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## Senate

The Senate met at 10 a.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

### PRAYER

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

Let us pray.

Eternal spirit, the fountain of all goodness, thank You that You have us in the place You want us to be right now. Teach our lawmakers to take seriously their role in solving the problems of our times, that they may fulfill Your plans for their lives. Continue to mold and inspire our Senators, and bless others through their labors. Use Your sovereign wisdom to bring about good results from their decisions and from consequences beyond their control.

Lord, give our leaders the courage to tell us what we need to hear, not what we want to hear. Make them willing to take political risks, to do the unpopular thing when it leads to justice and truth. Draw us together as one people who do Your will so that America may be a light to nations.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, September 5, 2007.

To the Senate:

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

ROBERT C. BYRD,  
President pro tempore.

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

### RECOGNITION OF THE MAJORITY LEADER

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

### SCHEDULE

Mr. REID. Mr. President, this morning, the Senate will be in a period for morning business until 11:30 a.m., with Republicans controlling the first half of the time, the majority controlling the final portion. I ask that be a full 90 minutes because both Republicans and Democrats have indicated a desire to speak. So whatever time Senator MCCONNELL and I take we will not count against that time.

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

Mr. REID. Mr. President, at approximately 11:30 a.m., the Senate will resume consideration of the Military Construction and Veterans appropriations measure. This, of course, is an extremely critical proposal for current members of the Armed Forces and those who have previously served, our veterans.

We got word yesterday from the co-manager of this bill, Senator KAY BALEY HUTCHISON, that the President said he would sign the bill in its present state, which is a good message. Therefore, I think we should proceed posthaste to complete this legislation as

quickly as we can today. We have business, as I already indicated, we have to finish this week. We will do our best to complete this legislation. I hope we don't have to file cloture on it. I hope we can complete the bill. There was no indication yesterday there would be a lot of amendments. I don't know if there will be any.

When we finish the bill, then we go to the Foreign Operations appropriations bill. That bill is \$700 million less than what the President requested. There certainly should be something we can work out in that regard.

Then we have to complete education reconciliation. There is a statutory 10 hours on that legislation.

We can complete all that business very quickly this week or, if necessary, we will work on Friday and Saturday, hopefully not on Sunday.

Monday morning, there will be votes. As I have indicated to the Republican leader, we will have no votes after about 5:30 or 6 p.m. on Monday. On Tuesday, we will have a full day. We might have to work into the night because we hope to be on Transportation appropriations. We will have our last vote about 12:30 or 1 p.m. on Wednesday in relation to the Jewish holiday. We may work past that time, but there will be no votes after midday.

I hope Members will cooperate. Today, we have our weekly recess for party conferences. We are going to come back at 2:15. In the history of the Senate, this is an important day. Someone who has stood for bipartisanship his entire career as a Member of the House of Representatives and as a Senator is coming back. TIM JOHNSON has been extremely ill. He was about as sick as a person can get. He is back. His brain is 100 percent. The right side of his body is not back. His speaking, as he said last week when he announced his coming back in South Dakota—he hoped all Senators would follow his example because his mind works faster than his mouth. The doctor said his speech will return totally.

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



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Right now, it is not, but it is still very good. So I hope Senators will come to the floor at 2:15 p.m. to hear his speech upon his return. Senator McCONNELL and I are going to submit a resolution welcoming him back. So I encourage Members to be here at that time.

We will have some rollcall votes later today, maybe even into this evening. Senator REED and Senator HUTCHISON are the ones managing the Military Construction and Veterans bill.

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#### MEASURES PLACED ON THE CALENDAR—H.R. 2419 AND H.R. 3221

Mr. REID. I have a matter of business, Mr. President.

There are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bills by title for a second time.

The assistant legislative clerk read as follows:

A bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

A bill (H.R. 3221) moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation.

Mr. REID. Mr. President, I object to any further proceedings with respect to these two bills en bloc.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar.

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#### RECOGNITION OF THE MINORITY LEADER

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

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#### RETURN OF SENATOR TIM JOHNSON

Mr. McCONNELL. Mr. President, let me briefly second the observations of the majority leader about the return of our friend, TIM JOHNSON, from South Dakota. We look forward to welcoming him back after the policy luncheons today. It is a remarkable example of grit and determination to fight his way back. All of us on this side of the aisle are certainly happy he is back and look forward to welcoming him back to the Senate family officially, after the policy lunches.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, if I may say also—I said this personally to the distinguished Republican leader—Senator McCONNELL and the entire Republican caucus have been so thoughtful regarding Senator JOHNSON'S illness. There were things the Republican minority

could have done to have taken advantage of the situation of his being ill. That was never done, not on one occasion. I appreciate that very much. I know Senator JOHNSON does. It speaks well for the Senate.

I don't think I need to say more on that issue other than it is the right thing to do, but sometimes we try to take advantage of a situation politically. The Republican Senators did not do that, even though there would have been times it would have been to their advantage.

Mr. McCONNELL. Mr. President, I thank the majority leader very much.

I yield the floor.

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#### RESERVATION OF LEADER TIME

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

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#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now be in a period for the transaction of morning business until approximately 11:30 a.m., with Senators permitted to speak for up to 10 minutes each, and the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half of the time and the majority controlling the second half of the time, with the Senator from North Dakota, Mr. DORGAN, controlling up to 20 minutes of the majority time.

The Senator from Georgia.

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#### SENATOR TIM JOHNSON

Mr. ISAKSON. Mr. President, I appreciate this opportunity. Before I make my speech, I join the two leaders in expressing my joy at the return of Senator JOHNSON. He has suffered a tragic event, but his grit, his determination, and I think the prayers of the entire Senate have paid off. I am delighted he is returning to this body, with us, at 2:15 p.m. today.

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#### IRAQ

Mr. ISAKSON. Mr. President, I spent the month of August on our break traveling the State of Georgia and did it for a specific reason. I knew that September 15 would be the report period for Ambassador Crocker and for General Petraeus. I knew it was very important for me as a Senator to go to the people of Georgia and find out what was on their minds.

As I introduced myself in every speech I made, I said: As a Member of the Senate, and with our men and women deployed in harm's way, it is absolutely incumbent upon me, first and foremost, to address the Iraq war, to address my votes, and to hear from the people of Georgia on what they feel.

When I returned to the Senate last night and I was on the floor, I had the occasion to listen to a speech by the Senator from New York, questioning, again, our involvement in Iraq and, even in advance of the Petraeus report, taking a position that whatever it was, it would not be good enough and the United States of America should withdraw. So I thought today I would come to the floor and speak not only my mind but I think the consensus of the people of Georgia regarding where we are now and where we may be in the months ahead.

I visited civic clubs, chambers of commerce, garden clubs, the State chamber of commerce and sat for a meaningful hour with Lucy and Rick Harris, the parents of LT Noah Harris, who died 2 years ago fighting for the United States of America in Iraq. I tried to get every perspective. I even spent half a day with new recruits at Fort Benning at the Third ID on their fourth day of basic training.

Next week is an important week for the United States of America, and the report by General Petraeus is an important report. There are some Members of the Senate who are invested in, whatever it says, staying the course, there are some who are invested in coming home no matter what it says, when, in fact our actions should lie between. We should wait and hear what the general says. We should wait and hear what Ambassador Crocker says. But also it is time for us to start thinking about defining what victory is rather than declaring, as some have done, that we have lost.

We all know there are positive words coming back from Iraq. We know some positive things have happened. But we know it is not done, and we know it is not over. But I think, in defining what victory is, it is important to remember the speech the President of the United States made the day before we all voted to authorize the engagement in Iraq and enforcement of U.N. Resolution 1441.

The President established three precise goals for our involvement in Iraq. No. 1 was to depose Saddam Hussein and find, if they existed, the weapons of mass destruction that every nation in the world thought Saddam Hussein had and U.N. Resolution 1441 delineated; second, to allow the Iraqi people to hold free elections and establish a government of their choosing; and the third goal was to adequately train the Iraqi military so it could successfully defend and protect that fledgling new Government.

On goal No. 1, Saddam Hussein was captured, he was deposed, he was tried by the people of Iraq, and he was executed.

On the weapons of mass destruction, there are those who say we didn't find them. We found all the components. The problem when you find a weapon of mass destruction, when you have a smoking gun, it has already gone off. So sometimes finding the components

is better. We did find Scud missiles buried in the sand between Damascus and Baghdad in Iraq, we found traces of sarin gas, we found mobile biological laboratories dismantled, and we found mass graves where hundreds of thousands of Iraqis had been killed. The evidence was there.

Second, in terms of the Government and establishing elections, the Iraqi people in 18 months held three elections, wrote a constitution, and established a government. Goal 2 accomplished.

Goal 3, to adequately train the Iraqi Army so it could defend the people of Iraq and that fledgling government. I think it is very instructive to recognize what has happened in recent days and in past months. Yesterday, the British left Basra, and as they left Basra and their post, who replaced them? Not the American military but the Iraqi military, a clear and distinct sign that the Iraqi military is gaining the ability to defend this fledgling country on their own.

Second, what happened 3 weeks ago. We finally captured and killed the bomber who set off the mosque bombing that set off the sectarian violence about a year and a half ago. Who captured him? Mr. President, 1,000 Iraqi troops with close air support by America, but the ground action was the Iraqis. On the "clear and hold and secure" of the surge, we have Americans and Iraqi soldiers embedded, side by side, holding those parts of Baghdad that we have secured, holding them so reconstruction can take place.

We are making positive steps, and we are on the cusp of the third goal being accomplished. We are not there yet, but we are on the cusp of it.

Where are we? We need to listen to what General Petraeus comes back and recommends, and Ambassador Crocker. I will not prejudge what the report will say because I have not seen it yet, but I think we all know there is enough evidence that we are coming close that it is very important we pay attention to the months ahead, which will be the most critical in our engagement in Iraq.

To that end, I want to share a little bit of the advice of a good friend to me, Lucy Harris, in Ellijay, GA. Lucy and I and her husband Rick and her late son Noah's fiancée—he was killed in Iraq—sat with a reporter and photographer from the Washington Post, and they recorded our conversation that particular day for an article they wrote recently. But I want to share with the Members the Senate some of the advice Lucy gave to me. She lost her only son. Her only son was a cheerleader at the University of Georgia on 9/11/2001 who, upon that tragic day, walked up to the military ROTC on campus as a junior and said: I want to join and get a commission.

They said: You can't because you don't have enough time. You have to have 2 years.

He said: I will make up the time.

Finally, the Army reluctantly agreed, and sure enough, in 18 months Noah Harris got his commission in ROTC and became a second lieutenant in the U.S. military. He volunteered because he wanted to confront the evil and terror he saw on that particular day.

He was known as the Beanie Baby soldier in Iraq. He led a platoon in Iraq, and he carried, in one big pocket on his right leg, bullets, and in another big pocket on his left leg he carried Beanie Babies, and he shared them with the Iraqi kids as he would go through securing and patrolling areas of Baghdad. His unit started carrying Beanie Babies and other good things for the Iraqi kids. While defending freedom and hopefully securing that country, he was also winning the minds of those children.

Tragically, he was lost in the explosion of an IED in Iraq. I attended his funeral and saw the outpouring of love from a thousand people in his community. So when Lucy sat down last week in Ellijay, GA, her advice to me was important and her advice to me was what appears on their car's license plate: IDWIC, those letters, because her son, Noah, who e-mailed back and forth with me before his tragic passing, always said: IDWIC—I do what I can. That was his motto. That is why he went to Iraq, to do what he could for freedom and democracy, for peace and to end terror.

That is what his mom Lucy and Rick do today—they do what they can. In their comments to the reporter, when asked what they think about all the debate going on in Washington about Iraq, Lucy said: I think the debate is healthy. I watch it. I think it is important. I think we should all do what we can, but we need to make sure that my son Noah did not die in vain.

To that end, as I approach the votes we will take—I don't know on what, but I know it will be about Iraq—in the months and weeks ahead following the Petraeus report, I will do what I can to give us a chance to finish the job, win the victory the President outlined at the outset 5 years ago on our entering Iraq, and honor and pay tribute to the sacrifice of the 3,700 or more Americans who have given their lives in the effort of the overall war on terror and in particular the securing of Iraq and the opportunity for a fledgling democracy to take hold in the Middle East.

These are difficult times but not nearly as difficult for us as for the men and women who voluntarily go because they believe in our cause. I stand here today in the Senate hoping that all of us will not prejudge what Ambassador Crocker will say, or General Petraeus, nor should we declare defeat when we have victory within reach, nor should we declare victory if it is not there. But we should move forward in order to honor the sacrifice of the men and women who fight for our country voluntarily every day.

For me, I am going to do what I can. I am going to take Lucy Harris and

Rick Harris and Ashley's advice. I am going to honor the life of Noah by listening closely to the report, by recognizing why we went in the first place, and see to it we give ourselves a chance to declare the victory that has been so bravely fought for by the men and women of the U.S. military.

