.—Not later than March 1, 2008, and each March 1 thereafter, the Secretary of Defense, in consultation with the commander of the United States Northern Command and the Chief of the National Guard Bureau, shall prepare and submit to Congress a plan for coordinating the use of the National Guard and members of the Armed Forces on active duty when responding to natural disasters, acts of terrorism, and other man-made disasters as identified in the national planning scenarios described in subsection (e).

(b) INFORMATION TO BE PROVIDED TO SECRETARY.—To assist the Secretary of Defense in preparing the plan, the National Guard Bureau, pursuant to its purpose as channel of communications as set forth in section 10501(b) of title 10, United States Code, shall provide to the Secretary information gathered from Governors, adjutants general of States, and other State civil authorities responsible for homeland preparation and response to natural and man-made disasters.

(c) TWO VERSIONS.—The plan shall set forth two versions of response, one using only members of the National Guard, and one using both members of the National Guard and members of the regular components of the Armed Forces.

(d) MATTERS COVERED.—The plan shall cover, at a minimum, the following:

(1) Protocols for the Department of Defense, the National Guard Bureau, and the Governors of the several States to carry out operations in coordination with each other and to ensure that Governors and local communities are properly informed and remain in control in their respective States and communities.

(2) An identification of operational procedures, command structures, and lines of communication to ensure a coordinated, efficient response to contingencies.

(3) An identification of the training and equipment needed for both National Guard personnel and members of the Armed Forces on active duty to provide military assistance to civil authorities and for other domestic operations to respond to hazards identified in the national planning scenarios.

(e) NATIONAL PLANNING SCENARIOS.—The plan shall provide for response to the following hazards:

(1) Nuclear detonation, biological attack, biological disease outbreak/pandemic flu, the plague, chemical attack-blister agent, chemical attack-toxic industrial chemicals, chemical attack-nerve agent, chemical attack-chlorine tank explosion, major hurricane, major earthquake, radiological attack-radiological dispersal device, explosives attack-bombing using improvised explosive device, biological attack-food contamination, biological attack-foreign animal disease and cyber attack.

(2) Any other hazards identified in a national planning scenario developed by the Homeland Security Council.

SEC. 1607. ADDITIONAL REPORTING REQUIREMENTS RELATING TO NATIONAL GUARD EQUIPMENT.

Section 10541 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) Each report under this section concerning equipment of the National Guard shall also include the following:

''(1) A statement of the accuracy of the projections required by subsection (b)(5)(D) contained in earlier reports under this section, and an explanation, if the projection was not met, of why the projection was not met.

''(2) A certification from the Chief of the National Guard Bureau setting forth an inventory for the preceding fiscal year of each item of equipment—

''(A) for which funds were appropriated;

''(B) which was due to be procured for the National Guard during that fiscal year; and

''(C) which has not been received by a National Guard unit as of the close of that fiscal year.''.

SA 2166. Mr. SMITH submitted an amendment intended to be proposed by her to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction,

and for defense activiites of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle D—Other Matters

SEC. 1241. IRAN COUNTER-PROLIFERATION SANCTIONS.

(a) SENSE OF CONGRESS.—The following is the sense of Congress:

(1) The United States should pursue vigorously all measures in the international financial sector to restrict Iran's ability to conduct international financial transactions, including prohibiting banks in the United States from handling indirect transactions with Iran's state-owned banks and prohibiting financial institutions that operate in United States currency from engaging in dollar transactions with Iranian institutions.

(2) The United States should take all possible measures to discourage and, if possible, prevent foreign banks from providing export credit guarantees to foreign entities seeking to invest in Iran.

(3) Iran should comply fully with its obligations under United Nations Security Council Resolutions 1737 (2006) and 1747 (2007), and any subsequent United Nations resolutions related to Iran's nuclear program, and in particular the requirement to suspend without delay all enrichment-related and reprocessing activities, including research and development, and all work on all heavy water-related nuclear activities, including research and development.

(4) The United Nations Security Council should take further measures beyond Resolutions 1737 and 1747 to tighten sanctions on Iran, including preventing new investment in Iran's energy sector and mandating the reduction of government-backed export credit guarantees, as long as Iran fails to comply with the demand of the international community to halt its nuclear enrichment campaign.

(5) The United States should encourage foreign governments to direct state-owned entities to cease all investment in Iran's energy sector and all imports to and exports from Iran of refined petroleum products and to persuade, and, where possible, require private entities based in their territories to cease all investment in Iran's energy sector and all imports to and exports from Iran of refined petroleum products.

(6) Administrators of Federal and State pension plans should divest all assets or holdings from foreign companies and entities that have invested or invest in the future in Iran's energy sector.

(7) Iranian state-owned banks should not be permitted to use the banking system of the United States.

(8) The Secretary of State should designate the Iranian Revolutionary Guards as a Foreign Terrorist Organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) and the Secretary of the Treasury should place the Iranian Revolutionary Guards on the list of Specially Designated Global Terrorists under Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' has the meaning given that term in section 14(2) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(2) INVESTMENT.—The term ''investment'' has the meaning given that term in section 14(9) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(3) IRANIAN DIPLOMATS AND REPRESENTATIVES OF OTHER GOVERNMENT AND MILITARY OR QUASI-GOVERNMENTAL INSTITUTIONS OF IRAN.—The term ''Iranian diplomats and representatives of other government and military or quasi-governmental institutions of Iran'' has the meaning given that term in section 14(11) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(4) FAMILY MEMBER.—The term ''family member'' means, with respect to an individual, the spouse, children, grandchildren, or parents of the individual.

(5) MEDICINE.—The term ''medicine'' has the meaning given the term ''drug'' in section 321 of title 21, United States Code.

(c) CLARIFICATION AND EXPANSION OF DEFINITIONS.—

(1) PERSON.—Section 14(13)(B) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended—

(A) by inserting ''financial institution, insurer, underwriter, guarantor, and other business organization, including any foreign subsidiary, parent, or affiliate of the foregoing,'' after ''trust,''; and

(B) by inserting '', such as an export credit agency'' before the semicolon.

(2) PETROLEUM RESOURCES.—Section 14(14) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended by striking ''petroleum and natural gas resources'' and inserting ''petroleum, petroleum by-products, liquefied natural gas, oil or liquefied natural gas, oil or liquefied natural gas tankers, and products used to construct or maintain pipelines used to transport oil or liquefied natural gas''.

(d) RUSSIA NUCLEAR COOPERATION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, and in addition to any other sanction in effect, beginning on the date that is 15 days after the date of the enactment of this Act, the sanctions described in paragraph (2) shall apply with respect to Russia, unless the President makes a certification to Congress described in paragraph (3).

(2) SANCTIONS.—The sanctions described in this paragraph are the following:

(A) AGREEMENTS.—The United States may not enter into an agreement for cooperation with Russia pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153).

(B) LICENSES TO EXPORT NUCLEAR MATERIAL, FACILITIES, OR COMPONENTS.—The United States may not issue a license to export directly or indirectly to Russia any nuclear material, facilities, components, or other goods, services, or technology that would be subject to an agreement under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153).

(C) TRANSFERS OF NUCLEAR MATERIAL, FACILITIES, OR COMPONENTS.—The United States may not approve the transfer or retransfer directly or indirectly to Russia of any nuclear material, facilities, components, or other goods, services, or technology that would be subject to an agreement under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153).

(3) CERTIFICATION.—The certification described in this paragraph means a certification made by the President to Congress on or after the date that is 15 days after the date of the enactment of this Act that the President has determined that—

(A) Russia has suspended all nuclear assistance to Iran and all transfers of advanced conventional weapons and missiles to Iran; or

(B) Iran has completely, verifiably, and irreversibly dismantled all nuclear enrichment-related and reprocessing-related programs.

(4) TERMINATION OF SANCTIONS.—The sanctions described in paragraph (2) shall remain in effect until such time as the President makes the certification to Congress described in paragraph (3).

(5) RECERTIFICATION.—

(A) IN GENERAL.—Not later than 1 year after the date on which the President makes a certification under paragraph (3), and annually thereafter, the President shall recertify that the President has determined that Russia has not resumed nuclear assistance to Iran or transfers of advanced conventional weapons or missiles to Iran.

(B) EFFECT OF FAILURE TO RECERTIFY.—If the President does not make the recertification under subparagraph (A) within 1 year of making the certification described in paragraph (3), the sanctions described in paragraph (2) shall apply with respect to Russia until the President makes such recertification.

(e) ECONOMIC SANCTIONS RELATING TO IRAN.—

(1) IN GENERAL.—Notwithstanding any other provision of law, and in addition to any other sanction in effect, beginning on the date that is 15 days after the date of the enactment of this Act, the sanctions described in paragraph (2) shall apply with respect to Iran, unless the President makes a certification to Congress described in paragraph (3).

(2) SANCTIONS.—The sanctions described in this paragraph are the following:

(A) PROHIBITION ON IMPORTS.—No article that originates in Iran may be imported into the United States.

(B) PROHIBITION ON EXPORTS.—

(i) IN GENERAL.—Except as provided in clause (ii), no article that originates in the United States may be exported to Iran.

(ii) EXCEPTION FOR FOOD, ANIMAL FEED, AND MEDICINE.—The prohibition in clause (i) does not apply to exports to Iran of food, animal feed, or medicine that originate in the United States.

(C) TRADE PREFERENCES.—The United States Trade Representative or any other Federal official may not take any action that would extend a unilateral trade preference to any article that originates from—

(i) Iran; or

(ii) any other country that is determined by the Secretary of State to be—

(I) engaged in nuclear cooperation with Iran, including the transfer or sale of any item, material, goods, or technology that can contribute to uranium enrichment or nuclear reprocessing activities of Iran; or

(II) contributing to the ballistic missile programs of Iran.

(D) ACCESSION TO WTO.—The United States Trade Representative or any other Federal official may not take any action that would lead to the accession of Iran to the World Trade Organization.

(E) FREEZING ASSETS.—

(i) IN GENERAL.—At such time as the United States has access to the names of Iranian diplomats and representatives of other government and military or quasi-governmental institutions of Iran, the President shall take such action as may be necessary to freeze immediately the funds and other assets belonging to anyone so named, the family members of those so named, and any associates of those so named to whom assets or property of those so named were transferred on or after January 1, 2007. The action described in the preceding sentence includes requiring any United States financial institution that holds funds and assets of a person so named to report promptly to the Office of Foreign Assets Control information regarding such funds and assets.

(ii) ASSET REPORTING REQUIREMENT.—Not later than 14 days after a decision is made to

freeze the property or assets of any person under this paragraph, the President shall report the name of such person to the appropriate congressional committees.

(F) UNITED STATES GOVERNMENT CONTRACTS.—The United States Government may not procure, or enter into a contract for the procurement of, any goods or services from a person that meets the criteria for the imposition of sanctions under section 5(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(3) CERTIFICATION DESCRIBED.—The certification described in this paragraph means a certification made by the President to Congress beginning on the date that is 15 days after the date of the enactment of this Act that the President has determined that Iran has completely, verifiably, and irreversibly dismantled all nuclear enrichment-related and reprocessing-related programs.

(4) TERMINATION OF SANCTIONS.—The sanctions described in paragraph (2) shall remain in effect until such time as the President makes the certification to Congress described in paragraph (3).

(f) WORLD BANK LOANS TO IRAN.—

(1) REPORT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report on—

(A) the number of loans provided by the World Bank to Iran;

(B) the dollar amount of such loans; and

(C) the voting record of each member of the World Bank on such loans.

(2) REDUCTION OF CONTRIBUTION OF THE UNITED STATES.—The President shall reduce the amount to be paid on behalf of the United States to the World Bank for fiscal year 2008, and each fiscal year thereafter, by an amount equal to the amount that bears the same ratio to the total amount appropriated for the World Bank for that fiscal year as—

(A) the total amount provided by the Bank to entities in Iran, and for projects and activities in Iran, in the preceding fiscal year, bears to

(B) the total amount provided by the Bank to all entities, and for all projects and activities, in the preceding fiscal year.

(3) ALLOCATION OF AMOUNTS NOT CONTRIBUTED TO THE WORLD BANK.—There is authorized to be appropriated to the United States Agency for International Development for fiscal year 2008, and each fiscal year thereafter, an amount equal to the amount by which the total payment of the United States to the World Bank is reduced for that fiscal year as a result of the application of paragraph (2). Funds appropriated pursuant to this subsection shall be made available for the Child Survival and Health Programs Fund to carry out programs relating to maternal and child health, vulnerable children, and infectious diseases other than HIV/AIDS.

(g) INCREASED CAPACITY FOR EFFORTS TO COMBAT UNLAWFUL OR TERRORIST FINANCING.—

(1) FINDINGS.—The work of the Office of Terrorism and Financial Intelligence of the Department of Treasury, which includes the Office of Foreign Assets Control and the Financial Crimes Enforcement Network, is critical to ensuring that the international financial system is not used for purposes of supporting terrorism and developing weapons of mass destruction.

(2) AUTHORIZATION.—There are authorized to be appropriated to the Secretary of the Treasury for the Office of Terrorism and Financial Intelligence—

(A) $59,466,000 for fiscal year 2008; and

(B) such sums as may be necessary for each of the fiscal years 2009 and 2010.