I hope we will all have open minds and open hearts and give thanks for the sacrifices taking place and recognize again why we went in the first place and recognize again how close we are to achieving our goals.

I yield the remainder of my time and suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from South Carolina is recognized.

#### IRAQ

Mr. GRAHAM. Mr. President, I wish to take this opportunity to talk a little bit about what I think is a very important debate, and that is about Iraq war policy. Next week, I believe, General Petraeus and Ambassador Crocker will be coming to the Congress to brief us about the situation as they see it. I think most of us in the Senate are very anxious to hear what our Ambassador has to say and our leading general in Iraq. There are GAO reports about benchmarks. The idea that we are trying to evaluate performance and progress in Iraq is a good thing. Some of the benchmarks have not been met, apparently, some have. It depends upon how you measure. The one thing I would caution my colleagues to not forget is that the biggest benchmark is whether our presence in Iraq should be maintained in terms of our national security interests or should we leave. If we do leave, how does that affect our long-term security interests?

I think the biggest issue facing each Senator is how they view the war in Iraq. This is a legitimate debate. There are two different ways of looking at the engagement in Iraq. Some Senators believe our military presence in Iraq at such levels is propping up the Iraqi Government; they are relying too much upon us, they are putting off the hard decisions because we are doing the fighting and they can kind of take their time, and that we should put more pressure on the Iraqi Government by beginning to withdraw troops.

There is another view that any presence in Iraq is creating more terrorism than it is preventing, that our presence in Iraq is creating instability and problems for the Mideast as a whole, and that we should basically get our eye back on the ball, Afghanistan, al-Qaida operations in other areas.

Those are a couple of views. I hope I fairly summarized it. I do not want to put words in people's mouths. But I think there are a couple of ways of looking at Iraq.

There is another way. It is my way—it does not mean it is right, it is just the way I have come out on this—that Iraq, to me, is part of a global struggle, not just an isolated event.

Whether we should have gone into Iraq is sort of a moot question. The question for the country is: What happens in Iraq in terms of our national security interests? Does it really matter? I would argue that the enemy we are facing in Iraq is threefold. There is sectarian violence within the country. There is Sunni-Shia violence, or people within the Shia community using violence to try to get the upper hand politically.

There are people, Sunni insurgents, who do not want to have a democracy. They do not want to have a representative government. They are trying to achieve power by the use of violence. So there is definitely some sectarian conflict between Sunni and Shias. That is very real.

But there is also an element in Iraq called al-Qaida. Their goal is not to dominate the Shia population in Iraq. Their goal is much broader. It is to make sure that representative government does not take hold in the Mideast in a way that would allow religious tolerance. Their goal is to make sure no representative government would spring up where a woman would have a say about her children.

You know, we are all over the world militarily. You can see what is going on in Germany today. But al-Qaida chose to come to Iraq, I believe not because of what we are doing there or the fact that we are there, but because of what the Iraqi people may try to do. I do believe al-Qaida's international leadership has gone to Iraq to organize extremist forces within that country, religious extremists, because they fear more than anything else another Muslim nation, Islamic nation, Arab nation, being able to come together and live through representative democracy. That is why they are there.

If they can defeat this effort at moderation, destabilize this government and drive us out, I think our worst days lie ahead. No matter how we wish to view Iraq, there is no doubt in my mind what that enemy would say, al-Qaida international would say: They beat America in the Land of the Two Rivers. Bin Ladin has called on all of those who believe as he does: Go to Iraq, join the fight, because now is the time to win a battle in the third world war and America must be defeated, not the Iraqi Shia population but America.

Now the Iranian involvement in Iraq. I have been on an 11-day tour over there as a Reserve lawyer. That was a wonderful experience, a very small contribution on my part. I learned how hard people work and how smart they

are. I am awed by our military. I think every Senator shares that view. But one of the things I have learned from working on rule-of-law programs is how deeply involved the Iranian Quds force and other organizations are in funding militia groups.

The question for us all is why should Iran be involved in trying to fund groups dedicated to killing Americans? The Lieberman amendment that passed without objection in the authorization debate in July was a damning indictment of the Iranian involvement in Iraq. The question must be asked and answered: Why? Why does Iran want to destabilize this government? Why are they supporting extremist groups, mostly in the Shia community but not exclusively, designed to kill Americans? Why are they providing aid and comfort to those groups who wish to destroy our forces?

I argue they view Iraq as a threat, just as al-Qaida does, if the Iraqi Government is able to stabilize itself. The Sunni and Shia Arabs coming together, along with their Kurdish colleagues, to form a representative government that will allow the people to elect their leaders is the biggest threat to Iranian theocracy. They are involved in Iraq from their own self-interest, not the interests of the Iranian people, but the self-interest of the radical leadership within Iran. They understand clearly if Iraq is able to stabilize itself and create a moderate form of government, representative in nature, their nightmare just begins. That is why they are trying to drive us out.

The President of Iran, a questionable character at best, said, I think, last week, they stand ready to fill the vacuum created when we leave. I argue that we need not leave a vacuum that Iran can fill.

There are three enemies: al-Qaida, sectarian violence, and the Iranian elements trying to destabilize the Iraqi Government. One of the biggest problems we have had since the fall of Baghdad is we didn't have enough troops to provide security. After about five or six visits, it was clear to me that the situation was deteriorating in Iraq. Before the surge, I came back more depressed after each visit. The level of violence grew and the secure environment deteriorated.

Now we have a new strategy. We have put more combat power in place. It has made a real difference on the security front. Anbar Province, the western part of Iraq where the Sunnis dominated 6 months ago, was declared lost. It was an al-Qaida safe haven. We have heard the story time and time again. The news of Anbar is not so much that we beat al-Qaida militarily, not so much that the Sunni Arabs turned on al-Qaida, joined the fight with us against al-Qaida. That is understandable given the way that al-Qaida treated the population in Anbar. What is the most exciting and encouraging is that in 2007 over 12,000 people have joined the local police force in Anbar. The sons of

Anbar were called upon by the sheiks to take up arms by joining the police. This new police presence, once it is trained and equipped, will allow Anbar Province to be held by Iraqis.

More encouraging than that, not only are people in Anbar beginning to join institutions that would allow al-Qaida to be defeated in a permanent fashion, they are beginning to reach out to Baghdad, and there is a movement going on between the Maliki government and leadership in Anbar to try to find a relationship where Baghdad is seen by the people of Anbar as a place you can do business. There is a lot of money being spent now by the central government on rule-of-law projects in Anbar. There is an old palace of one of the sons of Saddam that is going to be converted into a legal center where you can have terrorism courts, basic civil trials. You will have housing for judges that will be secure so they won't be assassinated. You will have a police training center there. There is a lot going on in terms of a relationship between Baghdad and Anbar that could lead to reconciliation.

It is very true the political progress we had hoped for at the national level has not yet transpired. But what has astounded me is the amount of local reconciliation going on. Better security has led to better choices. People now feel more secure. They are telling us where al-Qaida operatives are hiding. They are giving us more information than we have ever received before about how al-Qaida operates, and other extremist groups. People are getting more confident to speak out. More than anything else, they are just war weary.

The one thing I have learned on this trip that was more abundant than any other is that Iraqis at the local level, in provinces all over the country, are very war weary. They are trying to bring the country together, their local communities together. They are tired of the killing and the dying.

So as we listen to what Ambassador Crocker has to say, and General Petraeus, we should be mindful of the challenges. To me, the successes are obvious, but the challenges are equally obvious. I never said, for the last 3½ years before the surge, that things were going great in Iraq because, to me, they weren't. Things were getting worse. It was obvious they were. But I do see a turnaround. I think the surge has accomplished some things militarily that have led to better choices, and there is an effort to reconcile the country from the bottom up. It is very real.

The big pressure being applied to Baghdad is not what Senator GRAHAM says or what any other Senator from the United States may say about the Maliki government. The pressure I see on the ground is coming from the people themselves. The people are war weary. They would like their representatives in Baghdad to come together and create a stability that they haven't known for 4 years.

I am hopeful there will be political breakthroughs. Sunday a week ago the five major players in Iraq recommitted themselves to a plan to come back together, reform the government, and reconcile the Iraqi people, passing major legislation. Debaathification, the ability of Sunnis to hold jobs in the government, is a big piece of legislation that would transform Iraq. Local elections, allowing local people to pick their governors and representatives rather than Baghdad politicians making those appointments, if there were local elections, the Sunnis would participate in large numbers. In 2005, they boycotted the election. Now they are ready to engage in politics.

I predict that based on the success of the surge militarily, the efforts of local reconciliation are real, that they are going to move up to the national level, and soon, very soon, we will have some breakthroughs in Baghdad in terms of political benchmarks that will transform the country. That is my hope, my desire. The way we can achieve that is to pour it on, continue the surge, let it run its course. It has been in place now, I think, since April. Let's keep pouring it on militarily, politically, and economically. We have the enemy on the mat. Let's don't let them up. Morale is sky high. Now is the time for America to exercise good judgment, long-term thinking, and reinforce Iraq instead of withdrawal.

The message to withdraw, no matter how well intended, will not push Iraqi politicians to do anything faster. It will encourage an insurgency that is not being diminished.

Those are the issues that face the Senate as we await news from Iraq. Let's concentrate on the long term. The year 2008 will be here before we know it, but the decisions we make about Iraq will have consequences long after the election of 2008.

I yield the floor.

The PRESIDING OFFICER (Mr. TESTER). The Senator from North Dakota.

Mr. DORGAN. Am I recognized for 20 minutes under morning business?

The PRESIDING OFFICER. Yes.

#### NATIONAL SECURITY

Mr. DORGAN. Mr. President, let me talk for a moment about the issue of what is our national security. This morning, as I was getting ready for work, I saw another television advertisement put together by people who have accumulated some money and put ads on television. The advertisement is one that says: We have to stay in Iraq. We can't surrender in Iraq. We have to finish the job in Iraq. It says they attacked us on 9/11. The whole implication of the ad is, we are in Iraq because we are fighting the people who attacked us on 9/11. It is the same dishonesty we have heard for a long time.

Let me describe again our national security interests and who attacked us on 9/11. We know who did because they

bragged about it. They boasted about attacking America. It was Osama bin Laden, al-Zawahiri, and others, the leadership of al-Qaida. And where are they? Are they in Iraq? No, they are in Pakistan, we believe, somewhere between Afghanistan and Pakistan. Let me describe the connection of all of this and our national security interests.

This morning in the newspaper we see that in Copenhagen, Denmark, the police have arrested some terrorists engaged in a terrorist plot with links to al-Qaida. They say these terrorists had traveled to Pakistan for training, and the case against them involves links to militants in Pakistan. Separately, last night a German Federal prosecutor had three suspects picked up and arrested late Tuesday. The suspects were members of a terrorist organization, presumably with connections to al-Qaida. There is evidence the men had trained in camps in Pakistan.

So let's understand, whether this is a surprise to any of us. Here is what we learned in February of this year. Senior leaders of al-Qaida operating from Pakistan over the past year have set up a band of training camps in the tribal region near the Afghan border, according to American intelligence and counterterrorism officials. There was mounting evidence that Osama bin Laden, and his deputy, al-Zawahiri, had been steadily building an operations hub in the mountainous Pakistani tribal area of northern Waziristan. That is from the New York Times, quoting top intelligence sources.

In June: Al-Qaida regroups in new sanctuary on Pakistan border. While the U.S. presses its war against an insurgency linked to al-Qaida in Iraq, Osama bin Laden's group is recruiting, regrouping, and rebuilding in a sanctuary along the border between Afghanistan and Pakistan, according to senior U.S. military and intelligence officials. The threat from the radical Islamic enclave in Waziristan is more dangerous than from Iraq, which President Bush and his aides call the "central front" of the war on terrorism, according to some current and former U.S. officials and experts.

The National Intelligence Estimate from July of this year says: Al-Qaida is and will remain the most serious terrorist threat to our homeland. We assess the group has protected or regenerated key elements of its homeland attack capability, including a safe haven in Pakistan's federally administered tribal areas.

Is it a surprise that we pick up the newspaper this morning and see terrorists picked up in Germany, threatening to launch attacks against the largest U.S. base in Europe, and that we read that they trained in Pakistan, likely at an al-Qaida reconstituted training camp? Is that a surprise to us?

We are engaged in a war in Iraq. The television commercial this morning, my colleague this morning, and others,

continue to say that is the central fight of the war against terrorism. It is not. It is a civil war. There is widespread sectarian violence. Yes, there are some terrorists there. Yes, al-Qaida is there. But that is not the central part of what al-Qaida has been about.

Al-Qaida did not have a presence in Iraq prior to 9/11. The television commercial this morning says they attacked us on 9/11. Implying that this is why we are in Iraq fighting that war ignores a whole body of truth, the body of truth I have just described. Those who attacked us and boasted of killing innocent Americans on 9/11 are now in a secure hideaway or a safe haven somewhere in Pakistan, not in Iraq.

I ask this question of the President and the Congress: Why should there be any square inch on the face of this planet that is safe or secure for the leaders of the organization that boasted about attacking America? Why should there be any place on this Earth that is safe or secure for those who the intelligence estimate now tells us are plotting new attacks against our country? Why are they safe and secure? Because this country is engaging door to door in Baghdad in the middle of a civil war. That is a fact.

We have people say: You can't surrender. If you try to redeploy, you are surrendering. I say this: What we ought to do is redeploy and understand that our policy is to fight the terrorists first. When we talk about redeploying, we are not talking about not being able to fight terrorists, even in Iraq, to the extent they exist there. We are talking about leaving enough troops for training of Iraqi forces, about fighting terrorists who exist in Iraq, and about force protection. But you redeploy the troops to fight the terrorists first. Why on Earth should we be debating in the Senate, and the President be in Australia today talking to his counterpart in that country about continuing the fight in Iraq, when Osama bin Laden, al-Zawahiri, and others are planning additional attacks against this country? While, at the same time, bin Laden and his henchmen are "safe" and "secure" in or near Pakistan? That is unbelievable.

We need to change tactics. We need a change in course. When we pick up the paper this morning and read about terrorists being picked up in Germany, plotting attacks against the largest American military base in Europe, and they are trained in Pakistan, likely at an al-Qaida training camp, we are experiencing the fruits of bad policy and dishonest representation about where the fight exists. The central fight against terrorism, it seems to me, is to eliminate the leadership of al-Qaida, the very leadership who boasted about killing innocent Americans on 9/11 and the very leadership who our National Intelligence Estimate now tells us are planning additional attacks against our homeland.

We need a change in course. If we stand here and debate this question

about, well, if you redeploy, change course here or there, you are surrendering, that is not looking truth in the eye at all. The television commercial I saw this morning—put together, I am sure, by some big money interests that are suggesting somehow we are in Iraq because they attacked us on 9/11—is the perpetration of the same dishonesty we have seen for years.

We have had soldiers in Iraq longer than we were fighting in the Second World War. I want Iraqis to be free. Saddam Hussein is gone. He is dead. He was executed. They now have a new Constitution and a new Government. Now the question is, Will the Iraqi people have the will to provide for their own security?

We are going to leave Iraq. The question is not whether; it is when. We cannot keep 160,000 American troops in the middle of a civil war in Iraq for any lengthy period of time, especially while Osama bin Laden and al-Zawahiri are in the mountains training additional terrorists whom they then send to Germany and perhaps to our country. We have to change course. That is a fact. I am not giving you my opinion. I am telling you what the National Intelligence Estimate tells us about the greatest threat to our country.

The greatest threat to our homeland, according to the National Intelligence Estimate, is the leadership of al-Qaida, and they are in a safe and secure haven, and they are planning additional attacks against our country. If one does not understand that by reading that which we should read, go back to just prior to 2001 and take a look at the headline on the PDF briefing given to the President in August 2001: "Bin Laden determined to strike in the U.S." It is time we read and it is time we understand. Regrettably, that has not been the case recently. I hope it will as we turn to this debate in a serious way.

The change in course has to be, in my judgment: Fight the terrorists first. That ought to be this country's policy.

That was not why I came to the floor of the Senate today, but I was inspired to remember the television commercial I saw the first thing this morning and then inspired by my colleague's statement about Iraq, once again.

#### TRADE AND CONSUMER SAFETY

Mr. DORGAN. If I might, in a separate part of the RECORD, I wish to talk about something that showed up in the newspapers this morning as well. I wish to tell you first—this was not in the papers this morning—about something that was a while back. I wish to tell you about a 4-year-old boy named Jarnell Brown. Jarnell Brown was from Minnesota. Jarnell is now dead. Jarnell is dead because he was visiting a friend's house, and he swallowed a small heart-shaped charm that came on a bracelet that came with a pair of Reebok tennis shoes. It turns out that little charm, that little jewelry charm

contained 99 percent lead, and it killed Jarnell Brown. It was 99 percent lead.

It came from China, which probably should not surprise us. It suggests, once again, in this global economy—in which we decide we are going to produce elsewhere and ship here, after we spent a century developing standards to protect workers, protect consumers, the kinds of things Americans basically expect to be protected for and from—we decide we are going to outsource all that so we will have all these products made elsewhere and shipped into our country.

So we get tennis shoes, and we get a charm bracelet, and we get a heart attached to the end of the bracelet that is 99 percent lead, and the young boy accidentally swallows that little heart and dies from lead poisoning.

Now, let me talk a bit about this morning's news. Mattel is announcing this morning a product recall. They are recalling 848,000 Chinese-made Barbie and Fisher-Price toys that have excessive amounts of lead. Toys are being pulled from store shelves, including Barbie kitchen and furniture items, Fisher-Price train toys, and Bongo Band drums.

These are innocent enough looking products. But the surface paint on these products contains excessive levels of lead, prohibited under our Federal laws because of the serious threat they pose to human health, particularly the health of young children.

I do not suggest that Mattel has any response this morning other than being heartsick and heartbroken over this situation. Mattel is a good company. But what has happened to Mattel has happened to many other companies. They outsource production and then ship the product into this country, and there is no determination of whether those products are produced under the same conditions we would require in this country.

We only inspect 1 percent of the products that come into this country. So whether it is food or toys or jewelry or other things we require certain kinds of standards with respect to its production here, yet there are no such standards required with respect to production elsewhere. Oh, I know the people who outsource these contracts will say: Well, we require this and that of them. But there is no enforcement, and everyone knows that.

Let me describe a few of the circumstances. I talk about the lead paint. As we know, lead paint is used because it is bright, durable, flexible, fast drying, and, above all, it is cheap. So the Chinese, we now know from products that are being pulled from the shelves, have used lead paint. They mass produce lead paint and coloring agents such as lead chromate that are generally cheaper than other pigments, so we are now seeing the effect of that on store shelves.

This poor 4-year-old boy felt the effect in the most extreme way. He died.

It is not just China, and it is not just toys. FDA inspectors recently inter-

cepted shipments of black pepper with salmonella from India, intercepted crab meat from Mexico too filthy to eat, and produce from the Dominican Republic was stopped 813 times last year for containing traces of illegal pesticides—this is a country with whom we just signed a trade agreement.

Now let me describe—even as we have galloped globally to outsource production but not to develop and maintain the protections for the American consumers on the products coming in—the Food and Drug Administration. Under the Bush administration, the FDA's safety mission I think has been substantially reduced. In fact, the FDA is planning to close 7 of its 13 drug safety labs, and it would close or consolidate a number of its 20 regional offices.

The trend has been to inspect fewer, not more, imports into this country under the administration. The FDA tests, we are told, about 1 percent of imported food. Last year, the FDA took 50 percent fewer samples for testing from imported seafood than it did in the year previous.

The issue is not just China, but China has been in the news more than any other country. Let me describe the circumstance of China because that has become the most notorious offshore platform. Toys, dolls, games, for all of these products China ranks as our No. 1 source of imports; fish, seafood, China is No. 1. Tires, China is No. 1; also for pet food, and toothpaste; and the list goes on. In fact, we have such a giant trade deficit with China—this chart shows what is happening with our trade relationship with China, which I think demonstrates an incompetence that is almost breathtaking for this country, an incompetence with respect to the negotiating of trade agreements and an incompetence with respect to enforcing trade agreements. But aside from that, I describe a circumstance here, and we are seeing it now every day in the newspapers, of the danger to U.S. consumers.

Well, pet food—how many Americans had their pets die as a result of contaminated pet food coming into this country? It was discovered that animal food, pet food from China contained substances that are dangerous to pets. Sixty million packages of pet food under 150 brands were recalled after it was found that ingredients in pet food could be dangerous to pets.

Seafood—the U.S. FDA banned the import of five types of farm-raised fish and shrimp from China after they were found to contain unsafe drugs, some of which cause cancer.

Now, I am telling you what they have found and banned, and I am telling you they have only inspected 1 percent.

Toothpaste, Chinese-made toothpaste sold in dollar stores—the FDA has warned consumers to throw out any toothpaste made in China. In fact, they not only found some of the toothpaste was contaminated with a dangerous ingredient, they found other toothpaste

that was contaminated with the ingredient and did not list the ingredient on the toothpaste box.

Toys and jewelry—I mentioned Mattel. There are others. Mattel has had three very substantial recalls of Chinese-made toys in the last 5 months. Again, my guess is the executives of that company are heartsick about what is happening. But it is a result of exporting manufacturing and not having the protections with respect to the conditions under which that product is manufactured—the protections for American consumers that we have always come to expect.

I did not mention with respect to toys, the RC2 Corporation recalled 1.5 million of these little toys, Thomas & Friends from its Wooden Railway product line, made by Hansheng Wood Products Factory in China using lead paint.

According to a spot check recently, it was announced 20 percent of Chinese-made jewelry contains potentially poisonous chemicals, including lead.

Automobile tires—a tire importer called Foreign Tire Sales recalled 255,000 Chinese-made tires in August because they lacked a safety feature that prevents tread separation.

I do not need to go through much more but only to say this: These are real serious issues. I started by talking about a young 4-year-old boy named Jarnell Brown. He died. There are real consequences to these issues. We spent a century developing standards in this country to protect workers, to protect consumers, and we built something very special and very important in this country.

Now, under a galloping global economy, in which the rules have not kept pace, we are told: Well—do you know what?—we are going to outsource manufacturing because we can pay people 30 cents an hour in sweatshops somewhere around the world, and we can have it manufactured for less money.

Well, if that cheap product is unsafe for your health, if that product—whether it is food or vegetables or toys or jewelry—if that product is harmful to your health, we need to rethink the standards by which we engage in this global economy. Yes, it is a global economy, and I do not suggest we are going to retreat from the global economy. I do suggest this: We should participate in the global economy on our terms. We should describe what kind of participation we will have with respect to this economy in a way that is fair to our workers, that earns a decent wage in this country, and in a way that protects our consumers for whom we have established certain consumer protections.

I know someone will say that is regulation. Yes, it is regulation. I spoke on the floor of the Senate one day, when I held up a package of beef. I asked consent to do that. You have to have consent to hold up a package of beef on the floor of the Senate because it is an object to show. I said: I do not think any-

body can tell me where this beef came from. I know they could not because it is not labeled.

So then I read the description of what the investigator found, the inspector found when he went to a plant in Hermosillo, Mexico, and inspected a plant that was processing beef, slaughtering cattle, processing beef and shipping it to the United States. He found carcasses hanging under a hot roof, with flies and feces all over the carcasses. He described horrendous things that I read on the floor of the Senate and led me to ask: Does anybody want to buy beef from that circumstance?

Well, guess what. It was the only time that plant had ever been inspected—the only time. As a result, the plant lost its license. It then was sold, then changed its name, and was relicensed. It is now selling beef to the United States and has never again been inspected.

I use that only to say it is exactly the same coin—the flip side of the same coin, of lead paint coming in a heart-shaped toy from China that a young child swallows and, as a result, dies.

I have introduced legislation dealing with the other side of this as well with respect to workers' rights, dealing with sweatshop labor and conditions under which people are working in sweatshops in other parts of the world; working in sweatshops and, in some cases, producing these kinds of products. Why? Because it is cheap. Cheap labor, cheap products. Use lead; it is cheap. The problem is it is harmful to your health and especially harmful to children. The legislation I have introduced dealing with the issue of sweatshops and being fair to American workers would ban the product of sweatshop labor coming into this country. That bill, which is S. 367, has 12 bipartisan cosponsors.

Mr. President, I ask unanimous consent to add Senator CLINTON today as a cosponsor to that piece of legislation.

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

Mr. DORGAN. Mr. President, if we look at these issues in the context not of trying to destroy the advantages of a global economy but in the context of trying to make certain the protections we have developed for our country—protections that have allowed us to create a wonderful place in which to work and consume—if we can, with respect to our participation in the global economy, raise standards rather than lower ours—if we can do that, then we will have done something significant. But that is not what has been happening. What has been happening in this country is a race to the bottom, and a rush to embrace the refrain by some who want to produce where it is cheap and sell here and run their income through the Cayman Islands to avoid paying taxes, and they say, You know, we don't want any more regulations. I understand that. They want to avoid regulations. They want to avoid paying a decent wage. They want to go

to offshore manufacturing platforms some place and produce little bracelets with little hearts that are made with 99 percent lead to ship into this country. That doesn't work. It won't work anymore. Somehow, as a country, we have to find a way to stop it.

My colleague Senator DURBIN has a piece of legislation on the safety of food imports, which I am working on with him. I have also described the sweatshop labor bill I have introduced, and it is a bipartisan bill, and my hope is we can move and begin to address these issues.

I know there are others who are going to want to speak in morning business, and as soon as they come I will discontinue mine, but I do want to make a couple of other points about this country's economy.