(3) AUTHORIZATION AMENDMENT.—Section 310(d)(1) of title 31, United States Code, is amended by striking ''such sums as may be necessary for fiscal years 2002, 2003, 2004, and 2005'' and inserting ''$85,844,000 for fiscal year 2008 and such sums as may be necessary for each of the fiscal years 2009 and 2010''.

(h) NATIONAL INTELLIGENCE ESTIMATE ON IRAN.—As required under section 1213 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2422), the Director of National Intelligence shall submit to Congress an updated, comprehensive National Intelligence Estimate on Iran.

(i) EXCHANGE PROGRAMS WITH THE PEOPLE OF IRAN.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the United States should seek to enhance its friendship with the people of Iran, particularly by identifying young people of Iran to come to the United States under United States exchange programs.

(2) EXCHANGE PROGRAMS AUTHORIZED.—The President is authorized to carry out exchange programs with the people of Iran, particularly the young people of Iran. Such programs shall be carried out to the extent practicable in a manner consistent with the eligibility for assistance requirements specified in section 302(b) of the Iran Freedom Support Act (Public Law 109–293; 120 Stat. 1348).

(3) AUTHORIZATION.—Of the amounts available under the heading ''Educational and Cultural Exchange Programs'', under the heading ''Administration of Foreign Affairs'', under title IV of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (Public Law 109–108; 119 Stat. 2321), there are authorized to be appropriated to the President to carry out this section $10,000,000 for fiscal year 2008.

(j) RADIO BROADCASTING TO IRAN.—The Broadcasting Board of Governors shall devote a greater proportion of the programming of the Radio Farda service to programs offering news and analysis to further the open communication of information and ideas to Iran.

(k) INTERNATIONAL REGIME FOR THE ASSURED SUPPLY OF NUCLEAR FUEL FOR PEACEFUL MEANS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the Concept for a Multilateral Mechanism for Reliable Access to Nuclear Fuel, proposed by the United States, France, the Russian Federation, the Federal Republic of Germany, the United Kingdom, and the Netherlands on May 31, 2006, is welcome and should be expanded upon at the earliest possible opportunity;

(B) the proposal by the Government of the Russian Federation to bring one of its uranium enrichment facilities under international management and oversight is also a welcome development and should be encouraged by the United States;

(C) the offer by the Nuclear Threat Initiative (NTI) of $50,000,000 in funds to support the creation of an international nuclear fuel bank by the International Atomic Energy Agency (IAEA) is also welcome, and the United States and other member states of the IAEA should pledge collectively at least an additional $100,000,000 in matching funds to fulfill the NTI proposal; and

(D) the Global Nuclear Energy Partnership, initiated by President Bush in January 2006, is intended to provide a reliable fuel supply throughout the fuel cycle and promote the nonproliferation goals of the United States.

(2) POLICY.—It is the policy of the United States to support the establishment of an international regime for the assured supply of nuclear fuel for peaceful means under a multilateral authority, such as the International Atomic Energy Agency.

(l) REPORTING REQUIREMENTS.—

(1) FOREIGN INVESTMENT IN IRAN.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report on—

(A) any foreign investments made in Iran's energy sector since January 1, 2007; and

(B) the determination of the President on whether each such investment qualifies as a sanctionable offense under section 5(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(2) INVESTMENT BY UNITED STATES COMPANIES IN IRAN.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of the Treasury shall report to the appropriate congressional committees the names of persons that have operations or conduct business in the United States that have invested in Iran and the dollar amount of each such investment.

(3) INVESTMENT BY FEDERAL THRIFT SAVINGS PLAN IN IRAN.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Executive Director of the Federal Retirement Thrift Investment Board shall report to the appropriate congressional committees on any investment in entities that invest in Iran from the Thrift Savings Fund established under section 8437 of title 5, United States Code.

(4) LIST OF DESIGNATED FOREIGN TERRORIST ORGANIZATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Secretary of the Treasury shall report to the appropriate congressional committees on the efforts of the Secretary of State and the Secretary of the Treasury to place the Iranian Revolutionary Guards on the list of designated Foreign Terrorist Organizations under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) and the list of Specially Designated Global Terrorists under Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

(5) ESTABLISHMENT OF INTERNATIONAL REGIME.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the activities of the United States to support the establishment of an international regime for the assured supply of nuclear fuel for peaceful means under a multilateral authority, such as the International Atomic Energy Agency.

(6) EXPORT CREDITS.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of the Treasury shall report to the appropriate congressional committees on any guarantee or extension of credit by foreign banks to persons investing in the energy sector of Iran, and any fines, restrictions, or other actions taken by the President to discourage or prevent such guarantees or extensions of credit.

SA 2167. Mr. GRASSLEY (for himself, Ms. STABENOW, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel

strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 199, after line 8, insert the following:

(c) CIVILIAN AGENCIES.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, governmentwide regulations for the purchase of products or services offered by Federal Prison Industries by civilian agencies shall be revised to establish procedures, standards, and limitations consistent with those established in section 2410n of title 10, United States Code, as amended by this section.

(2) SIGNIFICANT SHARE.—For the purposes of purchases by Federal agencies other than the Department of Defense, Federal Prison Industries shall be treated as having a significant share of the market of a product under regulations required by this section if the Administrator for Federal Procurement Policy determines that the Federal Prison Industries' share of the governmentwide market for the category of products including such product is greater than 5 percent.

SA 2168. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D at title I, add the following:

SEC. 143. SENSE OF CONGRESS ON THE PROCUREMENT PROGRAM FOR THE KC–X TANKER AIRCRAFT.

(a) FINDINGS.—Congress makes the following findings:

(1) Aerial refueling is a critically important force multiplier for the Air Force.

(2) The KC–X tanker aircraft procurement program is the number one acquisition and recapitalization priority of the Air Force.

(3) Given the competing budgetary requirements of the other Armed Forces and other sectors of the Federal Government, the Air Force needs to modernize at the most cost effective price.

(4) Competition in defense procurement provides the Armed Forces with the best products at the best price.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Air Force should—

(1) hold a full and open competition to choose the best possible joint aerial refueling capability at the most reasonable price; and

(2) be discouraged from taking any actions that would limit the ability of either of the teams seeking the contract for the procurement of KC–X tanker aircraft from competing for that contract.

SA 2169. Mr. WHITEHOUSE (for himself, Mr. DURBIN, Ms. MIKULSKI, Mr. FEINGOLD, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. NOTIFICATION OF CONGRESS OF DENIAL OF ACCESS TO INFORMATION BY AN INSPECTOR GENERAL.

(a) REQUIREMENT FOR CONGRESSIONAL NOTIFICATION.—If an individual working for, or on behalf of, an inspector general of an agency, department, or instrumentality of the United States or working for, or on behalf of, the Counsel for Professional Responsibility of the Department of Justice, in fulfillment of the mandate of such inspector general or Counsel is denied access to a specific classified compartment or denied access to a special access program, the head of such agency, department, or instrumentality shall submit to the appropriate committees of Congress a notification of the denial not later than 15 days after the date of the denial.

(b) CONTENT OF NOTIFICATION.—A notification required by subsection (a) shall include—

(1) the nature of the review, inquiry, or investigation in which the individual was engaged;

(2) the title or position of the individual involved;

(3) the name of the compartment or program involved; and

(4) the official who made the decision to deny the access.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means the Select Committee on Intelligence of the Senate, the Permanent Select Committee on Intelligence of the House of Representatives, and any committee of the Senate or the House of Representatives that has oversight responsibility for the appropriate agency, department, or instrumentality of the United States.

(d) REQUESTS PENDING AFTER 60 DAYS.—If a request for access to a specific classified compartment or to a special access program is not granted or denied within 60 days of the date of the original request for such access, a notification under subsection (a) shall be required.

SA 2170. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXXI, add the following:

SEC. 3126. INCLUSION OF CERTAIN NUCLEAR WEAPONS PROGRAM WORKERS IN THE SPECIAL EXPOSURE COHORT UNDER THE ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT OF 2000.

(a) IN GENERAL.—Section 3621 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384*l*) is amended—

(1) in paragraph (9), by adding at the end the following new subparagraph:

''(C) An individual described in paragraph (14)(D).''; and

(2) in paragraph (14), by adding at the end the following new subparagraph:

''(D) The employee was so employed at the Nevada Test Site or other similar sites located in Nevada during the period beginning on January 1, 1950, and ending on December 31, 1993, and contracted an occupational illness, basal cell carcinoma, or chronic lymphocytic leukemia, and, during such employment—

''(i) was present during an atmospheric or underground nuclear test or performed drillbacks, tunnel re-entry, or clean-up work following such a test (without regard to the duration of employment);

''(ii) was present at an event involving the venting of an underground test or during a planned or unplanned radiation release (without regard to the duration of employment);

''(iii) was present during testing or post-test activities related to nuclear rocket or ramjet engine testing at the Nevada Test Site (without regard to the duration of employment);

''(iv) was assigned to work at Area 51 or other classified program areas of the Nevada Test Site (without regard to the duration of employment); or

''(v) was employed at the Nevada Test Site, and was employed in a job activity that—

''(I) was monitored for exposure to ionizing radiation; or

''(II) was comparable to a job that is, was, or should have been monitored for exposure to ionizing radiation at the Nevada Test Site.''.

(b) DEADLINE FOR CLAIMS ADJUDICATION.—Claims for compensation under section 3621(14)(D) of the Energy Employees Occupational Illness Compensation Program Act of 2000, as added by subsection (a), shall be adjudicated and a final decision issued—

(1) in the case of claims pending as of the date of the enactment of this Act, not later than 30 days after such date; and

(2) in the case of claims filed after the date of the enactment of this Act, not later than 30 days after the date of such filing.

SA 2171. Mr. FEINGOLD (for himself, Mr. LEAHY, Mr. DODD, Mr. KERRY, Mrs. BOXER, Mr. WHITEHOUSE, Mr. KENNEDY, Mr. HARKIN, Mr. SANDERS, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XV, add the following:

SEC. 1535. SAFE REDEPLOYMENT OF THE TROOPS FROM IRAQ.

(a) TRANSITION OF MISSION.—The President shall promptly transition the mission of United States forces in Iraq to the limited purposes set forth in subsection (d).

(b) COMMENCEMENT OF SAFE, PHASED REDEPLOYMENT FROM IRAQ.—The President shall commence the safe, phased redeployment of United States forces from Iraq that are not essential to the limited purposes set forth in subsection (d). Such redeployment shall begin not later than 120 days after the date of the enactment of this Act.

(c) USE OF FUNDS.—No funds authorized to be appropriated or otherwise made available under any provision of law may be obligated or expended to continue the deployment in Iraq of members of the Armed Forces after March 31, 2008.

(d) EXCEPTION FOR LIMITED PURPOSES.—The prohibition in subsection (c) shall not apply to the obligation or expenditure of funds for the limited purposes as follows:

(1) To conduct targeted operations, limited in duration and scope, against members of al Qaeda and other international terrorist organizations.

(2) To provide security for United States infrastructure and personnel.

(3) To train and equip Iraqi security services.

SA 2172. Mr. CONRAD (for himself, Mr. DORGAN, Ms. LANDRIEU, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 143. MODIFICATION OF LIMITATIONS ON RETIREMENT OF B–52 BOMBER AIRCRAFT.

(a) MAINTENANCE OF PRIMARY AND BACKUP INVENTORY OF AIRCRAFT.—Subsection (a)(1) of section 131 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2111) is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph (C):

''(C) shall maintain in a common configuration a primary aircraft inventory of not less than 63 such aircraft and a backup aircraft inventory of not less than 11 such aircraft.''.

(b) NOTICE OF RETIREMENT.—Subsection (b)(1) of such section is amended by striking ''45 days'' and inserting ''60 days''.

SA 2173. Mr. KOHL (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 876. GREEN PROCUREMENT POLICY.

(a) FINDINGS.—The Senate makes the following findings:

(1) On September 1, 2004, the Department of Defense issued its green procurement policy. The policy affirms a goal of 100 percent compliance with Federal laws and executive orders requiring purchase of environmentally friendly, or green, products and services. The policy also outlines a strategy for meeting those requirements along with metrics for measuring progress.

(2) On September 13, 2006, the Department of Defense hosted a biobased product showcase and educational event which underscores the importance and seriousness with which the Department is implementing its green procurement program.

(3) On January 24, 2007, President Bush signed Executive Order 13423: Strengthening Federal Environmental, Energy, and Transportation Management, which contains the requirement that Federal agencies procure biobased and environmentally preferable products and services.

(4) Although the Department of Defense continues to work to become a leading advocate of green procurement, there is concern that there is not a procurement application or process in place at the Department that supports compliance analysis.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) not later than 90 days after the date of the enactment of this Act, the Department of Defense should provide to Congress a report on its plan to increase the usage of cleaning products that minimize potential impacts to human health and the environment at all Department of Defense facilities inside and outside the United States, including through the direct purchase of products and the purchase of products by facility maintenance contractors; and

(2) the Department of Defense should establish a system to document and track the use of environmentally preferable products and services.

SA 2174. Mr. LEVIN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, add the following:

SEC. 115. GENERAL FUND ENTERPRISE BUSINESS SYSTEM.