When one looks at the last century or so, we created a place that is pretty unusual on this Earth and we did that because we cared about American workers, and we created a manufacturing base that was the strongest in the world. You cannot long remain a world economic power without a first-rate manufacturing base, and we are now seeing that some don't care about a manufacturing base. Let's outsource to wherever we can find the cheapest labor. Let's outsource to not only where we can find the cheapest labor, but also where we can combine that with the lack of regulations. We can allow that to exist in circumstances where those who produce and pump chemicals into the air, chemicals into the water. Well, the problem with that is you are not only confronted with what is called "the China price," the China price with respect to goods—you have to compete with the China price—you also now understand the term "the China haze," because we are breathing pollutants that come from China. We all live in the same fishbowl. Things we long ago abandoned in this country because we understand it causes cancer, causes terrible danger to human health, we are now breathing again in this country because of a phenomenon called the China haze.

I know I have described China at some length today. It is not only China we need to be concerned about with respect to what are fair rules and fair requirements with respect to our participation in the global economy. But I don't think we should any longer ignore the consequences about what we read in the paper this morning: the recall of hundreds of thousands of additional toys that are shipped into this country to be sold on store shelves and to be played with by American children when, in fact, they contain amounts of lead that are harmful or dangerous to our children. We can't ignore that.

I congratulate the companies that are recalling those products, but we shouldn't have had a reason to recall them in the first place. They should have been produced under conditions that we would have known in this country to be safe, that represent the

standards we long ago have required in this country. That has not been the case, and I think that because it is not the case, it raises a great many questions. I also, as I indicated earlier, believe at the very time we are seeing all of these products coming into this country that can cause serious problems for human health, at the very time we see that, to see this administration decide to retract on those issues and begin to actually inspect fewer rather than more products, at a time when we are inspecting only 1 percent of all of that which comes in, I think that is a serious step in exactly the wrong direction.

Mr. President, I yield the floor and make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### IRAQ

Mr. SCHUMER. Mr. President, I rise today to discuss the situation in Iraq and the continuing efforts of this administration to paint a rosy picture and to cling to straws when the situation on the ground and common sense suggest just the opposite.

Some have argued that the surge in Iraq is working, but all you have to do is look at the facts to know that is not the case. The President went to Anbar Province, which at the moment he is touting as a place of success, but we all know what is happening in Iraq. Many other provinces are in terrible shape. In Iraq, in a certain sense, when you push on one end of the balloon and make things a little better, something pops out at another end.

The fallacy of the President's new policy is amazing. Are we placing our faith in the future of Iraq in the hands of some warlords, some tribal leaders who at the moment dislike al-Qaida more than they dislike us? Make no mistake about it: They are no friends of Americans. Is this the vaunted clarion cry for democracy in the Middle East that the President announced when he started the buildup in Iraq? Obviously not. This is a policy of last resort. This is a policy of desperation. To say at the moment that some warlords in one province in Iraq happen to be shooting at al-Qaida when 6 months from now they could easily turn around and resume shooting at Americans, which they did in the past, is nothing to base a policy on. What kind of policy is it? What are the odds that 6 months from now, the fragile and perilous situation in Anbar will reverse itself and collapse? We have heard of success stories every 6 or 8 months: This province, this town, this city—they are clear, they are safe. Then, be-

cause of the basic facts on the ground, we revert to the old situation.

Let me be clear. The violence in Anbar has gone down despite the surge, not because of the surge. The inability of American soldiers to protect these tribes from al-Qaida said to these tribes: we have to fight al-Qaida ourselves. It wasn't that the surge brought peace here; it was that the warlords took peace here, created a temporary peace here, and that is because there was no one else there protecting them.

As I said, we have heard about successes in the past. They are temporary. They are not based on any permanent structural change or any permanent change in the views of Iraqi citizens. We have heard about success in Baghdad. We have heard about success in Fallujah. We have heard about success in this province and that province, and it vanishes like the wind. So now, at a time when the people of America are crying out for a change in course, are some going to base a temporary situation in one province—Anbar—based on a few warlords who don't believe in democracy and who don't like America, as a way to continue the present misguided policy? It makes no sense.

It makes no sense because the fundamentals in Iraq stay the same. There is no central government that has any viability. The Shiites, the Kurds, and the Sunnis dislike one another far more than they like or want any central government, and these two facts doom the administration's policy to failure. Only 7 or 8 months ago when the President began the surge, he said it was to give the present Government breathing room, to strengthen the Maliki government. Today, we have more troops, more military patrols, more death, and the Iraqi Government grows weaker. How can we regard the Bush-Petraeus surge as a success when its central goal—to strengthen the Government—has failed? Again, more troops, more American deaths this summer than any other, and yet the Government is weaker, when the very purpose of the surge was to strengthen the Government and, in the President's words, to give it breathing room. By the President's own words, the Government is suffocating while the surge goes on. It doesn't have breathing room.

Why isn't it apparent to the President? Why isn't it apparent to my colleagues on the other side of the aisle that the stated goal of the surge is failing? Strengthening the central government has not happened. As the surge and the number of troops goes up, the strength of the central government goes down. That equation says failure in the Bush-Petraeus surge.

The goal is not a military goal. In the President's own words, it is to give the Government of Iraq greater stability, greater breathing room, and that Government, by just about every standard, is worse off than it was before. Again, because a few warlords and tribal leaders are now temporarily on

our side for the moment, even though they are not loyal to us, they don't like us and they dislike the central government, that is why we should continue the present course in Iraq? It makes no sense.

Then those on the other side of the President say, give us a chance; you are already declaring defeat. If this were 2003 or 2004 or 2005 or maybe even 2006, maybe those words would have some resonance with the American people. But there has been new plan after new plan, new hope after new hope, and they all are dashed within months. Why? Why? Again, because the fundamentals on the ground don't change. The Kurds, the Shiites, the Sunnis dislike one another more than they like any central government.

If you look at the benchmarks, they show that. The independent GAO report showed little progress being made in meeting the 18 military and political benchmarks set out by Congress. The draft report from last week showed only three of the benchmarks had been met. However, over the weekend, the Pentagon revised the report and now miraculously an additional four benchmarks were "partially met." Despite the apparent efforts by the Pentagon to edit this independent report, it will sadly take much more than a red pen to correct the failures of the President's Iraq policy.

So the surge, by the President's own stated goal, has failed. The central government is weaker. The fundamentals on the ground continue to deteriorate. There continues to be no loyalty to a central government in Iraq and no loyalty to Maliki, who seems to almost revel in his incompetence. The bottom line is very simple: We are worse off, not better off, not even the same, in Iraq today than we were 6 months ago. The position of America, the position of democracy, the position of stability, continues to erode.

If there was ever a need for a change of course in Iraq, it is now. I plead with my colleagues from the other side of the aisle. You know we have to change course. The President has thrown you this magical sort of temporary solution—Anbar Province. Don't be fooled. It is no different than Fallujah was a few years ago, or Baghdad, or all of these other "successes." They are not successes because the facts on the ground are the same.

The American people—three-quarters—cry out for a change of course in Iraq. The President doesn't hear them. The President doesn't look at the facts on the ground. The very same fallacies that led us into this war—that there were weapons of mass destruction and Iraq was at the center of a nexus of terrorism—are now blinding my colleagues on the other side of the aisle from changing course in Iraq—the same types of false statements and pretenses. It is time to change course for the sake of the soldiers who are valiantly defending us; for the sake of moving on and having America focus

on other international problems and not have them be exacerbated by the war in Iraq; for the sake of the \$500 billion to \$600 billion we spent that could be spent here on education and health care and infrastructure; for the sake, ultimately, of the greatness of this great country of ours, we must change course in Iraq. We must do it now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

#### DEFECTIVE PRODUCTS FROM CHINA

Mr. DURBIN. Mr. President, over the August recess, my wife and I were invited to a friend's house for a barbeque. A number of young couples were there with their toddlers. It was a lot of fun watching these kids take their first steps and laughing as they played with one another. One of the fathers turned to me during the course of the barbeque and said, "Well, it looks like it is going to be a Christmas without toys; there is nothing safe that we can buy anymore." I thought to myself that many of the headlines that occupy our attention here in the Congress are headlines ordinary families are not watching closely. But when it comes to something as basic as the toys they buy for their kids and whether they are safe, a lot of families are tuned in.

All across America, there is a growing concern. What this father said to me was, "Dick, I thought if they put the stuff on the shelf, it had to be safe, right?" I wish I could answer yes. The honest answer is no. What is put on the shelf across America isn't necessarily safe. We are learning that over and over again. It comes down to some basic concepts of whether Government has an important role to play when it comes to toys and other parts of our lives. We can certainly ask the people who live, or used to live, in New Orleans, whether Government is important. When Hurricane Katrina hit and the levees broke and they lost their homes, families had to move hundreds of miles away. They understand that when Government fails you, as it did in New Orleans, life can be very difficult. Or, of course, you can go to Minneapolis now and see what is left of an interstate highway bridge built to Government standards, subject to Government inspection, which collapsed, killing innocent people and causing havoc all across that great part of our Midwest.

The same thing, unfortunately, is true when it comes to the Consumer Product Safety Commission. This is a commission created back in the 1970s when people started asking hard questions about things they were buying and driving, whether they were safe. A movement started that led to passage of legislation creating this watchdog agency. There was a huge mandate we gave them: Make sure the things we put on the shelf for Americans are safe, that the products are not defective or unsafe. That may be too big a task for any one agency.

Over the years, what has happened is that this agency, instead of growing to meet the challenge, has been shrinking as the challenge grows. Today, there are 401 people working at this agency, responsible for reviewing trillions of dollars worth of products made in the United States and imported into the United States to make certain they are safe. I am familiar a little with this agency because I recently became chairman of a subcommittee that handles its appropriation. When you look at the amount of money we are spending there, the President asked for about \$63 million for the Consumer Product Safety Commission. This agency has been limping along for years with hardly any money being infused into it and very few employees being added to the payroll. So, as a result today, the 401 employees have a huge mandate. I am hoping, in the next appropriation cycle, to improve and include additional money for this commission. In fact, our full committee reported \$70 million, which is about a 10-percent or more increase in the appropriation for this agency. Seventy million dollars is still not enough, but it is significant at a time when we are spending \$12 billion a month in Iraq—\$12 billion a month. Here we are arguing about what is small change—what is lost with single-bid contractors in Iraq every day. We are worrying about whether we can come up with \$10 million for an agency that is responsible for the safety of products we buy.

The Consumer Product Safety Commission finds that of the defective and unsafe products sold to Americans, two-thirds of them are imported, and two-thirds of those come from one country, which is China. Over and over again, month after month, year after year, China continues to send us defective products. This isn't a new thing. It reflects what is going on as the Chinese economy moves from the Dark Ages into the 21st century global economy and tries to accommodate differences in culture and taste and consumer appetite around the world. So we see a lot of problems. The problems didn't come to our attention until earlier this year. It is interesting how that happened. The first thing that caught our attention was pet food, the dog and cat food we were giving to our pets. Families across America found out it was unsafe, and these helpless animals were dying. A little investigation found out it was traced back to a food product sent from China that was injected with the chemical called melamine for the purpose of making it appear to be more valuable. It was economic fraud. Somebody in China put this melamine chemical into this protein product to make more money, even though melamine is unfit for human or animal consumption. Well, all across America, millions of pet owners went into a panic. They pulled pet foods from the shelves and worried about whether there was more in the chain and whether more animals were going to die. It was an interesting

psychology there. We knew all along that the Chinese were sending us suspect products. But at this point in time animal owners across America, feeling a special responsibility to that helpless pet they loved and is a member of their family, were up in arms. Why are we letting the Chinese do this, send these products to America?

Then do you know what came next? Toothpaste. This was a good one. We discovered antifreeze in toothpaste made in China. Antifreeze. It turns out that they used, instead of glycerin, a form of glycol—close enough, I guess—which is a component of antifreeze. When the Chinese were confronted with toothpaste with antifreeze in it being sold around the world, they had an ingenious response. They said: As we understand it, you are not supposed to swallow toothpaste. What a great defense that was.

Then more scandals followed. Along came the toy scandal, which we are in the middle of right now. The Chicago Tribune ran a lengthy series about a toy that caught my attention because I bought one for my grandson, called Magnetix. It is kind of cool. It looked like old erector sets with magnets. My grandson jumped on it, making elaborate creations because the magnets stuck to one another. The tiny magnets were about the size of a little pill. If you looked at them, you might mistake them as something you could eat if you are a 1- or 2-year-old. You might pop them in your mouth. If you swallow one, no problem. If you swallow two, it is a big problem because the magnets would adhere in your intestines, requiring surgery and, in some cases, cause death. It turned out to be a design flaw in the product. I know my kids and grandson are pretty tough on their toys. If you were tough on the Magnetix toys, these magnets would pop out, and toddlers, not knowing better, would stick them in their mouths and swallow them like candy, not knowing the dire consequences that could follow.

The Consumer Product Safety Commission was called into the case and the Chicago Tribune story tells us that what happened was not encouraging because the laws are so weak in America, and the commission had to sit down and negotiate with the company that made this deadly toy on a press release announcing that the toy should be recalled. The lawyers for the commission sat down with the lawyers for the toy company and got into this long battle about what exactly they would say in the press release to recall the toy. Meanwhile, of course, it is still being sold in America while the debate continues. So the laws fundamentally, when it comes to the protection of American consumers, are not strong enough. They don't require the kind of notification of defect and danger we should expect as consumers. They don't put the burden on the manufacturer of a defective product to recall it immediately. They give that manufacturer

too much leeway when it comes to even taking a product off the shelf or putting a warning label on the shelf. It turns out that with this administration, the Bush administration, they have appointed people to the Consumer Product Safety Commission who have been leaning more toward the makers of toys and products and away from protecting consumers. There was a gentleman—a former attorney general of New Mexico named Harold Stratton. He came on and, frankly, reassured the National Association of Manufacturers that they didn't have to worry about this Consumer Product Safety Commission getting out of hand. He appointed a Mr. Mullan as the agency's general counsel, who time and again seemed to find reasons not to recall defective products and give those making them a little more time to make more money off of something that may be a little dangerous. The commission didn't do too much in terms of helping consumers.

Today, it is a commission that limps along because it doesn't have the three commissioners it needs to operate. It only has two. Promulgating new rules and coming up with new initiatives is hampered because they don't have enough people to do it. Had the Bush administration tried to fill the vacancy? Who did they send? A person who, unfortunately, had a resume that showed he was following on in the tradition of Mr. Stratton and Mr. Mullan. He was a person with a background on the manufacturing side and not the consumer side.

This is an agency for consumers that we have to count on. So when the administration doesn't fill the vacancy, it creates a problem in the administration. I have been disappointed by the Consumer Product Safety Commission recently. Mattel today has a third toy recall. They are recalling millions of toys because of lead paint and other dangers. Bob Eckert, the CEO of Mattel, made a special trip to meet with me in Chicago over the break. I respect him. He understands that if his company is going to succeed, parents have to trust the products they buy with the name Mattel on the box. He gave me his assurance—proven by today's press release—that they are going to pull every unsafe and dangerous toy off of the shelf that his company had anything to do with.

You might ask yourself, why do we have lead paint coming in on toys from China? Let's get down to basics. It is not because lead paint is cheaper in China. No. It is because the workers who are making the toys are paid about \$75 or \$80 a month. It is because those workers have no idea what those toys are all about. They never see these in the world they live in. They don't have any idea what America is about. They may not have any concept of what we consider to be safe and healthy. They are being told to make this toy, paint it, and move it down the line. The companies have a responsi-

bility to watch these workers and have certain standards, but the bottom line is this: When we go to the lowest cost workers in the world to make our products, we should not be surprised when oftentimes those products are unsafe, unhealthy, and defective. With the Chinese, the list of products they send to us that are unsafe goes far beyond those that are the jurisdiction of the Consumer Product Safety Commission.

The Food and Drug Administration looks at food products, such as pet food and other food products, imported from all over the world, and each month they report to Americans which countries are sending the most dangerous food products to America. Guess which country ranks No. 1 or No. 2 every single month? China. Same issue. Time and again, we find that the Chinese are not living up to standards we expect in America.

When I think back to this barbecue I attended, most American families think the Senate and the House, Congress and the President are protecting them, that we are doing our job. When 1 out of every 100 shipments coming into this country is inspected, when we have some ports where the volume of imports overwhelm the one or two inspectors on the job, then, frankly, we are not keeping faith with the American people, and that is the reality.

I say to my colleagues in the Senate that we have voted for expanding global trade, and I think we must. America cannot get rich doing business just among ourselves and doing one another's laundry, but we never voted to compromise the health and safety of American families, and we shouldn't now.

The Consumer Product Safety Commission has to accept its responsibility to be more forward thinking, to use their statutory authority to protect people, particularly children. Families who walk into toy stores in America should not have to play Chinese roulette when they are buying toys for Christmas, and that is the reality today. It is time for the Consumer Product Safety Commission to use their statutory authority effectively. It is time for the President to fill the vacancy on that Commission with a person who is truly a consumer advocate. It is time for Congress to put the resources into the Consumer Product Safety Commission so it can start doing the job it promised it would do when it was created almost 40 years ago. Until then, we are going to have to rely on importers, manufacturers, and retailers in America to restore the confidence of American families in the toys they will buy for this holiday season.

Mr. President, I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. CASEY). Morning business is now closed.

#### MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2008

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2642, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2642) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

The Senator from Rhode Island.

Mr. REED. Mr. President, I am pleased to resume consideration of the fiscal year 2008 Military Construction, Veterans Affairs, and related agencies appropriations bill.

To recap the essentials which I discussed yesterday, the bill provides \$109.2 billion in funding, including \$44.5 billion in mandatory spending and \$43 billion in discretionary funding for the Department of Veterans Affairs. Overall discretionary funding in the bill totals \$64.7 billion. That is a \$4 billion increase over the President's budget request. Most of the increased funding is targeted at expanding and improving veterans health care, which is an essential requirement for our obligation to the veterans, and also it recognizes that as generations of veterans are aging, those veterans from Korea and World War II and the Vietnam conflict, we also have a new era of veterans from Afghanistan and Iraq, and this money is essential.

This bill represents a landmark commitment to our troops and their families and our Nation's veterans by investing in urgently needed military construction projects and in expanding health care services to our veterans.

For the Department of Veterans Affairs, the bill includes \$29 billion for direct medical services for veterans. This level of funding is equal to the amount requested by the veterans service organizations in the independent budget. Each year, our veterans service organizations prepare an independent budget, not based upon what the administration thinks they can afford but what veterans need. This is one of the few times we have been able to meet that objective of the veterans service organizations within their independent budget. It will allow the Department to increase its resources for both physical and mental health care for veterans, and it will give the Department the resources it needs to expand research and treatment of traumatic brain injury and post-traumatic stress disorders. At a time when scores of veterans are returning from the wars in Iraq and Afghanistan with these often invisible wounds, this increased funding in this regard is urgently needed. It has been estimated that perhaps 30 percent of those who have served in Iraq or Afghanistan have received either traumatic brain injuries or have post-traumatic stress or both, and we have to be able to respond to those concerns.

The bill also includes needed funding for military construction of facilities

and housing for our troops and their families. We are a nation at war, and our military forces need the best possible facilities to work, train, and to hone their skills, and their families need the best possible housing and quality-of-life facilities, such as chapels and childcare centers, to see them through the strain and hardship of repeated and lengthy deployments.

As I have said before, this bill is supported by the Department of Veterans Affairs and the veterans service organizations. The President, in his Statement of Administration Policy released yesterday, signaled his intention to sign the bill as reported out of the committee, and I hope that intention is carried through.

There is no reason the Senate cannot complete work on this bill at a reasonable hour today. In fact, I have spoken with the majority leader, and he has indicated to me that it is his desire to move this bill today, to complete work on it today, and to be able to have a vote on final passage we hope sometime today. I urge my colleagues, if they have amendments they wish to offer, to bring them to the floor as soon as possible. It takes a long time to deal with some of these issues, to vet them, to clear the amendments, and the slower the amendments are presented to us, the longer it will take to complete action on this bill. But the majority leader is committed to finishing this bill today, and I share that commitment. The Senate cannot afford to drag its feet on this bill. Our men and women in uniform, our Nation's veterans are depending on us to provide the resources they so urgently need. I urge my colleagues to move quickly to pass this bill.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. MURRAY. Mr. President, in Iraq and Afghanistan, like so many conflicts before, our servicemembers have done absolutely everything that has been asked of them. They have answered the President's call to war with honor and a sense of duty we have come to expect from our Nation's bravest men and women. They have performed under enormous pressure in the middle of a civil war, they have left behind loved ones who count on them, and they have continued to put their lives on the line every day.

Unfortunately, at home, their commitment to service has not been met yet by an administration that is committed to care for them. From poor conditions at VA facilities around the country, lack of PTSD counselors, benefits claims backlogs that keep our veterans waiting for months and

months and months and sometimes years, it is very clear that so far this administration has failed to account for our Nation's veterans and to count them as a cost of this war. It is unacceptable that servicemembers who fought overseas are returning home and being forced to fight their own Government for the care and services they need.

Today, with the bill that is in front of us, the VA bill, we take a major step toward reversing that trend and the Bush administration's failure to care for our heroes. The funding for our veterans included in the VA bill is more than \$3.6 billion over the President's request. After years of cutting corners on caring for our heroes, we are finally putting forth an honest assessment of what these men and women need.

This bill takes into account the additional strains on the VA system that simultaneous wars and new battlefield realities present. It is an investment that represents nearly all of the independent budget, which is the recommendation of the funds needed to care for our veterans and is compiled by our veterans service organization.

This bill invests in improving health care, expanding mental health services, and constructing new facilities that are really needed. It is going to mean, when this bill is passed and signed by the President, more qualified health care workers, better prosthetics that our servicemembers are asking for, and more accessible veterans facilities. It is also going to mean, importantly, thousands of new VA case workers who will help us reduce that unacceptable delay that we have heard about from so many of our veterans when they come home and try to access their benefits.

It will improve conditions at our VA facilities. It will add an increased investment in polytrauma and mental health care facilities that will drastically improve treatment for PTSD and traumatic brain injury and catastrophic injuries as well. Most of all, this bill means after years of neglect our Government is again going to honor our veterans' sacrifices.

This bill and all it provides could not come at a more crucial time. As a member myself of both the appropriations subcommittee that is responsible for this bill and the Senate Veterans' Affairs Committee, I have heard numerous times firsthand about the VA's shortcomings in caring for our veterans. In fact, last month on the August break I held a Senate Veterans' Affairs field hearing in Takoma, WA, to specifically examine the challenges that men and women are facing when they come home. At that hearing I spoke with Brandon Jacobs. He is a veteran of the Army and National Guard, and he served in Iraq. He said a lot more has to be done to raise awareness of post-traumatic stress syndrome and combat-related stresses. He talked about how we needed to not only increase access for him and his fellow servicemembers, but also for the fami-

lies that struggle when a loved one returns home with an invisible wound.

I also heard from a young man, Dan Purcell. He is an Iraq veteran who said he didn't "want to be treated as a tool that could be casually discarded when broken or found to be no longer useful." What a tragic statement from someone who served us overseas, that when he comes home he feels like a discarded tool because he has been broken. That is not how we should be treating our veterans, and that is not how this VA/HUD bill treats our veterans.

This bill that is before us finally takes the important steps that are necessary to recognize Brandon and Dan and so many others who are part of the costs of this war. We also have to make sure our troops are ready and that they receive the training they need before we send them overseas. I am very pleased that within this bill, the military construction investments that are made will help our country do a better job in training the men and women we asked to serve us in our military. In my home State of Washington, our military facilities play a very important role in our Nation's security. We have Fort Lewis in Tacoma, where we are training the Stryker Brigades at the center of the fighting in Iraq, we have Fairchild Air Force Base in Spokane that plays a major role in our air defense, and we have the Naval Air Station Whidbey Island that helps patrol the Pacific shores. It is extremely critical that these bases, which serve such vital roles, receive the funding they need.

The bill that is in front of us today does just that and provides more than \$635 million in improvements for Washington State military installations. I thank Senators REED and HUTCHISON for their special attention and recognition of the needs of our bases in my home State of Washington and across the country. Their leadership on this bill has been outstanding.

I know the chair and ranking member will be on the Senate floor throughout today. The leader has told us that he wants this bill finished by this evening. I urge all Members who have any amendments to come this afternoon to get their amendments offered because we do have to wrap up this bill. We are very aware of the timelines that are approaching, the very short amount of time that is left to get our numerous appropriations bills through. We intend to move them through. In order to do that we ask Members to come to the floor today, offer their amendments, let's work through them and get this bill passed so we can get it sent to the President.

It is important to pass this bill because this bill recognizes that any time we invest in building our military and improving training for our troops we invest in their care. I remind my colleagues what George Washington famously observed one time:

The willingness with which our young people are likely to serve in any way war, no

matter how justified, shall be directly proportional to how they perceive the veterans of earlier wars were treated and appreciated by their country.

The bill in front of us reverses President Bush's failures and carries through on the commitment that our very first President discussed. It keeps our military strong by honoring the sacrifices of our heroes with the funding that meets their needs.

I note this bill has been endorsed by the Disabled Americans, Veterans of Foreign Wars, American Legion, Paralyzed Veterans of America, AMVETS, and the Iraq and Afghanistan Veterans of America, among many other veterans service organizations that take so much time out of their own lives to fight for our veterans and recognize the critical funding for this bill.

I note an AP article from this morning that says the Secretary of the VA, Secretary Nickolson, has said in a letter to key lawmakers they do not need additional funding, they just need this bill passed. I note we have heard that song before, and that song was wrong.