(a) ADDITIONAL AMOUNT.—

(1) IN GENERAL.—The amount authorized to be appropriated by section 101(5) for other procurement for the Army is hereby increased by $59,041,000.

(2) AVAILABILITY.—Of the amount authorized to be appropriated by section 101(5) for other procurement for the Army, as increased by paragraph (1), $59,041,000 may be available for the General Fund Enterprise Business System of the Army.

(3) SUPPLEMENT NOT SUPPLANT.—The amount available under paragraph (2) for the purpose specified in that paragraph is in addition to any other amounts available in this Act for that purpose.

(b) OFFSET.—

(1) RDTE, ARMY.—The amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army is hereby reduced by $29,219,000, with the amount of the reduction to be allocated to amounts available for the General Fund Enterprise Business System.

(2) O&M, ARMY.—The amount authorized to be appropriated by section 301(1) for operation and maintenance for the Army is hereby reduced by $29,822,000, with the amount of the reduction to be allocated to amounts available for the General Fund Enterprise Business System.

SA 2175. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 246, strike lines 4 through 6 and insert the following:

(G) the information officers of the Defense Agencies; and

(H) the Director of Operational Test and Evaluation and the heads of the operational test organizations of the military departments and the Defense Agencies.

On page 247, between lines 7 and 8, insert the following:

(9) The adequacy of operational and development test resources (including infrastructure and personnel), policies, and procedures to ensure appropriate testing of information technology systems both during development and before operational use.

(10) The appropriate policies and procedures for technology assessment, development, and operational testing for purposes of the adoption of commercial technologies into information technology systems.

SA 2176. Mr. DODD submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. GAO REVIEW OF USE OF AUTHORITY UNDER THE DEFENSE PRODUCTION ACT OF 1950.

(a) THOROUGH REVIEW REQUIRED.—The Comptroller General of the United States (in this section referred to as the ''Comptroller'') shall conduct a thorough review of the application of the Defense Production Act of 1950, since the date of enactment of the Defense Production Act Reauthorization of 2003 (Public Law 108–195), in light of amendments made by that Act.

(b) CONSIDERATIONS.—In conducting the review required by this section, the Comptroller shall examine—

(1) existing authorities under the Defense Production Act of 1950;

(2) whether and how such authorities should be statutorily modified to ensure preparedness of the United States and United States industry—

(A) to meet security challenges;

(B) to meet current and future defense requirements;

(C) to meet current and future energy requirements;

(D) to meet current and future domestic emergency and disaster response and recovery requirements;

(E) to reduce the interruption of critical infrastructure operations during a terrorist attack, natural catastrophe, or other similar national emergency; and

(F) to safeguard critical components of the United States industrial base, including American aerospace and shipbuilding industries;

(3) the effectiveness of amendments made by the Defense Production Act Reauthorization of 2003, and the implementation of such amendments;

(4) advantages and limitations of Defense Production Act of 1950-related capabilities, to ensure adaptation of the law to meet the security challenges of the 21st Century;

(5) the economic impact of foreign offset contracts and the efficacy of existing authority in mitigating such impact;

(6) the relative merit of developing rapid and standardized systems for use of the authority provided under the Defense Production Act of 1950, by any Federal agency; and

(7) such other issues as the Comptroller determines relevant.

(c) REPORT TO CONGRESS.—Not later than 120 days after the date of enactment of this Act, the Comptroller shall submit a report to

the Committee on Banking, Housing, and Urban Affairs of the Senate on the results of the review conducted under this section, together with any legislative recommendations.

(d) RULES OF CONSTRUCTION ON PROTECTION OF INFORMATION.—Notwithstanding any other provision of law—

(1) the provisions of section 705(d) of the Defense Production Act of 1950 (50 U.S.C. App. 2155(d)) shall not apply to information sought or obtained by the Comptroller for purposes of the review required by this section; and

(2) provisions of law pertaining to the protection of classified information or proprietary information otherwise applicable to information sought or obtained by the Comptroller in carrying out this section shall not be affected by any provision of this section.

SA 2177. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1070. RELIEF OF RICHARD M. BARLOW OF SANTA FE, NEW MEXICO.

(a) FINDINGS.—Congress makes the following findings:

(1) Richard Barlow was a counter-proliferation intelligence officer with expertise in Pakistan nuclear issues.

(2) From 1980–82, Mr. Barlow served as the action officer for Pakistan proliferation matters at the Arms Control and Disarmament Agency.

(3) In 1985, Mr. Barlow joined the Central Intelligence Agency, becoming a recognized issue expert on Pakistan's clandestine nuclear purchasing networks and its weapons programs.

(4) After serving as a Special Agent with the Customs Service, Mr. Barlow then joined the Office of the Secretary of Defense starting in 1989, where he continued to investigate Pakistan's nuclear weapons network headed by A. Q. Khan.

(5) Mr. Barlow was instrumental in the 1987 arrest and later conviction of 2 agents in Pakistan's nuclear weapons development program headed by A. Q. Khan, for which he received an award for exceptional accomplishment from the Director of the Central Intelligence Agency and numerous commendations from senior State Department and law enforcement officials.

(6) In addition, Mr. Barlow received a prestigious commendation from the State Department's Legal Advisor for assistance to President Ronald Reagan and Secretary of State George P. Schultz for triggering the Solarz Amendment relating to termination of military and economic aid to Pakistan for exporting nuclear weapons technology.

(7) In a classified hearing following the arrests of the Pakistani agents, Mr. Barlow, as the Central Intelligence Agency's top expert, testified truthfully to the Subcommittee on Asian Pacific Affairs of the Committee on International Relations of the House of Representatives, then known as the House Foreign Affairs Committee, that the arrested Pakistanis were agents of the Pakistani government, and revealed that Pakistan had continued to regularly violate United States nuclear export laws.

(8) Mr. Barlow's actions revealed that certain Executive Branch officials had been withholding this information from the Congressional committees.

(9) In 1989, Mr. Barlow joined the Office of the Secretary of Defense in the Office of Non-proliferation where he continued to investigate Pakistani proliferation networks.

(10) In April 1989, Mr. Barlow received an outstanding performance review from his Department of Defense supervisors, and in June 1989 he was promoted.

(11) During the spring and early summer of 1989, Mr. Barlow told his supervisors on a number of occasions that he had serious concerns that Executive Branch officials were concealing intelligence about Pakistan's nuclear program from Congress and were obstructing pending criminal investigations into Pakistan's procurement efforts in order to avoid triggering the Pressler and Solarz Amendments and to obtain approval for a proposed $1,400,000,000 sale of F–16 jets to Pakistan.

(12) On August 2, 1989, Mr. Barlow raised concerns about false testimony given by senior officials to the Congress on Pakistan's nuclear capabilities to the Subcommittee on Asian Pacific Affairs of the Committee on International Relations of the House.

(13) On August 4, 1989, several weeks after being promoted, Richard Barlow was handed a notice of pending termination.

(14) On August 8, 1989, Mr. Barlow's security clearances were suspended for reasons that were classified and not revealed to him.

(15) On August 26, 1989, Mr. Barlow, under threat of firing, was offered a series of menial, temporary assignments by Department of Defense personnel and security officials concerned about possible retaliation against him as a Congressional whistleblower by senior officials in the Office of the Secretary of Defense.

(16) Mr. Barlow then underwent a 9-month long security investigation involving numerous allegations levied against him by his superiors in the Office of Secretary of Defense, all of which were found to be false.

(17) In March of 1990, Mr. Barlow then had his security clearance restored and remained in a series of temporary assignments until February 1992, when he then resigned under duress.

(18) At the time of his separation from government service, Mr. Barlow had completed 8 years of government service.

(19) Mr. Barlow's temporary loss of his security clearance and personnel actions against him damaged his reputation and left him unable to find suitable employment inside the Government.

(20) For the next 15 years, Mr. Barlow continued to serve his country as a consultant to the intelligence and law enforcement communities working on complex counter-intelligence and counter-proliferation operations without the benefits he would have had if he had continued as a Federal employee.

(21) In 1998, the Senate approved a private relief resolution, Senate Resolution 253 (105th Congress) to provide compensation for Richard Barlow's losses on ''the nature, extent, and character of the claim for compensation referred to in such bill as a legal or equitable claim against the United States or a gratuity''.

(22) With Senate Resolution 253, the Senate recognized the importance of protecting Federal employees who inform Congress of Executive Branch distortions of the truth and other wrongdoing.

(23) On March 6, 2000, the Government filed a protective order under the state secrets privilege for documents requested under discovery by Mr. Barlow relating to the Pakistan nuclear program.

(24) The documents denied under the state secret privilege were documents that Mr. Barlow had official access to prior to the loss of clearance.

(25) The documents denied under the state secrets privilege were subpoenaed by Mr. Barlow to substantiate the allegations he originally made regarding his claim of false testimony of Government officials to Congress on the Pakistan nuclear weapons program and the actions taken against him.

(26) The evidence withheld from the Court as a result of the state secrets privilege included significant, sworn statements from a number of senior intelligence, Department of State, and Department of Defense officials corroborating Mr. Barlow's charges of Executive Branch wrongdoing.

(27) As a result of the use of the state secrets privilege, Mr. Barlow and the United States Court of Federal Claims did not have access to evidence and information necessary to evaluate the key information relating to the merits of Mr. Barlow's case and accurately report its findings to the Senate.

(28) Since Mr. Barlow's separation from government service in 1992, five Senate and five House committees have intervened in support of Mr. Barlow's case on a bipartisan basis, and investigations by the Central Intelligence Agency, State Department Inspectors General, and the Government Accountability Office have corroborated Mr. Barlow's findings or found that personnel actions were taken against him in reprisal.

(29) Richard Barlow is recognized for his patriotism and service to his country.

(b) COMPENSATION OF CERTAIN LOSSES.—

(1) IN GENERAL.—The Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, to Richard M. Barlow of Santa Fe, New Mexico, the sum of $1,800,000 for compensation for losses incurred by Richard M. Barlow relating to and a direct consequence of—

(A) personnel actions taken by the Department of Defense affecting Richard Barlow's employment at the Department (including Richard Barlow's top secret security clearance) during the period beginning on August 4, 1989, and ending on February 27, 1992; and

(B) Richard Barlow's separation from service with the Department of Defense on February 27, 1992.

(2) NO INFERENCE OF LIABILITY.—Nothing in this section shall be construed as an inference of liability on the part of the United States.

(3) NO AGENTS AND ATTORNEYS FEES.—None of the payment authorized by this section may be paid to or received by any agent or attorney for any services rendered in connection with obtaining such payment. Any person who violates this subsection shall be guilty of a misdemeanor and shall be subject to a fine in the amount provided in title 18, United States Code.

(4) NON-TAXABILITY OF PAYMENT.—The payment authorized by this section is in partial reimbursement for losses incurred by Richard Barlow as a result of the personnel actions taken by the Department of Defense and is not subject to Federal, State, or local income taxes.

SA 2178. Mr. KYL (for himself, Mr. VITTER, Mr. INHOFE, Mr. LIEBERMAN, and Mr. LOTT) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I, add the following:

SEC. 132. ENHANCEMENT OF FLEET MISSILE DEFENSE CAPABILITIES.

(a) ADDITIONAL AMOUNT FOR ENHANCEMENT OF ATLANTIC FLEET MISSILE DEFENSE CAPABILITIES.—

(1) ADDITIONAL AMOUNT.—The amount authorized to be appropriated by section 102(a)(4) for other procurement for the Navy is hereby increased by $62,000,000.

(2) AVAILABILITY.—Of the amount authorized to be appropriated by section 102(a)(4) for other procurement for the Navy, as increased by paragraph (1), the amount available for Program element 0204228N for Aegis Support Equipment (Budget Line Item 524600) is hereby increased by $51,500,000 and the amount available for Program Element 0204228N for Aegis Support Equipment (Budget Line Item 524605) is hereby increased by $10,500,000, with such amounts to be available—

(A) for the procurement of equipment to outfit United States Atlantic Fleet ships with Aegis Ballistic Missile Defense Radar and Weapons System modifications; and

(B) to expand and enhance Navy installation teams to support installation of the modifications described in paragraph (1) into United States Atlantic Fleet vessels commencing in 2010.

(b) ADDITIONAL AMOUNT FOR AEGIS BALLISTIC MISSILE DEFENSE SHIPS.—

(1) ADDITIONAL AMOUNT.—The amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide may be increased by $25,000,000.

(2) AVAILABILITY.—Of the amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide, as increased by paragraph (1), $25,000,000 may be available for Ballistic Missile Defense Aegis (Program Element 0603892C) for the enhancement of the capacity of Aegis Ballistic Missile Defense ships to intercept ballistic missiles in the ascent phase.

(c) OFFSET.—The amount authorized to be appropriated by section 1505(3) for research, development, test, and evaluation, Air Force, is hereby reduced by $87,000,000, with the amount of the reduction to be allocated to funds available for MILSATCOM Terminals (Program Element 0303601F).

SA 2179. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, add the following:

SEC. 203. AMOUNT FOR HIGH SPEED TEST TRACK, HOLLOMAN AIR FORCE BASE, NEW MEXICO.