We have to do the right thing. This bill is critical. The additional funding in this bill, I think every Member knows is needed. Every one of us has been out there and talked to the men and women who have come home from Iraq, to their families, and heard from PTSD counselors on down the line who have visited facilities or Walter Reed or seen facilities in their own States. They know this funding is needed. I encourage my colleagues to come to the Senate floor, offer their amendments, get this bill expeditiously to conference and sent to the President. I encourage the President and Secretary not to challenge us on the need for funding but to do the right thing; recognize the care of our service men and women is part of the cost of war. It is an obligation we have to meet.

We are meeting it with this bill, and I hope we can get it done quickly so our veterans, many men and women who have served us, will know this country is doing right by them.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

H.R. 327

Mr. COBURN. Mr. President, I wanted to spend a few minutes noting some things in the press about H.R. 327 and my hold on that bill. This is a bill which is very well intended. It is to help prevent suicide among our veterans.

I have been in the medical field since 1978—1979, that is. Approximately 6 to 10 percent of my practice has been associated with depression, treating clinical depression, suicidal ideation, post-

traumatic stress disorder, and other issues.

We need to offer our veterans whatever we can offer them in terms of helping them deal with what they have been through and also helping our veterans who have no connection with their war experience in terms of treatment of depression.

Our veterans have the right to expect the legislation we craft to deliver on good intentions. H.R. 327, frankly, does not do that. One of the serious flaws with H.R. 327 is that every veteran is preconditioned with a mental status exam. So if you are a World War II vet and you have a sore throat and you go to the VA clinic in Muskogee, under 327 you have to undergo a thorough mental status exam before you can have your sore throat treated. That is Congress hitting a gnat with a cinder block. It is wasteful of our dollars. It portends to have Congress practicing medicine, when, in fact, we do not know how to practice medicine, and you cannot.

What this bill sets up is that Congress is going to mandate the doctor-patient relationship or the patient-PA or the patient-nurse practitioner or the patient-social service or licensed medical social service masters. What we have decided is to interject, because of the tragedies that we have seen in the last couple of years, a mandated form of treating suicide, depression, and risk of harm.

I have reached out to Senator HARKIN on this bill. I offered to make some simple changes. We were rebuffed. Then what we saw in the press is that I wanted to hold this only because of how somebody might not be able to have their second amendment rights guaranteed. That is hardly the situation at all. What I really am holding this bill for is because, first of all, it is bad medicine. No. 2, it duplicates and mandates things we should not be doing. It takes away from the professions within the VA who know what they are doing. It steps on and it interrupts what the VA is already implementing to a good extent and to a great degree.

There is another very serious concern with this, which is that it mandates the tracking of veterans who have mental health issues. The vast majority of our veterans do not have mental health issues, but the assumption under this bill is they all have to be screened for it. That would be like me, with every patient that I ever see in my practice, the first thing I have to do is make sure, because they were in the military, that they do not have some type of mental health disturbance coming back. It is insulting to our military men and women who have given their lives, given their blood, given their time, given their honor, and given their sacrifice to assume they cannot do that without having some disruption in their capability to function in this society. So it is highly insulting to the vast majority of our veterans.

Now, the question is, How do we solve the problem of depression and post-traumatic stress disorder that leads to suicidal thought, ideation, and behavior? That is what we ought to be doing. And what we are doing is creating a set of circumstances that may have an impact probably not any greater than what the VA is doing now but will, in fact, take away great resources from other mental health issues as well as other health issues within the VA.

Let me give you some statistics, if I may. The VA is 3 years into a mental health strategic plan that has been markedly successful in improving the quality of care and ensuring that high-risk factors such as suicidal ideation are considered when veterans are assessed or impact or enter the VA system. The VA has suicide prevention coordinators in every VA facility in this country. They have a hotline 24/7. They have hired over 3,000 mental health staffers just since the end of 2005. So they have recognized what was the problem. They are responding to it. They have two suicide prevention centers of excellence that are geared up and working on the very specific issues associated with our military and post-traumatic stress disorder from combat.

Between 2002 and 2007, the VA spent 2½ times the percentage of their budget as we spend in all other health care on mental health. So they are already addressing the issue.

The other thing that is disturbing is this tracking of what they will do. They are not going to be tracking the data, they are going to be tracking individual veterans under this bill. That violates their own civil liberties. If, in fact, you have encountered the VA and because you were screened, not of your choice and not because you had signs or symptoms, because of that, that becomes a part of your record. You automatically are limited in lots of things that you cannot do in this country because you served your country. Now you have a mental health screening, an indication on your VA chart that would forbid you from becoming a police officer, an airline pilot, or an EMS, many other professions within this country. The idea that we are going to track individual veterans and their mental health status rather than the data—this bill specifically states that we are going to track the veterans, not the data—is wrong.

Finally, this bill sets out a peer counseling provision that has already been proven in the literature to not be effective. Yet it is mandated in this bill. So what this bill is about is the Senate practicing medicine and mandating ways to do things that the VA itself has already started. It is 3 years into a program of which they are using experts in the field to guide them, and we are using emotion and response.

I am going to continue to hold this bill until we work on the issues to guarantee freedom of veterans in terms of tracking of their data and them individually, in terms of securing the data

about them—the VA has had two serious leaks on veterans health care data in the last 7 years—and also working to make sure we use a mental status exam when it is indicated and not create a system that is an affront to all the people who have served the country.

With that, I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, at 12:31 p.m., the Senate recessed until 2:16 p.m. and reassembled when called to order by the Acting President pro tempore.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

#### RETURN OF SENATOR TIM JOHNSON

Mr. THUNE. Mr. President, I rise this afternoon to join my colleagues in welcoming a colleague and a friend, Senator TIM JOHNSON, back to the Senate.

Senator JOHNSON's return today to this illustrious Chamber marks an incredible journey that took him from normal daily life, to near death, to a remarkable recovery.

For the last 8 months, people from all walks of life, both Democrats and Republicans, have approached me wanting to know how Senator JOHNSON was doing, and nearly every single one of those individuals told me they were praying for him.

Shortly after this happened, I was traveling in Iraq and Afghanistan and I ran into military personnel, members of the diplomatic corps, other civilians, all asking how Senator JOHNSON was doing, all offering up their prayers and support.

I happen to believe it was those prayers from across South Dakota, across the United States, and from around the world that brought Senator JOHNSON back from his life-threatening condition.

Since being released from the hospital, Senator JOHNSON has learned how to walk and talk again. His doctors have been amazed at his progress. For some of us, it is no surprise. Having faced him in a closely fought campaign, I know how tough this man is. After all, Senator JOHNSON has a strong Scandinavian background, something we both share. Without question, today marks an important milestone in Senator JOHNSON's recovery.

Many of us will never know the struggles Senator JOHNSON and his

family have been through. In fact, most of us take for granted our health, and we take for granted our time with family and friends, birthdays and holidays.

For me, Senator JOHNSON's experience has made me pause and appreciate the little things that make life so precious. Senator JOHNSON turned 60 in December, and the party, obviously, had to be delayed. Upon returning to South Dakota last week, Senator JOHNSON and his family celebrated both his 60th birthday and Christmas. I am guessing it was his best birthday and Christmas ever.

While Senator JOHNSON and I come from different political backgrounds, we have worked to put our differences aside as we represent the people of South Dakota. In fact, since I was elected to the Senate in 2004, we have worked closely on a number of issues of importance to South Dakota—everything from a highway bill, to an energy bill, to drought relief, water projects, and, of course, saving Ellsworth Air Force Base from closure under the BRAC process.

I firmly believe that because he and I worked to put our differences aside, our offices were able to coordinate easily to serve the State of South Dakota during his hospitalization and recovery.

The Senate is a very close-knit body, and it is noticeable when a Senator is absent for any length of time. Today, however, that absence no longer exists. By the grace of God, through the prayers of thousands upon thousands of Americans, by the support of an amazing wife Barbara and family, and network of friends, and by his sheer will and determination, Senator JOHNSON is back.

TIM, I know today means a great deal to you and to your family, and it is good to see you back in the Senate.

Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 306, which was submitted earlier today.

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

The legislative clerk read as follows:  
A resolution (S. Res. 306) concerning the return of Senator Tim Johnson:

Whereas Tim Johnson is returning to the United States Senate after an absence to recuperate from an intracranial hemorrhage suffered on December 13, 2006: Now, therefore, be it

*Resolved*, That, as Senator Tim Johnson returns to the Senate, his fellow Members of the Senate extend their warmest welcome and express their personal happiness at his return, and offer their very best wishes for his continued good health.

Mr. THUNE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 306) was agreed to.

The preamble was agreed to.

Mr. THUNE. Thank you, Mr. President.

(Applause, Senators rising.)

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

Mr. JOHNSON. Mr. President, thank you. It sure does feel good to be back here again.

I wish to thank Senators THUNE, REID, and MCCONNELL, as well as all my colleagues, for their warm welcome back. In so many ways, the words and prayers from you and your spouses, on both sides of the aisle, supported both Barbara and me and gave us strength. You will never know what that meant to us.

I also wish to thank Representative HERSETH SANDLIN for her incredible support throughout these tough times.

The MILCON appropriations bill is now on the floor, and I must also thank Senator JACK REED for working with my staff and for his leadership on the bill.

Before I get too far along in my remarks, it must already be clear to you that my speech is not 100 percent. My doctors tell me it will get there.

But my thoughts are clear and my mind is sharp, and I am here to be a voice for South Dakota in the Senate. With patience, persistence, and faith I have come back, and my will to keep fighting for South Dakota is strong.

My ability to think is paramount, so I hope now, as I return to my office, people focus on my work more than how quickly I walk these days.

Last week, I went home to South Dakota. Today, I come home to the Senate.

This has been a long and humbling journey—a journey that has taken longer than some people have liked, and I count myself among them.

But I return to work today to this great body with a renewed spirit and a sharper focus. I better appreciate today what individuals and families go through when they face crippling hardship—whether that hardship be the consequence of catastrophic health issues, economic hardship, or lack of an opportunity to reach one's full potential in life. I believe I have been given a second chance at life. I vow to take that second chance and work harder than ever to be the best I can be for my State and for my Nation; to be a voice for those individuals and families who so often are ignored or forgotten; and to fight to live up to the ideals that have made this Nation great. That is my focus and that is my commitment to my constituents back home in South Dakota and to the people of this great Nation, and to my colleagues here in Washington.

It has been the greatest honor of my life to stand for and by the people of South Dakota. I cannot thank them, as well as the Members of this Chamber, enough for your patience and support. Today, my work begins anew. I relish the task. It is great to be home.

Thank you and, Mr. President, I yield the floor.

(Applause, Senators rising.)

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

Mr. REID. Mr. President, before my Republican colleagues leave the floor, I want to repeat what I said this morning when the Senate opened—the only person here was Senator MCCONNELL—and that is what the Republicans have done during the illness of Senator JOHNSON has been exemplary. There have been occasions when, for partisan advantage, the minority could have taken advantage of the majority as a result of TIM being incapacitated. That was never done, even though there were opportunities to do that. As I said this morning, I personally appreciate that. I know the Johnson family does. More importantly, Mr. President, the American people do. This is the Senate, and I will always remember during the past 8 months as we have waited for TIM to return how—I repeat—the Republicans never once tried to take advantage of his illness. Thank you very much.

(Applause.)

Mr. President, TIM JOHNSON is a fourth generation South Dakotan. I want to underline the fact that JOHN THUNE and TIM JOHNSON remind me of HARRY REID and JOHN ENSIGN, because we too had a very difficult race for the Senate, and it ended up very similar to the THUNE-JOHNSON race. But we have set those differences aside and now are friends. Above all, I say to my friend JOHN THUNE, I admire and appreciate what you have done in helping TIM in his absence and for being the person who would not allow anything to be done that would in any way harm TIM JOHNSON on a partisan basis. Thank you very much, JOHN.

I have learned a lot about TIM JOHNSON in the past 8 months. I know he went to school at the University of South Dakota, that it is there he met Barbara, his wife. It is in a town called Vermillion that he started his law practice, and it is there that he saw success in the legal field. He served 4 years, starting in 1982, in the House of Representatives in the State of South Dakota. He has received many awards: Outstanding Citizen of the State of South Dakota, first recipient of the Billy Sutton Award for legislative achievement. He was elected to the House in 1986. During that year he was responsible for passing more legislation than any of the other 50 first-term Members.

He has now been in the Senate doing outstanding work. I noticed on his resume, of course, he listed the Appropriations Committee, the Budget Committee, the Banking Committee, the Energy Committee, the Indian Affairs Committee, but he left off the Ethics Committee. He was chosen on that committee to be the chair of that committee, because he is the example of an ethical, honest legislator and person.

TIM and Barbara still have their home in Vermillion, but I have gotten to know that family so well. Brooks served and is serving in the U.S. Army, having been a combat veteran in Bosnia, Kosovo, Afghanistan, and Iraq. He is now an Army recruiter. Brendan is a lawyer and has a law practice and is doing excellent work. Kelsey and I—during her father's illness—spent lots of time together, especially waiting for her brothers to come. It took a couple of days for them to get here from around the country, as air travel out of South Dakota is not that easy.

As you proceed through life, you find people that you have such admiration for. Of course, we all admire TIM. But there is a person in this Chamber—and I know the Senate rules. We are not to refer to people in this Chamber, but I hope people will forgive me today in recognizing someone I will never forget, and that is his loving wife Barbara.

(Applause, Senators rising.)

I think Barbara and I will never forget—TIM was unconscious at the time—the first night TIM got sick. The reason I mention this is there was a doctor—and I don't want to in any way embarrass TIM or his family, but I think the man deserves recognition. I was asked to be with Barbara, and I was happy to be there with the children coming that first terrible afternoon. Things weren't going well. Barbara recognized it at first that he wasn't doing well. The doctor came and said, We are going to have to relieve the pressure. I am going to have to go into his skull. I said to this doctor, How many times have you done that? He said, Innumerable times. He was not an old man, but he was surrounded by old neurologists and neurosurgeons.

He came back a while later, an hour and a half, maybe, and he said, I am going to have to do an angiogram; I don't know what is going on in his brain. So they put something in to look at his brain. I said, How many times have you done that? He said over a thousand times. Then he comes back about an hour and a half or 2 hours later and tells us they are going to have to operate on TIM. It is going to take a long time, probably about 7 hours. After he worked all of this time, I said to him, Who is going to do this, because he had to be getting tired by then. He looked at Barbara with these piercing eyes, and said, I am going to do it. That is what I do. He said, I am not only a neurosurgeon, I have a subspecialty in the blood supply to the brain. He walked out of that room, and we had so much confidence in his ability that we felt TIM was going to make it. That man's name is Dr. Vivek Deshmukh. I haven't had the opportunity—I wanted to make sure TIM came back here—but some day I am going to be able to express to him on a personal basis how he handled this man's illness. TIM wasn't there, only in spirit, but this doctor deserves recognition, and I hope that is what I do with my little speech here today.

Amidst the daily scuffles that take place here in the Senate, we have the press, but many Americans may not realize we are a family. We sometimes joke about it, but we are, and this proves it. Sometimes people say this Senate family is dysfunctional, and maybe sometimes it is. But despite our quarrels on policy and politics, the 100 men and women who serve in this Chamber have the deepest respect and admiration for each other. We care about each other's health, families, and all the things that go on outside the walls of this Capitol building. I have dear friends, and we all do in this Chamber, but my admiration and respect for TIM JOHNSON is difficult to calculate.

When he fell ill in December of last year, we were all touched by this unfortunate incident. But as we look at what happened, we have heard this overused term: Maybe it was a blessing in disguise, because TIM JOHNSON was taken immediately to George Washington Hospital where they have a team of physicians as good as any place in the world to take care of his injury—maybe not of other injuries, not other illnesses, but for this one it is as good as any place in the country. Had it happened the next day, he would have been on an airplane going to South Dakota. Had it happened the next day, he would have been on an Indian reservation in South Dakota. So maybe, maybe his misfortune was a blessing. Maybe it was a blessing.

We all prayed for him. We all hoped for his recovery. We couldn't watch his recovery because he was away from us most of the time. We all prayed for his recovery with hope for his strength. TIM's wonderful wife Barbara, whom I have already mentioned, said last month:

I have learned a lot about Tim Johnson during the last months. I have learned that he is extremely determined. How he has gotten through this and maintained an even balance I will never understand. His sense of humor and just the: OK, I know what I have to do, I am going to go ahead and do it, and he does it.

So these past months, with humor and determination that Barbara mentioned, we all in the Senate now know what she is talking about.

TIM, I am so glad you are back. I am so happy that your mind is 100 percent. We have all been told your speech shortly will be 100 percent, and you should know it is 95 percent right now. We throw words around like we are happy to have you back, but I have to say in front of the whole world, TIM, we love you. I love you.

(Applause, Senators rising.)

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

Mr. MCCONNELL. Mr. President, on behalf of the entire U.S. Senate Republican Conference, let me say as well, we welcome back to the Senate our good friend, the senior Senator from South Dakota. The entire Senate family was

thrown into a state of shock and worry when TIM JOHNSON was rushed to the hospital for emergency brain surgery last December. The person who seemed most calm was the woman we just recognized up in the gallery: his wife Barbara. She struck an early note of hope. She said she and the rest of the Johnson family were “encouraged and optimistic.” Those aren’t the words most of us would choose in a moment such as that, but the Johnsons had been there before, and they seemed to know TIM would be back, back here, before all was said and done; they would make sure of it.

TIM credits Barbara with helping him overcome prostate cancer in 2004, and it was his support that helped her through a couple of serious illnesses of her own. They always overcame the obstacles, working as a team, determined to push through. They are real fighters. For many, this seemed as if it would be the fight of their lives.

But just 2 months after surgery, Barbara and the Johnson children, Brooks, Brenda, and Kelsey, were telling people, “We’ve got our TIM back.”

TIM was completely focused on recovery. He went through weeks and weeks of intense rehab. And soon enough, he started to get back to the clips and do the office work from his hospital bed.

When they released him from rehab, this gritty great-grandson of a South Dakota homesteader made a bold decision—actually a prediction—saying he was absolutely “determined to get back in the saddle.”

Thanks to the committed care of doctors and therapists, the prayers of constituents and colleagues, and, above all, the loving care of Barbara and their children, TIM’s Senate colleagues can also say, with a real sense of joy, that they too “have their TIM back.”

I yield the floor.

(Applause.)

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

Mr. DURBIN. Mr. President, I join in this chorus to say how privileged and humbled I am to stand before this body and welcome back my friend and fellow colleague, Senator TIM JOHNSON. TIM and I served in the House together. We came to the Senate in the same year. I went up to campaign in South Dakota, and he has been a great friend to Illinois. I have known him more than 20 years.

I remember when I heard he had been stricken. I was stunned, as everybody was across America. As has been said before, the prayers of millions reached out to TIM and his family in their hour of need.

For those who don’t know TIM JOHNSON, he is not a typical politician. He doesn’t really struggle for media attention, as some of us might; but he got a lot more attention than he ever thought he would because the whole world watched anxiously during those moments of surgery and recovery and rehabilitation. There wasn’t a place

you would go anywhere in America that TIM JOHNSON wasn’t asked about. “How is he doing?” “What is the latest?” “When is he coming back?”

Those of us who knew TIM and what he had done in the Senate and House, those of us who know his great family knew he would be back. He is one of those tough Scandinavians—not really flashy but solid. You just knew he was going to make it. I thought to myself, of all of us who could have suffered this terrible illness, this is one man who will be able to make it back. I also knew something that has already been alluded to. When TIM and Barbara took those vows to stand by one another in sickness and in health, they really meant it because they have proved it over and over again to one another. Loreta and I went by the hospital one day and it wasn’t a good day to visit, so we left a note. We have come to know how close they are and supportive of one another.

It wasn’t just Barbara’s strength but the strength of the whole family that came through in TIM’s recovery. He has done such a remarkable job today. He has brought out the humanity of the united states Senate. We can put aside the issues and the bickering, the fighting and the party labels, and really show that, when it gets down to it, we are part of a family that really cares about one another on a personal basis.

We are so glad to have you back, TIM. We wish you the best. We will be back in the Appropriations Committee fighting for South Dakota and Illinois real soon. Thank you.

(Applause.)

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. 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.

#### JOSHUA OMVIG SUICIDE PREVENTION ACT

Mr. HARKIN. Mr. President, I come to the floor at this TIME to respond a little to the comments made prior to the recess for our Republican and Democratic caucuses today, made on the floor by the Senator from Oklahoma, Mr. COBURN, regarding the bill called the Joshua Omvig Suicide Prevention Act. I want to lay out what the bill does, where we are on it, and respond to some of the objections that the Senator from Oklahoma raised.

Shortly before the Senate adjourned for the August recess, we sought unanimous consent to pass this bill, the Joshua Omvig Suicide Prevention Act, and send it to the President for his signature. Unfortunately, an objection was lodged on the other side of the aisle by—as we know from this morn-

ing—the Senator from Oklahoma. I am saddened by the objection to this legislation.

My staff and I have spent a great deal of TIME trying to understand the reasons behind this objection and respond to the concerns that have been raised. I thought it would be helpful for my fellow Senators, and anyone who is watching, if I took some TIME to review why I believe the Senate needs to act now to pass this important bill, and why I find it so puzzling that one Senator would object.

Let me give a little bit of history. I introduced this legislation, along with my colleague from Iowa, Senator GRASSLEY, after learning about the case of a young Iowan—his name was Joshua Omvig—who tragically took his own life shortly after returning home from an 11-month deployment in Iraq. Joshua was a member of the U.S. Army Reserve, 339th MP Company, based in Davenport, IA. Before leaving for Iraq, he was a member of the Grundy Center Volunteer Fire Department and the Grundy Center Police Reserves. He was honored to serve his country in the Reserves and hoped to return to his community to serve as a police officer. Please remember what I just said. He was honored to serve his country in the Reserves, and he hoped to return to his community to serve as a police officer. Keep that in mind. I will return to it later.

His family is convinced that if the Veterans’ Administration had more services for veterans in place, Joshua would have received the help he needed and he would still be alive. But rather than withdrawing into their grief, Joshua’s parents have dedicated themselves to ensuring no other family has to suffer this way. Ellen and Randy Omvig, Joshua’s parents, have assisted countless veterans and their families in navigating the VA system. They have been outspoken advocates of improved mental health services for servicemembers and veterans. In April, the Omvigs testified before the Senate Veterans Affairs Committee on the importance of appropriate suicide prevention, early detection, and treatment programs for our veterans. The goal of the Joshua Omvig Act is simple: to improve suicide prevention and early detection and to improve assistance to veterans in crisis in order to prevent suicides among those who have so bravely served our country.

We know there is an urgent, overwhelming need for this bill. A study in last month’s issue of the Journal of Epidemiology and Community Health found that those who have been in combat are twice as likely to commit suicide as those who have never served in a war.

The Veterans’ Administration estimates that more than 5,000 veterans take their lives each year. These numbers are certain to increase dramatically, given the growing number of soldiers returning from combat in Iraq and Afghanistan. Suicide rates are 35

percent higher for Iraq veterans than for the general population. Let me repeat that statement. Suicide rates are 35 percent higher for Iraq war veterans than for the general population. The Department of Defense recently reported that the Army is seeing the highest rate of suicide in 28 years.

So what does the Joshua Omvig Veterans Suicide Prevention Act do? It directs the Department of Veterans Affairs to create a comprehensive program to address the troubling rate of suicide among veterans returning from combat. The legislation takes a multifaceted approach toward the prevention of suicide. It emphasizes the importance of social support, family involvement, readjustment services, as well as further research to decrease the number of suicides among our veterans. It also boosts training for all Department of Veterans Affairs staff, contractors, and medical personnel who interact with veterans, teaching them to identify risk factors.

Mr. REID. Mr. President, will the Senator yield?

Mr. HARKIN. Yes.

Mr. REID. Mr. President, it is my understanding the Senator from Iowa is speaking on veteran suicide; is that right?

Mr. HARKIN. Yes.

Mr. REID. I spoke briefly yesterday morning. A 19-year-old—as the Senator knows, my dad killed himself, so I understand something about suicide—a 19-year-old soldier from Las Vegas came back to Las Vegas. He told his parents and everybody else he didn't want to go back to Iraq. I think they said they gave him medicine—Prozac, whatever it was—and sent him back. In a matter of a few days, he killed himself.

Suicide is a devastating problem. It is a problem in the civilian population. Mr. President, 31,000 people kill themselves every year. We don't understand the issue at all. We haven't studied it enough. What is going on in the civilian side is a mere shadow of what is going on in the military.

Mr. HARKIN. That is true.

Mr. REID. We have had hundreds of soldiers who have killed themselves in Iraq. A lot of them are not suicide reported.

I so admire and appreciate what the Senator from Iowa is doing with regard to this legislation. It is so very important. Suicide is a national problem, and with the emotional and mental problems our troops are having coming back, we have to get to the bottom of this issue and see what we can do to prevent further deaths.

Mr. HARKIN. Mr. President, I thank my leader for joining with me on this issue. I respond to him, I just said—I don't know if the leader was on the floor at the time—that suicide rates for Iraq veterans—Iraq veterans—is 35 percent higher than the general population. The Department of Defense has said their suicide rate in the Regular Army is at the highest rate in 28 years.

I say to the distinguished Senator from Nevada, this bill I am talking about was introduced in the House earlier this year. There were 154 cosponsors on both sides of the aisle. This bill, the Joshua Omvig suicide prevention bill, passed the House in March 423 to 0—423 to 0. We can't get much better than that.

It came to the Senate. The Senate Veterans' Affairs Committee had three hearings on it and the House had two hearings, for a total of five hearings. Every veterans group, every veterans support group, disabled veterans, everyone came to testify on the need for this legislation.