(a) INCREASE IN AMOUNT FOR AIR FORCE RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.—The amount authorized to be appropriated by section 201(3) for the Air Force for research, development, test, and evaluation is hereby increased by $7,000,000.

(b) AVAILABILITY FOR HIGH SPEED TEST TRACK.—Of the amount authorized to be appropriated by section 201(3) for the Air Force for research, development, test, and evaluation, as increased by subsection (a), $7,000,000 may be available for the High Speed Test Track, Holloman Air Force Base, New Mexico.

(c) OFFSET.—The amount authorized to be appropriated by section 301(4) for the Air Force for operation and maintenance is hereby reduced by $7,000,000.

SA 2180. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, add the following:

SEC. 203. AMOUNT FOR JOINT DIRECTED ENERGY TEST SITE, WHITE SANDS MISSILE RANGE, NEW MEXICO.

(a) INCREASE IN AMOUNT FOR ARMY RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.—The amount authorized to be appropriated by section 201(1) for the Army for research, development, test, and evaluation is hereby increased by $8,000,000.

(b) AVAILABILITY FOR JOINT DIRECTED ENERGY TEST SITE.—Of the amount authorized to be appropriated by section 201(1) for the Army for research, development, test, and evaluation, as increased by subsection (a), $8,000,000 may be available for the Joint Directed Energy Test Site, White Sands Missile Range, New Mexico.

(c) OFFSET.—The amount authorized to be appropriated by section 301(1) for the Army for operation and maintenance is hereby reduced by $8,000,000.

SA 2181. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 214. 10,000-POUND BALLISTIC AERIAL DELIVERY AND SOFT-LANDING SYSTEM.

(a) ADDITIONAL AMOUNT FOR RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY.—The amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army is hereby increased by $4,000,000.

(b) AVAILABILITY.—Of the amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for Army, as increased by subsection (a), $4,000,000 may be available for Advanced Warfighter Technologies (PE #0603001A) for the 10,000-pound Ballistic Aerial Delivery and Soft-Landing System.

(c) OFFSET.—The amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation for Defense-wide activities is hereby reduced by $4,000,000.

SA 2182. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XIV, add the following:

SEC. 1422. ADMINISTRATION AND OVERSIGHT OF THE ARMED FORCES RETIREMENT HOME.

(a) INDEPENDENCE AND PURPOSE OF RETIREMENT HOME.—Section 1511 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411) is amended—

(1) in subsection (a), by adding at the end the following: ''However, the Retirement Home shall be treated as a military facility of the Department of Defense, and may not be privatized. The administration of the Retirement Home (including administration for the provision of health care and medical care for residents) shall remain under the direct authority, control, and administration of the Secretary of Defense.''; and

(2) by striking subsection (g) and inserting the following new subsection (g):

''(g) ACCREDITATION.—The Chief Executive Officer shall secure and maintain accreditation by a nationally recognized civilian accrediting organization for each aspect of each facility of the Retirement Home, including medical and dental care, pharmacy, independent living, and assisted living and nursing care.''.

(b) SPECTRUM OF CARE.—Section 1513(b) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 413(b)) is amended by inserting after the first sentence the following new sentence: ''The services provided residents of the Retirement Home shall include nonacute medical and dental services, pharmaceutical services, and transportation of residents, at no cost to residents, to acute medical and dental services and after-hours routine medical care''.

(c) ADMINISTRATION THROUGH CHIEF EXECUTIVE OFFICER.—

(1) IN GENERAL.—Section 1515 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 415) is amended—

(A) by striking ''Chief Operating Officer'' each place it appears and inserting ''Chief Executive Officer''; and

(B) in subsection (e)(1), by striking ''Chief Operating Officer's'' and inserting ''Chief Executive Officer's''.

(2) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

''SEC. 1515. CHIEF EXECUTIVE OFFICER.''.

(3) OTHER CONFORMING AMENDMENTS.—The Armed Forces Retirement Home Act of 1991 is further amended by striking ''Chief Operating Officer'' each place it appears (other than section 1531 (24 U.S.C. 431)) and inserting ''Chief Executive Officer''.

(d) MODIFICATION OF AUTHORITIES APPLICABLE TO CHIEF EXECUTIVE OFFICER.—

(1) TERM OF OFFICE; ELIGIBILITY FOR REAPPOINTMENT.—Paragraph (2) of subsection (a) of section 1515 of such Act is amended to read as follows:

''(2) The Chief Executive Officer shall serve a term of four years, but is removable from office during such term at the pleasure of the Secretary. An individual may be reappointed as Chief Executive Officer for a single additional term of four years.''.

(2) EVALUATION OF PERFORMANCE.—Subsection (a)(3) of such section is amended by adding at the end the following new sentence: ''In evaluating the performance of the Chief Executive Officer, the Secretary shall take into account the views of the Local

Board for each facility of the Retirement Home and of the residents of each facility of the Retirement Home.''.

(3) QUALIFICATIONS.—Subsection (b) of such section is amended to read as follows:

''(b) QUALIFICATIONS.—To qualify for appointment as the Chief Executive Officer, a person shall have—

''(1) not less than 10 years of civilian or military experience as a medical doctor, nurse, nurse practitioner, or other public health care professional;

''(2) experience managing a medical care facility or continuing care facility, including experience—

''(A) managing a military installation, military medical treatment facility or veterans medical care facility, public health care facility, or retirement home; or

''(B) providing long-term medical care to the elderly; and

''(3) proven senior leadership and management skills as an administrator of a military installation, residential or medical facility, or public health care facility.''.

(4) RESPONSIBILITIES.—Subsection (c) of such section is amended—

(A) in paragraph (1)—

(i) by striking '', operation, and management'' and inserting ''and financial management''; and

(ii) by striking ''to the Secretary'' and inserting ''directly to the Secretary (or the designee of the Secretary)'';

(B) in paragraph (2)—

(i) by striking ''supervise the operation and administration'' and inserting ''advise the Secretary on the long-term financial and administrative management''; and

(ii) by striking '', including the Local Boards of those facilities''; and

(C) in paragraph (3)(C), by inserting before the period at the end the following ''and submit to the Secretary and the Under Secretary of Defense for Personnel and Readiness on a quarterly basis reports on such examinations and audits''.

(5) COMPENSATION.—Subsection (d)(2) of such section is amended by striking the second sentence and inserting the following new sentence: ''In determining the amount of the bonus each year, the Secretary shall take into account the views of the Local Board for each facility of the Retirement Home, and the resident advisory committee or council of each facility, regarding the performance of the Chief Executive Officer.''.

(e) CHIEF MEDICAL OFFICER.—The Armed Forces Retirement Home Act of 1991 is further amended by inserting after section 1515 the following new section:

''SEC. 1515A. CHIEF MEDICAL OFFICER.

''(a) APPOINTMENT.—(1) The Secretary of Defense shall appoint the Chief Medical Officer of the Retirement Home. The Secretary of Defense shall make the appointment in consultation with the Secretary of Homeland Security.

''(2) The Chief Medical Officer shall serve a term of two years, but is removable from office during such term at the pleasure of the Secretary.

''(3) The Secretary (or the designee of the Secretary) shall evaluate the performance of the Chief Medical Officer not less frequently than once each year. The Secretary shall carry out such evaluation in consultation with the Chief Executive Officer and the Local Board for each facility of the Retirement Home.

''(4) An officer appointed as Chief Medical Officer of the Retirement Home shall serve as Chief Medical Officer without vacating any other military duties and responsibilities assigned to that officer whether at the time of appointment or afterward.

''(b) QUALIFICATIONS.—(1) To qualify for appointment as the Chief Medical Officer, a person shall be a member of the Medical, Dental, Nurse, or Medical Services Corps of the Armed Forces, including the Health and Safety Directorate of the Coast Guard, serving on active duty in the grade of brigadier general, or in the case of the Navy or the Coast Guard rear admiral (lower half), or higher.

''(2) In making appointments of the Chief Medical Officer, the Secretary of Defense shall, to the extent practicable, provide for the rotation of the appointments among the various Armed Forces and the Health and Safety Directorate of the Coast Guard.

''(c) RESPONSIBILITIES.—(1) The Chief Medical Officer shall be responsible to the Secretary, the Under Secretary of Defense for Personnel and Readiness, and the Chief Executive Officer for the direction and oversight of the provision of medical, mental health, and dental care at each facility of the Retirement Home.

''(2) The Chief Medical Officer shall advise the Secretary, the Under Secretary of Defense for Personnel and Readiness, the Chief Executive Officer, and the Local Board for each facility of the Retirement Home on all medical and medical administrative matters of the Retirement Home.

''(d) DUTIES.—In carrying out the responsibilities set forth in subsection (c), the Chief Medical Officer shall perform the following duties:

''(1) Ensure the timely availability to residents of the Retirement Home, at locations other than the Retirement Home, of such acute medical, mental health, and dental care as such resident may require that is not available at the applicable facility of the Retirement Home.

''(2) Ensure compliance by the facilities of the Retirement Home with accreditation standards, applicable health care standards of the Department of Veterans Affairs, and any other applicable health card standards and requirements (including requirements identified in applicable reports of the Inspectors General for the Retirement Home and the Inspector General of the Department of Defense).

''(3) Periodically visit and inspect the medical facilities and medical operations of each facility of the Retirement Home.

''(4) Periodically examine and audit the medical records and administration of the Retirement Home.

''(5) Consult with the Local Board for each facility of the Retirement Home not less frequently than once each year.

''(e) ADVISORY BODIES.—In carrying out the responsibilities set forth in subsection (c) and the duties set forth in subsection (d), the Chief Medical Officer may establish and seek the advice of such advisory bodies as the Chief Medical Officer considers appropriate.''.

(f) LOCAL BOARDS OF TRUSTEES.—

(1) DUTIES.—Subsection (b) of section 1516 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 416) is amended to read as follows:

''(b) DUTIES.—(1) The Local Board for a facility shall serve in an advisory capacity to the Director of the facility and to the Chief Executive Officer.

''(2) The Local Board for a facility shall provide to the Chief Executive Officer and the Director of the facility such guidance and recommendations on the administration of the facility as the Local Board considers appropriate.

''(3) The Local Board for a facility shall provide to the Under Secretary of Defense for Personnel and Readiness not less often than annually an assessment of all aspects of the facility, including the quality of care at the facility.

''(4) Not less frequently than one each year, the Local Board for a facility shall submit to Congress a report that includes an assessment of all aspects of the facility, including the quality of care at the facility.''.

(2) COMPOSITION.—Subparagraph (K) of subsection (c) of such section is amended to read as follows:

''(K) One senior representative of one of the chief personnel officers of the Armed Forces, who shall be a member of the Armed Forces serving on active duty in the grade of brigadier general, or in the case of the Navy or Coast Guard, rear admiral (lower half).''.

(g) DIRECTORS, DEPUTY DIRECTORS, ASSOCIATE DIRECTORS, AND STAFF OF FACILITIES.—

(1) DIRECTORS.—

(A) QUALIFICATIONS FOR APPOINTMENT, TERM, AND SUPERVISION.—Subsection (b) of section 1517 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 417) is amended to read as follows:

''(b) DIRECTOR.—(1) The Director of a facility shall—

''(A) be a member of the Armed Forces serving on active duty in the grade of colonel or, in the case of the Navy, captain;

''(B) either—

''(i) have proven leadership and management skills, including at least one tour of duty as a commanding officer or executive officer of a military installation or similar facility; or

''(ii) have served as a director, deputy director, or commanding officer of a military hospital or military medical or dental treatment facility; and

''(C) possess certification as a retirement facilities director from an appropriate civilian certifying organization, or obtain such certification within the time otherwise applicable to civilian achievement of such certification unless the requirement for such certification is waived by the Secretary of Defense.

''(2) The Director of a facility shall serve at the pleasure of the Secretary.

''(3) The Director of a facility shall be under the direction of the Under Secretary of Defense for Personnel and Readiness. The Director of a facility shall also keep the Chief Executive Officer and the Chief Medical Officer apprised of matters relating to the facility.

''(4) The Secretary or the Under Secretary shall evaluate the performance of the Director of a facility not less frequently than once each year, in consultation with the Local Board for the facility and the residents of the facility.''.

(B) ADDITIONAL DUTIES.—Subsection (c) of such section is amended by adding at the end the following new paragraph:

''(3) The Director of a facility shall work with the Chief Executive Officer and the Chief Medical Officer to ensure that sufficient resources are available to manage the facility properly.''.

(2) DEPUTY DIRECTORS.—Subsection (d) of such section is amended to read as follows:

''(d) DEPUTY DIRECTOR.—(1) The Deputy Director of a facility shall—

''(A) either—

''(i) be a civilian with not less than 5 years of experience as a continuing care retirement community professional; or

''(ii) be a member of the Armed Forces serving on active duty in a grade of or below lieutenant colonel or, in the case of the Navy, commander; and

''(B) have proven appropriate leadership and management skills.

''(2) The Deputy Director of a facility shall serve at the pleasure of the Secretary of Defense.

''(3) The Deputy Director of a facility shall be under the direction of the Director of the facility.''.

(3) ASSOCIATE DIRECTORS.—

(A) QUALIFICATIONS FOR APPOINTMENT AND SUPERVISION.—Subsection (f) of such section is amended—

(i) in paragraph (1)—

(I) in subparagraph (A), by striking ''and'' at the end;

(II) by redesignating subparagraph (B) as subparagraph (C); and

(III) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) have served as Command Master Chief or Command Senior Enlisted Advisor at a major military command; and''; and

(ii) by adding at the end the following new paragraph:

''(3) The Associate Director of a facility shall be under the direction of the Director and Deputy Director of the facility.''.

(B) ADDITIONAL DUTIES.—Subsection (g) of such section is amended to read as follows:

''(g) DUTIES OF ASSOCIATE DIRECTOR.—The Associate Director of a facility shall—

''(1) serve as ombudsman for the residents of the facility;

''(2) report to the Director of the facility on any issues the Associate Director determines to be important for ensuring proper medical care for the residents of the facility;

''(3) advise the Under Secretary of Defense for Personnel and Readiness and the Local Board for the facility on matters relating to the care of the residents of the facility; and

''(4) perform such other duties as the Director of the facility may specify.''.

(h) INSPECTION OF RETIREMENT HOME.—Section 1518 of such Act (24 U.S.C. 418) is amended to read as follows:

''SEC. 1518. INSPECTION OF RETIREMENT HOME.

''(a) INSPECTORS GENERAL FOR THE RETIREMENT HOME.—(1) The Inspectors General of the military departments shall have the duty to inspect the Retirement Home. The duty to inspect shall alternate among the Inspector General of the Army, the Naval Inspector General, and the Inspector General of the Air Force on such schedule as the Secretary of Defense shall direct.

''(2) On matters relating to the inspection of the Retirement Home the Inspectors General for the Retirement Home under paragraph (1) shall report directly to the Under Secretary of Defense for Personnel and Readiness.

''(3) The Inspectors General for the Retirement Home under paragraph (1) shall advise the Inspector General of the Department of Defense and the Director of each facility of the Retirement Home on matters relating to waste, fraud, abuse, and mismanagement of the Retirement Home.

''(b) INSPECTIONS BY INSPECTOR GENERAL.—(1) Every two years, the current Inspector General for the Retirement Home under subsection (a) shall perform a comprehensive inspection of all aspects of each facility of the Retirement Home, including independent living, assisted living, medical and dental care, pharmacy, financial and contracting records, and any aspect of either facility on which the Local Board for the facility or the resident advisory committee or council of the facility recommends inspection.

''(2) The Inspector General shall be assisted in inspections under this subsection by the medical inspector general of a military department designated for purposes of this subsection by the Secretary of Defense. In making such designations, the Secretary shall designate such medical inspectors general on a rotating basis from among the various military departments.

''(3) In conducting the inspection of a facility of the Retirement Home under this subsection, the Inspector General shall solicit concerns, observations, and recommendations from the Local Board for the facility, the resident advisory committee or council of the facility, and the residents of the facility. Any concerns, observations, and recommendations solicited from residents shall be solicited on a not-for-attribution basis.

''(4) The Chief Executive Officer and the Director of each facility of the Retirement Home shall make all staff, other personnel, and records of each facility available to the Inspector General in a timely manner for purposes of inspections under this subsection.

''(c) REPORTS ON INSPECTIONS BY INSPECTOR GENERAL.—(1) Not later than 45 days after completing an inspection of a facility of the Retirement Home under subsection (b), the current Inspector General for the Retirement Home under subsection (a) shall submit to the Secretary of Defense, the Under Secretary of Defense for Personnel and Readiness, the Chief Executive Officer, the Director of the facility, and the Local Board for the facility, and to Congress, a report describing the results of the inspection and containing such recommendations as the Inspector General considers appropriate in light of the inspection.

''(2) Not later than 45 days after receiving a report of the Inspector General under paragraph (1), the Director of the facility concerned shall submit the Secretary of Defense, the Under Secretary of Defense for Personnel and Readiness, the Chief Executive Officer, and the Local Board for the facility, and to Congress, a plan to address the recommendations and other matters set forth in the report.

''(d) ADDITIONAL INSPECTIONS.—(1) Every two years, in a year in which the Inspector General does not perform an inspection under subsection (b), the Chief Executive Officer shall request the inspection of each facility of the Retirement Home by the Joint Commission with respect to matters of facilities that are within the purview of the Joint Commission.

''(2) In the event an inspection under paragraph (1) does not address all matters at the facilities of the Retirement Home, the Chief Executive Officer shall request the inspection of the facilities by one or more appropriate civilian accrediting organizations for any matters at such facilities that are not addressed by the inspection under paragraph (1), including independent living, assisted living, and pharmacy (if applicable).

''(3) The Chief Executive Officer and the Director of a facility being inspected under this subsection shall make all staff, other personnel, and records of the facility available to the Joint Commission or other civilian accrediting organization in a timely manner for purposes of inspections under this subsection.

''(e) REPORTS ON ADDITIONAL INSPECTIONS.—(1) Not later than 45 days after receiving a report of an inspection from the Joint Commission or other civilian accrediting organization under subsection (d), the Director of the facility concerned shall submit to the Under Secretary of Defense for Personnel and Readiness, the Chief Executive Officer, and the Local Board for the facility a report containing—

''(A) the results of the inspection; and

''(B) a plan to address any recommendations and other matters set forth in the report.

''(2) Not later than 45 days after receiving a report and plan under paragraph (1), the Secretary of Defense shall submit the report and plan to Congress.''.

(i) ARMED FORCES RETIREMENT HOME TRUST FUND.—Section 1519 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 419) is amended by adding at the end the following new subsection:

''(d) REPORTING REQUIREMENTS.—The Chief Financial Officer of the Armed Forces Retirement Home shall comply with the reporting requirements of subchapter II of chapter 35 of title 31, United States Code.''.

SA 2183. Mr. WYDEN (for himself, Mr. BOND, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

At the end, add the following:

TITLE XXXIII—OTHER MATTERS

SEC. 3301. AVAILABILITY OF THE EXECUTIVE SUMMARY OF THE REPORT ON CENTRAL INTELLIGENCE AGENCY ACCOUNTABILITY REGARDING THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001.

(a) PUBLIC AVAILABILITY.—Not later than 30 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall prepare and make available to the public a version of the Executive Summary of the report entitled the ''Office of Inspector General Report on Central Intelligence Agency Accountability Regarding Findings and Conclusions of the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001'' issued in June 2005 that is declassified to the maximum extent possible, consistent with national security.

(b) REPORT TO CONGRESS.—The Director of the Central Intelligence Agency shall submit to Congress a classified annex to the redacted Executive Summary made available under subsection (a) that explains the reason that any redacted material in the Executive Summary was withheld from the public.

SA 2184. Mr. SUNUNU proposed an amendment to amendment SA 2135 submitted by Mr. DORGAN (for himself, Mr. CONRAD, and Mr. SALAZAR) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

Strike page 2, line 2 and insert in lieu thereof: ''for the capture or death or information leading to the capture or death of''.

SA 2185. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VIII, add the following:

SEC. 847. CONTRACT GOALS FOR NATIVE HAWAIIAN-SERVING INSTITUTIONS AND ALASKA NATIVE-SERVING INSTITUTIONS.

Section 2323 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (C), by striking ''and'' at the end;

(ii) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following new subparagraph:

''(E) Native Hawaiian-serving institutions and Alaska Native-serving institutions (as defined in section 317 of the Higher Education Act of 1965 (20 U.S.C. 1059d)).''; and

(B) in paragraph (2), by inserting after ''Hispanic-serving institutions,'' the following: ''Native Hawaiian-serving institutions and Alaska Native-serving institutions,''; and

(2) in subsection (c)—

(A) in paragraph (1), by inserting after ''Hispanic-serving institutions,'' the following: ''Native Hawaiian-serving institutions and Alaska Native-serving institutions,''; and

(B) in paragraph (3), by inserting after ''Hispanic-serving institutions,'' the following: ''to Native Hawaiian-serving institutions and Alaska Native-serving institutions,''.

SA 2186. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 106, strike line 13 and all that follows through page 114, line 4 and insert the following:

Subtitle G—Military Family Readiness and Servicemember Reintegration

SEC. 581. DEPARTMENT OF DEFENSE MILITARY FAMILY READINESS AND SERVICEMEMBER REINTEGRATION COUNCIL.

(a) IN GENERAL.—Subchapter I of chapter 88 of title 10, United States Code, is amended by inserting after section 1781 the following new section:

''SEC. 1781a. DEPARTMENT OF DEFENSE MILITARY FAMILY READINESS AND SERVICEMEMBER REINTEGRATION COUNCIL.

''(a) IN GENERAL.—There is in the Department of Defense the Department of Defense Military Family Readiness and Servicemember Reintegration Council (hereafter in this section referred to as the 'Council').

''(b) MEMBERS.—(1) The members of the Council shall be the following:

''(A) The Under Secretary of Defense for Personnel and Readiness, who shall serve as chair of the Council.

''(B) One representative of each of the Army, the Navy, the Marine Corps, and the Air Force, who shall be appointed by Secretary of Defense.

''(C) The Secretary of Veterans Affairs.

''(D) The Chief of the National Guard Bureau.

''(E) Three individuals appointed by the Secretary of Defense from among representatives of military family organizations (including military family organizations of families of members of the regular components and of families of members of the reserve components), of whom not less than two shall be members of the family of an enlisted member of the armed forces.

''(2) The term on the Council of the members appointed under paragraph (1)(E) shall be three years.

''(c) MEETINGS.—The Council shall meet not less often than twice each year. Not more than one meeting of the Council each year shall be in the National Capital Region.

''(d) DUTIES.—The duties of the Council shall include the following:

''(1) To review and make recommendations to the Secretary of Defense on the policy and plans required under section 1781b of this title.

''(2) To monitor requirements for the support of military family readiness and the support of servicemember reintegration by the Department of Defense.

''(3) To evaluate and assess the effectiveness of the military family readiness and servicemember reintegration programs and activities of the Department of Defense.

''(4) To evaluate and coordinate the policies of the Department of Defense and the Department of Veterans Affairs to leverage and coordinate the resources of each department in providing military family readiness and servicemember reintegration programs and activities.

''(e) ANNUAL REPORTS.—(1) Not later than February 1 each year, the Council shall submit to the Secretary of Defense and the congressional defense committees a report on military family readiness and servicemember reintegration.

''(2) Each report under this subsection shall include the following:

''(A) An assessment of the adequacy and effectiveness of the military family readiness and servicemember reintegration programs and activities of the Department of Defense during the preceding fiscal year in meeting the needs and requirements of military families.

''(B) Recommendations on actions to be taken to improve the capability of the military family readiness and servicemember reintegration programs and activities of the Department of Defense to meet the needs and requirements of reintegrating members of the Armed Forces and military families, including actions relating to the allocation of funding and other resources to and among such programs and activities.

''(C) The effectiveness of the coordination of the military family readiness and servicemember reintegration programs and activities of the Department of Defense with the activities and programs of the Department of Veterans Affairs.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 88 of such title is amended by inserting after the item relating to section 1781 the following new item:

''Sec. 1781a. Department of Defense Military Family Readiness and Servicemember Reintegration Council.''.

SEC. 582. DEPARTMENT OF DEFENSE POLICY AND PLANS FOR MILITARY FAMILY READINESS AND SERVICEMEMBER REINTEGRATION PROGRAMS AND ACTIVITIES.

(a) POLICY AND PLANS REQUIRED.—

(1) IN GENERAL.—Subchapter I of chapter 88 of title 10, United States Code, as amended by section 581 of this Act, is further amended by inserting after section 1781a the following new section:

''SEC. 1781b. DEPARTMENT OF DEFENSE POLICY AND PLANS FOR MILITARY FAMILY READINESS AND SERVICEMEMBER REINTEGRATION PROGRAMS AND ACTIVITIES.

''(a) IN GENERAL.—The Secretary of Defense shall develop a policy and plans for the Department of Defense for the support of military family readiness and servicemember reintegration programs and activities.

''(b) PURPOSES.—The purposes of the policy and plans required under subsection (a) are as follows:

''(1) To ensure that the military family readiness programs and servicemember reintegration programs and activities of the Department of Defense are comprehensive, effective, and properly supported.

''(2) To ensure that such programs are coordinated and developed in consultation with the Secretary of Veterans Affairs.

''(3) To ensure that support is continuously available to military families in peacetime and in war, as well as during periods of force structure change and relocation of military units.

''(4) To ensure that the military family readiness and servicemember reintegration programs and activities of the Department of Defense are available to all military families, including military families of members of the regular components and military families of members of the reserve components.

''(5) To ensure that the goal of military family readiness and servicemember reintegration is an explicit element of applicable Department of Defense plans, programs, and budgeting activities, and that achievement of military family readiness and servicemember reintegration is expressed through Department-wide goals that are identifiable and measurable.

''(6) To ensure that the military family readiness and servicemember reintegration programs and activities of the Department of Defense undergo continuous evaluation in order to ensure that resources are allocated and expended for such programs and activities in the most effective possible manner throughout the Department.

''(c) ELEMENTS OF POLICY.—The policy required under subsection (a) shall include the following elements:

''(1) A definition for treating a program or activity of the Department of Defense as a military family readiness and servicemember reintegration program or activity.

''(2) Department of Defense-wide goals for military family support and servicemember reintegration, both for military families of members of the regular components and military families of members of the reserve components.

''(3) Requirements for joint programs and activities for military family support and servicemember reintegration.

''(4) Policies on access to military family support and servicemember reintegration programs and activities based on military family populations served and geographical location.

''(5) Policies that recognize the need for follow-up services for reintegrating members of the Armed Forces and their families for extended periods following deployments, including between deployments.

''(6) Requirements for the provision of services to address the unique needs of members of the armed forces and their family members with respect to family readiness and servicemember reintegration, including the following:

''(A) Marriage counseling.

''(B) Services for children.

''(C) Suicide prevention.

''(D) Substance abuse awareness and treatment.

''(E) Mental health awareness and treatment.

''(F) Financial counseling.

''(G) Domestic violence awareness and prevention.

''(H) Employment assistance.

''(I) Development of strategies for living with a member of the armed forces who has post traumatic stress disorder or traumatic brain injury.

''(J) Such other services that may be appropriate to address the unique needs of members of the armed forces and their families who live in rural or remote areas with respect to family readiness and servicemember reintegration.

''(7) Metrics to measure the performance and effectiveness of the military family readiness programs and activities of the Department of Defense.

''(8) Policies on coordination with the Secretary of Veterans Affairs and the Veterans Integrated Service Networks (VISN), the Chief of the National Guard Bureau, and the Adjutant Generals of the States and territories of the United States.

''(9) Policies on coordination of family readiness and servicemember reintegration programs and activities with State and local public and private entities to leverage services provided by the Department of Defense, the Department of Veterans Affairs, and other entities that provide family readiness or servicemember reintegration programs.

''(d) ELEMENTS OF PLANS.—(1) Each plan required under subsection (a) shall include the elements specified in paragraph (2) for the five-fiscal year period beginning with the fiscal year in which such plan is submitted under paragraph (3).

''(2) The elements in each plan required under subsection (a) shall include, for the period covered by such plan, the following:

''(A) An ongoing identification and assessment of the effectiveness of the military family readiness and servicemember reintegration programs and activities of the Department of Defense in meeting goals for such programs and activities, which assessment shall evaluate such programs and activities separately for each military department and for each regular component and each reserve component.

''(B) A description of the resources required to support the military family readiness and servicemember reintegration programs and activities of the Department of Defense, including the military personnel, civilian personnel, and volunteer personnel so required.

''(C) An ongoing identification in gaps in the military family readiness and servicemember reintegration programs and activities of the Department of Defense, and an ongoing identification of the resources required to address such gaps.

''(D) An evaluation of the policies developed in accordance with subsection (c)(5).

''(E) An assessment of the effectiveness of and recommendations to improve the coordination of the military family readiness and servicemember reintegration programs and activities of the Department of Defense with the services and programs of the Department of Veterans Affairs, as well as those of State and local governments.

''(F) Mechanisms to apply the metrics developed under subsection (c)(6).

''(G) A summary, by fiscal year, of the allocation of funds (including appropriated funds and nonappropriated funds) for major categories of military family readiness and servicemember reintegration programs and activities of the Department of Defense, set forth for each of the military departments and for the Office of the Secretary of Defense.

''(3) Not later than March 1, 2008, and each year thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on the plans required under subsection (a) for the 5-fiscal year period beginning with the fiscal year beginning in the year in which such report is submitted. Each report shall include the plans covered by such report and an assessment of the discharge by the Department of Defense of the previous plans submitted under this subsection.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 88 of such title, as so amended, is further amended by inserting after the item relating to section 1781a the following new item:

''Sec. 1781b. Department of Defense policy and plans for military family readiness and servicemember reintegration programs and activities.''.

(3) REPORT ON POLICY.—The Secretary of Defense shall submit to the congressional defense committees a report setting forth the policy developed under section 1781b of title 10, United States Code (as added by this subsection), not later than February 1, 2009.

(b) PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of providing grants to eligible entities to create comprehensive soldier and family preparedness, reintegration, and outreach programs for members of the Armed Forces and their families to further the purposes described in section 1781b(b) of title 10, United States Code, as added by subsection (a).

(2) GRANTS.—The Secretary of Defense shall carry out the pilot program through the award of grants to eligible entities for the provision of assistance to members of the Armed Forces and their families as described in paragraph (1).

(3) ELIGIBLE ENTITIES.—For purposes of this subsection, an eligible entity is any of the following:

(A) An Adjutant General of a State or territory of the United States.

(B) A Federal Veterans Integrated Service Network (VISN) office.

(C) A State veterans affairs agency.

(D) A family support group for a regular component of the Armed Forces or for a reserve component of the Armed Forces, if such organization partners with an entity described in subparagraph (A) through (C).

(E) An organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code, if such organization partners with an entity described in subparagraph (A) through (C).

(F) A State or local nonprofit organization, if such organization partners with an entity described in subparagraph (A) through (C).

(4) USE OF GRANT FUNDS.—Recipients of grants under the pilot program shall develop programs for the provision of assistance and services to members of the Armed Forces and their family members that meet the purposes of section 1781b(b) of title 10, United States Code, as added by subsection (a), which may include the following:

(A) Marriage counseling.

(B) Services for children.

(C) Suicide prevention.

(D) Substance abuse awareness and treatment.

(E) Mental health awareness and treatment.

(F) Financial counseling.

(G) Domestic violence awareness and prevention.

(H) Employment assistance.

(I) Development of strategies for living with a servicemember with post traumatic stress disorder and traumatic brain injury.

(J) Such other services that may be appropriate to address the unique needs of members of the Armed Forces and their families who live in rural or remote areas with respect to family readiness and servicemember reintegration.

(K) Assisting members of the Armed Forces and their families find and receive benefits and services from local, State, and Federal programs and nonprofit programs for assistance with military family readiness and servicemember reintegration, including referral services.

(L) Development of strategies and programs that recognize the need for follow-up services for reintegrating members of the Armed Forces and their families for extended periods following deployments, including between deployments.

(M) Assisting members of the Armed Forces and their families receive services and assistance from the Department of Veterans Affairs, including referral services.

(5) OUTREACH.—A recipient of a grant under this subsection shall carry out a program of outreach to members of the Armed Forces and their families with respect to the services offered in accordance with paragraph (3) before, during, and after deployment of such members of the Armed Forces.

(6) SELECTION OF GRANT RECIPIENTS.—

(A) APPLICATION.—An eligible entity seeking a grant under the pilot program shall submit to the Secretary of Defense an application therefor in such form and in such manner as the Secretary considers appropriate.

(B) ELEMENTS.—An application submitted under subparagraph (A) shall include such elements as the Secretary considers appropriate.

(C) PRIORITY.—In selecting eligible entities to receive grants under the pilot program, the Secretary of Defense shall give priority to eligible entities that propose programs with a focus on personal outreach by trained staff (with preference given to veterans and, in particular, veterans of combat) conducted in person to members of the Armed Forces and their families.

(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $30,000,000 for the Secretary of Defense to carry out this subsection.

(c) SURVEYS OF MILITARY FAMILIES.—Section 1782(a) of title 10, United States Code, is amended—

(1) in the heading, by striking ''AUTHORITY'' and inserting ''IN GENERAL''; and

(2) by striking ''may conduct surveys'' in the matter preceding paragraph (1) and inserting ''shall, in fiscal year 2009 and not less often than once every three fiscal years thereafter, conduct surveys''.

SA 2187. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2019 proposed by Mr. LEVIN (for himself and Mr. MCCAIN) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 34, strike line 8 and all that follows through page 51, line 24 and insert the following:

SEC. 1631. COMPREHENSIVE PLANS ON PREVENTION, DIAGNOSIS, MITIGATION, AND TREATMENT OF TRAUMATIC BRAIN INJURY AND POST-TRAUMATIC STRESS DISORDER IN MEMBERS OF THE ARMED FORCES.

(a) PLANS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in accordance with subsection (c), submit to the

congressional defense committees one or more comprehensive plans for programs and activities of the Department of Defense to prevent, diagnose, mitigate, treat, and otherwise respond to traumatic brain injury (TBI) and post-traumatic stress disorder (PTSD) in members of the Armed Forces.

(b) ELEMENTS.—Each plan submitted under subsection (a) shall include comprehensive proposals of the Department on the following:

(1) The designation by the Secretary of Defense of a lead agent or executive agent for the Department to coordinate development and implementation of the plan.

(2) The improvement of personnel protective equipment for members of the Armed Forces in order to prevent traumatic brain injury.

(3) The improvement of methods and mechanisms for the detection and treatment of traumatic brain injury and post-traumatic stress disorder in members of the Armed Forces in the field.

(4) The requirements for research on traumatic brain injury and post-traumatic stress disorder, including (in particular) research on pharmacological approaches to treatment for traumatic brain injury or post-traumatic stress disorder, as applicable, and the allocation of priorities among such research.

(5) The development, adoption, and deployment of diagnostic criteria for the detection and evaluation of the range of traumatic brain injury and post-traumatic stress disorder in members of the Armed Forces, which criteria shall be employed uniformly across the military departments in all applicable circumstances, including provision of clinical care and assessment of future deployability of members of the Armed Forces.

(6) The development and deployment of effective means of assessing traumatic brain injury and post-traumatic stress disorder in members of the Armed Forces, including a system of pre-deployment and post-deployment screenings of cognitive ability in members for the detection of cognitive impairment, as required by the amendments made by section 1632.

(7) The development and deployment of effective means of managing and monitoring members of the Armed Forces with traumatic brain injury or post-traumatic stress disorder in the receipt of care for traumatic brain injury or post-traumatic stress disorder, as applicable, including the monitoring and assessment of treatment and outcomes.

(8) The development and deployment of an education and awareness training initiative designed to reduce the negative stigma associated with traumatic brain injury, post-traumatic stress disorder, and mental health treatment.

(9) The provision of education and outreach to families of members of the Armed Forces with traumatic brain injury or post-traumatic stress disorder on a range of matters relating to traumatic brain injury or post-traumatic stress disorder, as applicable, including detection, mitigation, and treatment.

(10) The assessment of the current capabilities of the Department for the prevention, diagnosis, mitigation, treatment, and rehabilitation of traumatic brain injury and post-traumatic stress disorder in members of the Armed Forces.

(11) The identification of gaps in current capabilities of the Department for the prevention, diagnosis, mitigation, treatment, and rehabilitation of traumatic brain injury and post-traumatic stress disorder in members of the Armed Forces.

(12) The identification of the resources required for the Department in fiscal years 2009 thru 2013 to address the gaps in capabilities identified under paragraph (11).

(13) The development of joint planning among the Department of Defense, the military departments, and the Department of Veterans Affairs for the prevention, diagnosis, mitigation, treatment, and rehabilitation of traumatic brain injury and post-traumatic stress disorder in members of the Armed Forces, including planning for the seamless transition of such members from care through the Department of Defense to care through the Department of Veterans Affairs.

(14) A requirement that exposure to a blast or blasts be recorded in the records of members of the Armed Forces.

(15) The development of clinical practice guidelines for the diagnosis and treatment of blast injuries in members of the Armed Forces, including, but not limited to, traumatic brain injury.

(c) COORDINATION IN DEVELOPMENT.—

(1) SECRETARY OF THE ARMY.—Each plan submitted under subsection (a) shall be developed in coordination with the Secretary of the Army (who was designated by the Secretary of Defense as executive agent for the prevention, mitigation, and treatment of blast injuries under section 256 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3181; 10 U.S.C. 1071 note)).

(2) SECRETARY OF VETERANS AFFAIRS.—Each plan submitted under subsection (a) shall be developed jointly with the Secretary of Veterans Affairs for the elements described in paragraphs (3) through (10) and paragraph (13) of subsection (b).

(d) ADDITIONAL ACTIVITIES.—In carrying out programs and activities for the prevention, diagnosis, mitigation, and treatment of traumatic brain injury and post-traumatic stress disorder in members of the Armed Forces, the Secretary of Defense shall—

(1) examine the results of the recently completed Phase 2 study, funded by the National Institutes of Health, on the use of progesterone for acute traumatic brain injury;

(2) determine if Department of Defense funding for a Phase 3 clinical trial on the use of progesterone for acute traumatic brain injury, or for further research regarding the use of progesterone or its metabolites for treatment of traumatic brain injury, is warranted;

(3) provide for the collaboration of the Department of Defense, as appropriate, in clinical trials and research on pharmacological approaches to treatment for traumatic brain injury and post-traumatic stress disorder that is conducted by other departments and agencies of the Federal Government; and

(4) to the maximum extent practicable, consult, coordinate, and partner with the Department of Veterans Affairs in carrying out research on traumatic brain injury and post-traumatic stress disorder.

SEC. 1632. IMPROVEMENT OF MEDICAL TRACKING SYSTEM FOR MEMBERS OF THE ARMED FORCES DEPLOYED OVERSEAS.

(a) PROTOCOL FOR ASSESSMENT OF COGNITIVE FUNCTIONING.—

(1) PROTOCOL REQUIRED.—Subsection (b) of section 1074f of title 10, United States Code, is amended—

(A) in paragraph (2), by adding at the end the following new subparagraph:

''(C) An assessment of post-traumatic stress disorder.''; and

(B) by adding at the end the following new paragraph:

''(3)(A) The Secretary shall establish for purposes of subparagraphs (B) and (C) of paragraph (2) a protocol for the predeployment assessment and documentation of the cognitive (including memory) functioning of a member who is deployed outside the United States in order to facilitate the assessment of the postdeployment cognitive (including memory) functioning of the member.

''(B) The protocol under subparagraph (A) shall include appropriate mechanisms to permit the differential diagnosis of traumatic brain injury in members returning from deployment in a combat zone.''.

(2) PILOT PROJECTS.—(A) In developing the protocol required by paragraph (3) of section 1074f(b) of title 10, United States Code (as amended by paragraph (1) of this subsection), for purposes of assessments for traumatic brain injury, the Secretary of Defense shall conduct up to three pilot projects to evaluate various mechanisms for use in the protocol for such purposes. One of the mechanisms to be so evaluated shall be a computer-based assessment tool.

(B) Not later than 60 days after the completion of the pilot projects conducted under this paragraph, the Secretary shall submit to the appropriate committees of Congress a report on the pilot projects. The report shall include—

(i) a description of the pilot projects so conducted;

(ii) an assessment of the results of each such pilot project; and

(iii) a description of any mechanisms evaluated under each such pilot project that will incorporated into the protocol.

(C) Not later than 180 days after completion of the pilot projects conducted under this paragraph, the Secretary shall establish a mechanism for implementing any mechanism evaluated under such a pilot project that is selected for incorporation in the protocol.

(D) There is hereby authorized to be appropriated to the Department of Defense, $3,000,000 for the pilot projects authorized by this paragraph. Of the amount so authorized to be appropriated, not more than $1,000,000 shall be available for any particular pilot project.

(b) QUALITY ASSURANCE.—Subsection (d)(2) of section 1074f of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(F) The diagnosis and treatment of traumatic brain injury and post-traumatic stress disorder.''.

(c) STANDARDS FOR DEPLOYMENT.—Subsection (f) of such section is amended—

(1) in the subsection heading, by striking ''MENTAL HEALTH''; and

(2) in paragraph (2)(B), by striking ''or'' and inserting '', traumatic brain injury, or''.

SEC. 1633. CENTERS OF EXCELLENCE IN THE PREVENTION, DIAGNOSIS, MITIGATION, TREATMENT, AND REHABILITATION OF TRAUMATIC BRAIN INJURY AND POST-TRAUMATIC STRESS DISORDER.

(a) CENTER OF EXCELLENCE ON TRAUMATIC BRAIN INJURY.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1105 the following new section:

''§ 1105a. Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Traumatic Brain Injury

''(a) IN GENERAL.—The Secretary of Defense shall establish within the Department of Defense a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of traumatic brain injury (TBI), including mild, moderate, and severe traumatic brain injury, to carry out the responsibilities specified in subsection (c). The center shall be known as a 'Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Traumatic Brain Injury'.

''(b) PARTNERSHIPS.—The Secretary of Defense shall ensure that the Center collaborates to the maximum extent practicable

with the Department of Veterans Affairs to carry out the responsibilities specified in subsection (c). The Secretary of Defense shall also authorize the Center to enter in such partnerships, agreements, or other arrangements as the Secretary considers appropriate with institutions of higher education and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (c).

''(c) RESPONSIBILITIES.—The Center shall have responsibilities as follows:

''(1) To direct and oversee, based on expert research, the development and implementation of a long-term, comprehensive plan and strategy for the Department of Defense for the prevention, diagnosis, mitigation, treatment, and rehabilitation of traumatic brain injury.

''(2) To provide for the development, testing, and dissemination within the Department of best practices for the treatment of traumatic brain injury.

''(3) To provide guidance for the mental health system of the Department in determining the mental health and neurological health personnel required to provide quality mental health care for members of the armed forces with traumatic brain injury.

''(4) To establish, implement, and oversee a comprehensive program to train mental health and neurological health professionals of the Department in the treatment of traumatic brain injury.

''(5) To facilitate advancements in the study of the short-term and long-term psychological effects of traumatic brain injury.

''(6) To disseminate within the military medical treatment facilities of the Department best practices for training mental health professionals, including neurological health professionals, with respect to traumatic brain injury.

''(7) To conduct basic science and translational research on traumatic brain injury for the purposes of understanding the etiology of traumatic brain injury and developing preventive interventions and new treatments.

''(8) To develop outreach strategies and treatments for families of members of the armed forces with traumatic brain injury in order to mitigate the negative impacts of traumatic brain injury on such family members and to support the recovery of such members from traumatic brain injury.

''(9) To conduct research on the unique mental health needs of women members of the armed forces with traumatic brain injury and develop treatments to meet any needs identified through such research.

''(10) To conduct research on the unique mental health needs of ethnic minority members of the armed forces with traumatic brain injury and develop treatments to meet any needs identified through such research.

''(11) To conduct research on the mental health needs of families of members of the armed forces with traumatic brain injury and develop treatments to meet any needs identified through such research.

''(12) To conduct longitudinal studies (using imaging technology and other proven research methods) on members of the armed forces with traumatic brain injury to identify early signs of Alzheimer's disease, Parkinson's disease, or other manifestations of neurodegeneration in such members, which studies should be conducted in coordination with the studies authorized by section 721 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2294) and other studies of the Department of Defense and the Department of Veterans Affairs that address the connection between exposure to combat and the development of Alzheimer's disease, Parkinson's disease, and other neurodegenerative disorders.

''(13) To develop and oversee a long-term plan to increase the number of mental health and neurological health professionals within the Department in order to facilitate the meeting by the Department of the needs of members of the armed forces with traumatic brain injury until their transition to care and treatment from the Department of Veterans Affairs.

''(14) Such other responsibilities as the Secretary shall specify.''.

(b) CENTER OF EXCELLENCE ON POST-TRAUMATIC STRESS DISORDER.—Chapter 55 of such title is further amended by inserting after section 1105a, as added by subsection (a), the following new section:

''§ 1105b. Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Post-Traumatic Stress Disorder

''(a) IN GENERAL.—The Secretary of Defense shall establish within the Department of Defense a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of post-traumatic stress disorder (PTSD), including mild, moderate, and severe post-traumatic stress disorder, to carry out the responsibilities specified in subsection (c). The center shall be known as a 'Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Post-Traumatic Stress Disorder'.

''(b) PARTNERSHIPS.—The Secretary of Defense shall ensure that the Center collaborates to the maximum extent practicable with the Department of Veterans Affairs to carry out the responsibilities specified in subsection (c). The Secretary shall also authorize the Center to enter in such partnerships, agreements, or other arrangements as the Secretary considers appropriate with institutions of higher education and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (c).

''(c) RESPONSIBILITIES.—The Center shall have responsibilities as follows:

''(1) To direct and oversee, based on expert research, the development and implementation of a long-term, comprehensive plan and strategy for the Department of Defense for the prevention, diagnosis, mitigation, treatment, and rehabilitation of post-traumatic stress disorder.

''(2) To provide for the development, testing, and dissemination within the Department of best practices for the treatment of post-traumatic stress disorder.

''(3) To provide guidance for the mental health system of the Department in determining the mental health and neurological health personnel required to provide quality mental health care for members of the armed forces with post-traumatic stress disorder.

''(4) To establish, implement, and oversee a comprehensive program to train mental health and neurological health professionals of the Department in the treatment of post-traumatic stress disorder.

''(5) To facilitate advancements in the study of the short-term and long-term psychological effects of post-traumatic stress disorder.

''(6) To disseminate within the military medical treatment facilities of the Department best practices for training mental health professionals, including neurological health professionals, with respect to post-traumatic stress disorder.

''(7) To conduct basic science and translational research on post-traumatic stress disorder for the purposes of understanding the etiology of post-traumatic stress disorder and developing preventive interventions and new treatments.

''(8) To develop outreach strategies and treatments for families of members of the armed forces with post-traumatic stress disorder in order to mitigate the negative impacts of traumatic brain injury on such family members and to support the recovery of such members from post-traumatic stress disorder.

''(9) To conduct research on the unique mental health needs of women members of the armed forces, including victims of sexual assault, with post-traumatic stress disorder and develop treatments to meet any needs identified through such research.

''(10) To conduct research on the unique mental health needs of ethnic minority members of the armed forces with post-traumatic stress disorder and develop treatments to meet any needs identified through such research.

''(11) To conduct research on the mental health needs of families of members of the armed forces with post-traumatic stress disorder and develop treatments to meet any needs identified through such research.

''(12) To develop and oversee a long-term plan to increase the number of mental health and neurological health professionals within the Department in order to facilitate the meeting by the Department of the needs of members of the armed forces with post-traumatic stress disorder until their transition to care and treatment from the Department of Veterans Affairs.

''(13) Such other responsibilities as the Secretary shall specify.''.

(c) JOINT DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS POST-TRAUMATIC STRESS DISORDER RESEARCH INITIATIVE.—Chapter 55 of such title is further amended by inserting after section 1105b, as added by subsection (b), the following new section:

''SEC. 1105c. JOINT DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS POST-TRAUMATIC STRESS DISORDER RESEARCH INITIATIVE.

''(a) The Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment and Rehabilitation of Post-Traumatic Stress Disorder and the National Center for Post-Traumatic Stress Disorder of the Department of Veterans Affairs (in this section referred to as the 'Centers') shall jointly carry out a program of research to be known as the 'Joint Department of Defense and Department of Veterans Affairs Post-Traumatic Stress Disorder Research Initiative' (in this section referred to as the 'Research Initiative').

''(b) The Research Initiative to be conducted by the Centers shall—

''(1) be jointly developed and coordinated by the Centers;

''(2) be complementary to the research otherwise being conducted by the respective Centers;

''(3) to the extent practicable, focus on areas of research that would benefit from the joint participation of both Centers;

''(4) research and promote the effective transition for members of the armed forces from receipt of care from the Department of Defense to receipt of care from the Department of Veterans Affairs;

''(5) consider, as appropriate, any special needs of women who are members of the armed forces or are veterans, members of the armed forces who live in rural areas, veterans who live in rural areas, Reserves, and veterans; and

''(6) promote cooperation, information sharing, and a reduction in duplication of efforts between the Department of Defense, the Department of Veterans Affairs, and other relevant Federal entities.

''(c) PARTNERSHIPS.—The Centers may enter into such partnerships, agreements, or

other arrangements as the Secretary of Defense and the Secretary of Veterans Affairs consider appropriate with the Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Traumatic Brain Injury, appropriate entities within the Department of Veterans Affairs, or other Federal entities to carry out the purpose of this section.''.

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1105 the following new items:

''1105a. Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Traumatic Brain Injury.

''1105b. Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Post-Traumatic Stress Disorder.

''1105c. Joint Department of Defense and Department of Veterans Affairs Post-Traumatic Stress Disorder Research Initiative.''.

(e) REPORTS ON ESTABLISHMENT.—

(1) REPORT BY SECRETARY OF DEFENSE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the establishment of the Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Traumatic Brain Injury required by section 1105a of title 10, United States Code (as added by subsection (a)), and the establishment of the Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Post-Traumatic Stress Disorder required by section 1105b of title 10, United States Code (as added by subsection (b)). The report shall, for each such Center—

(A) describe in detail the activities and proposed activities of such Center; and

(B) assess the progress of such Center in discharging the responsibilities of such Center.

(2) JOINT REPORT BY SECRETARY OF DEFENSE AND SECRETARY OF VETERANS AFFAIRS.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report on the establishment of the Joint Department of Defense and Department of Veterans Affairs Post-Traumatic Stress Disorder Research Initiative required by section 1105c of title 10, United States Code (as added by subsection (c)). The report shall—

(A) describe in detail the activities and proposed activities of such Research Initiative; and

(B) assess the progress of such Research Initiative in discharging the responsibilities of such Research Initiative.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for fiscal year 2008 for the Department of Defense for Defense Health Program, $15,000,000, of which—

(1) $5,000,000 shall be available for the Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Traumatic Brain Injury required by section 1105a of title 10, United States Code;

(2) $5,000,000 shall be available for the Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Post-Traumatic Stress Disorder required by section 1105b of title 10, United States Code; and

(3) $5,000,000 shall be available for the Joint Department of Defense and Department of Veterans Affairs Post-Traumatic Stress Disorder Research Initiative required by section 1105c of title 10, United States Code.

SA 2188. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 214. ASSESSMENT OF ACQUISITION OF THE COMBAT SEARCH AND RESCUE REPLACEMENT VEHICLE.

(a) IN GENERAL.—No amounts authorized to be appropriated for the Department of Defense may be obligated or expended for a contract for the procurement of the Combat Search and Rescue Replacement Vehicle (CSAR-X) until the later of—

(1) 60 legislative days after the date of the approval of the Under Secretary of Defense for Acquisition, Technology, and Logistics; or

(2) the submittal by the Secretary of the Defense to the congressional defense committees of written notice in accordance with established procedures.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, in addition to the limitation in subsection (a), no amounts authorized to be appropriated for the Department of Defense should be obligated or expended for a contract for the procurement of the Combat Search and Rescue Replacement Vehicle until the resolution by the Comptroller General of all pending bid protests with respect to the Combat Search and Rescue Replacement Vehicle.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a legislative hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, July 19, 2007, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on S. 1634, a bill to implement further the Act approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to britni_rillera@energy.senate.gov.

For further information, please contact Allen Stayman at (202) 224–7865 or Britni Rillera at (202) 224–1219.

AUTHORITY FOR COMMITTEES TO MEET

AD HOC SUBCOMMITTEE ON STATE, LOCAL AND PRIVATE SECTOR FOR PREPAREDNESS AND INTEGRATION

Mr. LEVIN. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration of the Committee on Homeland Security and Governmental Affairs be authorized to meet on Thursday, July 12, 2007, at 2 p.m., in order to conduct a hearing entitled ''Private Sector Preparedness, Part II: protecting our critical infrastructure.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Thursday, July 12, 2007, at 10 a.m., in room 253 of the Russell Senate Office Building.

This hearing will address issues relating to telephone number portability.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Thursday, July 12, 2007, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider the nominations of Clarence H. Albright, of South Carolina, to be Under Secretary of Energy; Lisa E. Epifani, of Texas, to be an Assistant Secretary of Energy for Congressional and Intergovernmental Affairs; James L. Caswell, of Idaho, to be Director of the Bureau of Land Management; and Brent T. Wahlquist of Pennsylvania, to be Director of the Office of Surface Mining Reclamation and Enforcement.

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

COMMITTEE ON FINANCE

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, July 12, 2007, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to hear testimony on ''Airport Airways Trust Fund: The Future of Aviation Financing.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing on the nomination of Dr. James W. Holsinger to be Medical Director and Surgeon General of the Public Health Service, Department of

Health and Human Services during the session of the Senate on Thursday, July 12, 2007 at 10 a.m., room G50 of the Dirksen Senate office building.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, July 12, 2007, at 9:30 a.m. in room 485 of the Russell Senate Office Building to conduct an oversight hearing on transportation issues in Indian country.

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

COMMITTEE ON THE JUDICIARY

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup session on Thursday, July 12, 2007, at 10 a.m. in Dirksen room 226.

Agenda

I. Bills

S.1145, Patent Reform Act of 2007, (Leahy, Hatch, Schumer, Cornyn, Whitehouse);

S.—, School Safety and Law Enforcement Improvements Act, (Chairman's mark);

S. 1060, Recidivism Reduction & Second Chance Act of 2007, (Biden, Specter, Brownback, Leahy, Kennedy, Schumer, Whitehouse, Durbin)

II. Nominations

William Lindsay Osteen, Jr. to be United States District Judge for the Middle District of North Carolina; Martin Karl Reidinger to be United States District Judge for the Western District of North Carolina; Timothy D. DeGiusti to be United States District Judge for the Western District of Oklahoma; Janis Lynn Sammartino to be United States District Judge for the Southern District of California.

III. Resolutions

S. Res. 248, Honoring the life and achievements of Dame Lois Browne Evans (Brown);

Res. 236, Supporting the goals and ideals of the National Anthem Project (Bayh, Craig, Kennedy, Cardin, Durbin).

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

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. 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 Thursday, July 12, 2007, at 9 a.m., in order to conduct a hearing entitled ''Dirty Bomb Vulnerabilities: fake companies, fake licenses, real consequences.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. LEVIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 12, 2007 at 2:30 p.m., to hold a closed hearing.

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

SUBCOMMITTEE ON NATIONAL PARKS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Subcommittee on National Parks of the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Thursday, July 12, 2007, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills: S. 488 and H.R. 1100, to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina; S. 617, to make the National Parks and Federal Recreational Lands Pass available at a discount to certain veterans; S. 824 and H.R. 995, to amend Public Law 106–348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States; S. 955, to establish the Abraham Lincoln National Heritage Area; S. 1148, to establish the Champlain Quadricentennial Commemoration Commission and the Hudson-Fulton 400th Commemoration Commission; S. 1182, to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to increase the authorization of appropriations and modify the date on which the authority of the Secretary of the Interior terminates under the Act; S. 1380, to designate as wilderness certain land within the Rocky Mountain National Park and to adjust the boundaries of the Indian Peaks Wilderness and the Arapaho National Recreation Area of the Arapaho National Forest in the State of Colorado; and S. 1728, to amend the National Parks and Recreation Act of 1978 to reauthorize the Na Hoa Pili O Kaloko-Honokohau Advisory Commission Reauthorization Act of 2007.

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

SUBCOMMITTEE ON SECURITIES, INSURANCE, AND INVESTMENT

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, Subcommittee on Securities, Insurance, and Investment be authorized to meet during the session of the Senate on July 12, 2007, at 10 a.m., to conduct a hearing entitled ''A Global View: Examining Cross-Border Exchange Mergers.''

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

PRIVILEGES OF THE FLOOR

Mr. SESSIONS. Mr. President, I ask unanimous consent that MAJ Pamela Powers, an Air Force fellow in Senator COLLINS' office, be granted the privilege of the floor for the duration of the consideration of H.R. 1585.

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

Mr. CRAIG. Mr. President, I ask unanimous consent that Felix Hernandez, a State Department Pearson Fellow with my office, be granted the privilege of the Floor during debate on H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008, that is currently before us.

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

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 110–4

Mr. BROWN. As in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on July 12, 2007, by the President of the United States:

International Conventions for the Suppression of Nuclear Terrorism (Treaty Document No. 110–4).

I further ask that the treaty be considered as having been read the first time; that it be referred with accompanying papers to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

I transmit herewith for Senate advice and consent to ratification the International Convention for the Suppression of Acts of Nuclear Terrorism (the ''Convention''), adopted by the United Nations General Assembly on April 13, 2005, and signed on behalf of the United States of America on September 14, 2005. As of July 3, 2007, 115 countries have signed the Convention and 23 have submitted their instruments of ratification or accession. The Convention entered into force on July 7, 2007. I also transmit for the information of the Senate a report of the Department of State with respect to the Convention.

The Convention imposes binding legal obligations upon States Parties either to submit for prosecution or to extradite any person within their jurisdiction who commits terrorist acts involving radioactive material or a nuclear device as set forth in Article 2 of the Convention, threatens or attempts to commit such an act, participates as an accomplice, organizes or directs others to commit such an offense, or in any other way contributes to the commission of such an offense by a group of persons acting with a common purpose, regardless of where the alleged act took place.

States Parties to the Convention will also be obligated to provide one another legal assistance in investigations or criminal or extradition proceedings brought in respect to the offenses set forth in Article 2, in conformity with any treaties or other arrangements that may exist between them or in accordance with their national law. The

recommended legislation necessary to implement the Convention will be submitted to the Congress separately.

This Convention is important in the campaign against international terrorism. I recommend, therefore, that the Senate give early and favorable consideration to this Convention, subject to the understandings and reservation that are described in the accompanying State Department report.

GEORGE W. BUSH.

THE WHITE HOUSE, *July 12, 2007*.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Majority Leader, pursuant to Public Law 105–83, announces the appointment of the following individual to serve as a member of the National Council on the Arts: Senator SHELDON WHITEHOUSE of Rhode Island.

The Chair, on behalf of the President pro tempore, and upon the recommendation of the majority leader, pursuant to 22 U.S.C. 2761, as amended, appoints the following Senator as a delegate of the Senate delegation to the British-American Interparliamentary Group conference during the 110th Congress: Senator BERNARD SANDERS of Vermont.

The Chair, on behalf of the President pro tempore, and upon the recommendation of the Republican leader, pursuant to 22 U.S.C. 2761, as amended, appoints the following Senators as delegates to the British-American Interparliamentary Group conference during the 110th Congress: Senator CHARLES E. GRASSLEY of Iowa, Senator RICHARD C. SHELBY of Alabama, and Senator JUDD GREGG of New Hampshire.

The Chair, on behalf of the President pro tempore and upon the recommendation of the majority leader, pursuant to Public Law 106–554, appoints the Senator from Virginia (Mr. WEBB) to the Board of Directors of the Vietnam Education Foundation.

The Chair announces, on behalf of the Republican leader, pursuant to the provisions of S. Res. 105 (adopted April 13, 1989), as amended by S. Res. 149 (adopted October 5, 1993), as amended by Public Law 105–275, further amended by S. Res. 75 (adopted March 25, 1999), amended by S. Res. 383 (adopted October 27, 2000), and amended by S. Res. 355 (adopted November 13, 2002), and further amended by S. Res. 480 (adopted November 20, 2004), the appointment of the following Senator to serve as a member of the Senate National Security Working Group for the 110th Congress: Senator NORM COLEMAN of Minnesota.

ORDERS FOR FRIDAY, JULY 13, 2007

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9 a.m., Friday, July 13; that on Friday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired and the time for the two leaders reserved for their use later in the day; that the Senate then resume consideration of H.R. 1585 and conduct debate on the Dorgan amendment, No. 2135, as amended, until 9:30 a.m.; that the Senate proceed to vote in relation to the amendment at 9:30 without further intervening action or debate; and that of the time available until then, Senators DORGAN and SUNUNU each control 10 minutes.

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

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. BROWN. If there is no further business today, I now ask unanimous consent the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Friday, July 13, 2007, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate July 12, 2007:

DEPARTMENT OF JUSTICE

THOMAS P. O'BRIEN, OF CALIFORNIA, TO BE UNITED STATES ATTORNEY FOR THE CENTRAL DISTRICT OF CALIFORNIA FOR THE TERM OF FOUR YEARS VICE DEBRA W. YANG, RESIGNED.

EDWARD MEACHAM YARBROUGH, OF TENNESSEE, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF TENNESSEE FOR THE TERM OF FOUR YEARS VICE JAMES K. VINES, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be lieutenant colonel

JONATHAN L. HUGGINS, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

NELSON L. REYNOLDS, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

BRYAN M. BOYLES, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be major

MICHAEL S. AGABEGI, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

FREDDIE M. GOLDWIRE, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

VAL C. HAGANS, 0000
SAMUEL D. TRESSLER III, 0000
MICHAEL B. VITT, 0000

To be major

RUJING HAN, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

KENT S. THOMPSON, 0000
AIXA M. TORRESRAMIREZ, 0000

To be major

JAVIER SANTIAGO, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

THOMAS S. BUTLER, 0000
JENNIFER A. FIEDERER, 0000
WENDY S. KIERPIEC, 0000
ADAM W. SCHNICKER, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

STEPHEN T. SAUTER, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

TERRY D. BONNER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

MARK TRAWINSKI, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

FRANCISCO C. DOMINICCI, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JOSEPH E. JONES, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

COLIN S. MCKENZIE, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

LOZAY FOOTS, 0000
JOSEPH L. KARHAN, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

LOUIS R. KUBALA, 0000
THOMAS K. SPEARS, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

WILLIAM A. MCNAUGHTON, 0000
MICHAEL B. VITT, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

JAMES E. COLE, 0000

To be major

MEJAH S. SOONG, 0000
MICHAEL F. TRAVER, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

DANIEL L. DUECKER, 0000

To be major

DOUGLAS L. WEEKS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

JOSEPH A. BERNIERRODRIGUEZ, 0000
CHRISTOPHER A. BLOUNT, 0000
EDWARD T. BREECHER, 0000
CYNTHIA BRITO, 0000

JASON BULLOCK, 0000
BRADLEY N. BUMA, 0000
CHRISTINE L. CERAR, 0000
KAREN B. CHANDLER, 0000
PAUL COLTHIRST, 0000
LUKE K. DALZELL, 0000
CHAD V. DAWSON, 0000
KLAUS EASTMAN, 0000
DEREK HATHAWAY, 0000
MATTHEW T. HENEHAN, 0000
STEPHEN JENSEN, 0000
YOUNG S. KANG, 0000
CANDACE KANN, 0000
DENNIS J. KANTANEN, 0000
DAVID A. KELLER, 0000
JASON KENNON, 0000
PETER KIM, 0000
CHARLES C. LAMBERT, 0000
DAVID J. MALOLEY, 0000
SHELLY D. MCAVOY, 0000
BENJAMIN R. METHVIN, 0000
KENDALL R. MOWER, 0000
JUSTIN N. NAYLOR, 0000
JOHNATHAN NEWCOMB, 0000
WADE H. OWENS, 0000
MANUEL PELAEZ, 0000
MICHAEL PICCIONE, 0000
CLINT RAU, 0000
BEN B. ROSS, 0000
CONSTANCE SEDON, 0000
JOSEPH S. SEILER, 0000
KATHLEEN B. SEILER, 0000
THOMAS STARK, 0000
MICHAEL P. THOMPSON, 0000
PERCY TORKORNOO, 0000
STEPHEN TURELLA, 0000
LEIGH D. VONWALD, 0000
ARIEL WARTOFSKY, 0000
LEWIS WAYT, 0000
EDWARD M. WISE, JR., 0000

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

BRUCE S. LAVIN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

CHRISTOPHER R. DAVIS, 0000
ALAN J. FERGUSON, 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

ROBERT D. CLERY, 0000
MARCIA T. COLEMAN, 0000
GARFIELD M. SICARD, 0000