We went through the committee process, had the hearings, and had all the testimony. Joshua's parents testified. We brought it out on the floor for a unanimous consent agreement before we left on the August break. It passed the House 423 to 0. Then I found there was an objection raised.

I started to nose around to find out who raised the objection. It was Senator COBURN from Oklahoma. I talked with the Senator from Oklahoma. He said, first of all, he was upset that there were not any hearings. He told me that right out in the back of the lobby. I said: Senator, we had hearings. We had three in the Senate, two in the House. Well, he had to go check on it.

Then he raised other objections and came on the floor this morning to say why he has objections. Now I am going to respond to those objections in kind to let the Senator know his objections are unfathomable.

So here we are faced with a dire situation among our veterans, with the highest suicide rates ever, and we are trying to pass legislation to direct the Department of Veterans Affairs to do certain things to set up processes and procedures so that our veterans will have the kind of counseling and the kind of medical intervention so they do not commit suicide, and yet we have one objection raised.

Mr. REID. Mr. President, if I could direct another question to my friend. We have so much to do in the Senate. Certain measures expire at the end of the fiscal year. But I say to my friend, I feel very strongly about this issue, for obvious reasons. Everyone should understand, if people want to stop us from moving forward on this legislation, they are going to have to vote accordingly. We are not going to let one or two Senators stop us from moving forward on this bill.

I have the greatest respect for Dr. COBURN, the junior Senator from Oklahoma. I hope the Senator's conversations with him will bear fruit and we can move forward tonight. But if they don't, we are going to figure our way past this before we leave here this year, OK?

Mr. HARKIN. I appreciate it.

Mr. REID. Every day we wait is another person calling—as I remember it, and it has been a long time ago now, I say to my friend, a long time ago. My

dad was a lot younger than I am right now when he killed himself. I can remember that phone call. I can remember that phone call. I had a wonderful morning. I had been out to watch Muhammad Ali work out. I spent many hours with Muhammad Ali. I got back to the office and Joan Shea, the receptionist, said: Your mother is on the line. I said: Hi. She said: Your pop killed himself. What is this about?

So anyway, 31,000 people get phone calls such as that every year on the civilian side, and we have probably thousands of other people who commit suicide who are not listed as suicides. And then we have the situation the Senator from Iowa just indicated. The people who are coming home are 35 percent higher, in a ratio of killing themselves, than the people in the civilian population. That is scary.

The other problem, I say to my friend, is Active-Duty soldiers, troops also have problems. Every day we don't do this bill is another day someone is going to kill themselves.

Mr. HARKIN. Mr. President, I thank the leader. I ask the leader, if we can, if the objection is not withdrawn, I hope we can bring the bill up and move the bill legislatively on the floor.

Mr. REID. I have indicated to the Senator, we are going to do that. We, of course, have to see what is ahead of us, but it is something about which I feel strongly. The floor staff is watching Senator HARKIN and me talk today. We will figure out a way to do it.

Mr. HARKIN. Mr. President, I appreciate the sensitivity of the Senator from Nevada, our distinguished majority leader, on this issue.

Basically, what the bill does, again as I said, is to boost training for all Department of Veterans Affairs staff, contractors, and medical personnel, teaching them to identify risk factors for suicide and refer veterans to the appropriate mental health counseling and mental health centers.

As I said at the outset, this has been the most bipartisan piece of legislation I can imagine. Senator GRASSLEY and I introduced it in the Senate, appropriately since Joshua Omvig was from Iowa. We have 30 different cosponsors from both sides of the aisle. It was introduced in the other body by Congressman LEONARD BOSWELL of Iowa, who is the Congressman from the district in which Joshua Omvig lived. In fact, it is that version of the bill we are trying to pass today.

I may have misspoke earlier. He secured 152 bipartisan cosponsors of the bill. It passed the House in March by a vote of 423 to 0. No Republican objected over there. No one; 423, not a single dissenting vote. That is why I was so surprised and, quite frankly, dismayed when an objection was raised on the other side of the aisle preventing passage of the bill before the August recess.

How many more veterans have committed suicide since that time who might have been, through counseling,

through outreach, through some way given the appropriate support services so they wouldn't have to commit suicide?

This morning, the Senator from Oklahoma, Mr. COBURN, offered several reasons for his objection. That is what I would like to respond to now.

He mentioned that the bill is duplicative of the VA's plans to prevent suicide and that veterans' receipt of benefits would be contingent on the screening. He also raised concerns about the validity of the peer counseling provisions of the bill. Finally, he expressed concern that if the VA asked veterans about their mental health, this information might be used to inhibit their ability to purchase handguns. All of these concerns are unfounded, and I want to explain.

In 2004, the VA developed a series of suicide prevention initiatives as part of a comprehensive mental health strategic plan. All well and good. Unfortunately, very few of the initiatives have been implemented. During the first 2 years following development of the plan, a Government Accountability Office report found that the VA did not even spend \$100 million of the \$300 million that was specifically allocated for this initiative. One-third of the money specifically allocated was not spent.

I think our veterans have paid a steep price, a tragic price for this foot dragging. When the VA has announced plans to undertake suicide prevention initiatives, usually it is in response to some highly publicized incident. They usually announce the plans and then they do not follow through.

For example, in February the VA finally announced it would put suicide prevention crisis counselors in VA facilities. That was only after the tragic, high-profile suicide of Jonathan Schulze, a marine who received two Purple Hearts for his service in Iraq. When Schulze informed his local VA facility that he was thinking about killing himself, he was told he was 26th on the local VA's waiting list for VA mental health services. He went home and killed himself that night. In response to that, the VA said: We are going to put VA suicide prevention crisis counselors in all VA facilities.

Although they announced it, 7 months later they have still not fully implemented this initiative. Yes, if there is a tragic case like that, the VA will come out and say they are going to do things. Seven months later they still have not implemented the initiative.

What would our bill do, the Omvig Act? The Omvig Act would require the Veterans' Administration to designate a suicide prevention counselor at each medical facility. No more foot dragging; it would require them to do that right now.

In late July, the VA announced the implementation of a 24-hour suicide prevention hotline. That is also in the Joshua Omvig bill. That VA plan has been around since 2004. Three years

later they say they are finally going to put it into effect. I suppose that is some kind of progress. But by writing this very sensible provision into law, we will ensure that the VA does not backslide on this either. As part of its 2004 strategic plan, the VA set a plan to train all front-line staff on suicide prevention. In 2004, they said that. They still have failed to provide this training. Maybe that is what the Senator from Oklahoma is saying is duplicative. Yes, we say you have to have a 24-hour suicide hotline. The VA said they were going to do that in 2004. They said they were finally going to implement it in July. It still isn't manned, and the counselors they said they were going to have do that in February, 7 months later they haven't done that. We say you have to do it. Is that duplicative? No, it is putting into law and mandating that the VA has to do this.

The Omvig Act directs the Secretary to ensure that staff members have the training necessary to identify risk factors for suicide and to make appropriate referrals for assistance. Is that too much to ask? Is that too burdensome for veterans who put their lives on the line in Afghanistan and Iraq and other places? It just says the staffs have to have the training necessary to identify risk factors for suicide to make appropriate referrals for assistance.

The VA said they were going to do that in 2004, but they never have. Because they have not done this, many Armed Forces personnel who have been discharged and have VA benefits are not receiving these services. The Omvig family and numerous veterans support groups testified during our hearings about the importance of outreach to reduce the stigma associated with mental health issues and to assist veterans and their families in transitioning to civilian life. This legislation, the Omvig bill, would establish a program to provide education and outreach to families to help them identify symptoms of mental health problems and to encourage families to seek assistance.

The VA inspector general issued a report this May, confirming that the VA is falling short of the necessary system-wide implementation of suicide prevention programs—their own inspector general. They found that many VA clinics lacked properly trained staff. Need I repeat myself? They did not provide 24-hour services and provided inadequate mental health screening. That is their own inspector general.

The inspector general also found that the VA had not established best practices research to ensure a standard of suicide prevention.

The Omvig bill addresses all these issues. The aim of the bill is to improve early detection and intervention, provide access to services for veterans in crisis and thereby prevent suicide among those who have put their lives on the line to defend our Nation.

The Senator from Oklahoma objected. He expressed concern that the receipt of benefits would be contingent on the screening, and that there is no opt-out provision. Let's look at this. The fact is, the Department of Defense already requires soldiers returning from deployment to complete a checklist of symptoms such as anxiety, difficulty sleeping, suicidal thoughts. There are no opt-outs for this mental health screening because these programs are critical to ensure that those with mental health concerns receive the assistance they need.

The DOD, the Department of Defense, says if you are going to be redeployed, you have to have mental health screening—no opt-out. We are saying the screening provision in the Omvig bill does not mandate a formal checklist of mental health symptoms. It just ensures that medical professionals incorporate questions about veterans' mental health into primary care visits. In other words, what we are trying to say is mental health care should be integrated into primary health care. That is all we are saying.

Just as a medical professional would ask questions about risk factors for heart disease, it is responsible medicine to ask about risk factors for suicide, especially among this group since the data show how high it is, how high the incidence is of suicide.

Doctors ask their patients all the time if they are getting enough exercise and eating healthy. They should also ask if a veteran is sleeping well and if they have been anxious. These questions are critical in order for doctors to get a full picture of the veteran's health and well-being.

I want to make it very clear, the bill does not make the receipt of benefits contingent on veterans undergoing a separate mental health screening. Rather, it merely seeks to incorporate into their screening process, into their primary health care process, this process, that the health professionals are incorporating appropriate questions about suicide risk into their practice. Not to do this is totally irresponsible.

The Senator from Oklahoma also mentioned his concern that the peer counseling provisions in the bill are not effective. Again, I am surprised by this as there is a large body of research that peer support programs are effective in alleviating post-traumatic stress symptoms, PTSD symptoms and depression, reducing the likelihood of hospitalization and increasing social support. President Bush's New Freedom Commission on Mental Health recognizes peer support approaches as an emerging best practice in helping people to recover from traumatic events.

Who better to counsel with a soldier who has served in Iraq and had a lot of trauma, or from Afghanistan who had a lot of trauma, than a peer, one of their own peers to talk to them about it, or their families? Peer support approaches offer a low-cost and effective supplement to traditional services in which

transitioning veterans can talk to someone who had similar experiences and understands what they are going through. This is well-recognized, evidence-based service that allows veterans to talk to someone who had similar experiences and, as I said, understands what they are going through. How can there be an objection to that?

Finally, regarding the concern of the Senator about veterans' ability to access firearms, I am very puzzled. This bill ensures that the VA takes appropriate measures to follow up with veterans who are at risk for suicide. OK. There are strict privacy laws that govern the doctor-patient relationship. Privacy laws prevent the release of information about any patient. There is an exception if the patient is a serious threat to himself or others, but no medical professional can refer an individual to the background check system that would limit access to firearms.

Let me repeat that: No medical professional can refer an individual to the background check system that would limit access to firearms. This can only be done through the judicial process. In other words, before an individual can be placed on the NICS list where they can't purchase a handgun—and this prevents an individual who is mentally ill from purchasing a firearm—a judge must make a determination that the individual belongs on that list.

As many of my colleagues are aware, there is legislation that has passed the House and was recently approved by the Judiciary Committee that would encourage States to do a better job reporting to the NICS system in the wake of the tragic shootings at Virginia Tech. If Senators have concerns about how the NICS system operates, it seems to me that legislation is the appropriate venue for those concerns. But to hold up the Omvig suicide prevention bill that delivers critical suicide prevention services to veterans based on concerns related to an unrelated pending bill is very troubling.

There is an editorial that appeared in the New York Times on August 30. Let me read from that. Here is what the editorial in the New York Times said on August 30:

As the Army's suicide rate hits record levels in the Iraq war, there's small wonder practically everyone in Congress wants to deal with the parallel emerging crisis of depressed veterans tempted to take their own lives. Everyone, that is, except Senator Tom Coburn, Republican of Oklahoma. He stands alone in blocking final passage of a suicide prevention bill in fear that the government's record-keeping on troubled vets might somehow crimp their ability to purchase handguns.

Even the craven gun lobby should manage some shame at this example of Second Amendment idolatry. The House has unanimously approved a measure mandating the screening of all veterans for suicide risk, but Senator Coburn worries that veterans' medical data might be appropriated by other agencies to deny that all-encompassing right to wield arms on the domestic front.

Again, the editorial goes on.

The Senator's office points to another bill near passage—prompted by the Virginia

Tech gun massacre—that would encourage states to do a better job of listing mentally troubled individuals on the Federal roll of risky gun purchasers. But tying these two measures together is itself evidence of defective reasoning, or at least scurrilous politicking. The Virginia Tech measure has nothing to do with veterans and affects only those Americans formally judged by a court to be mentally disturbed.

It is an eminently good thing that the anti-suicide measures would require medical specialists to keep track of veterans found to be high risks for suicide. But that's to care for them as human beings, under that other constitutional right to life—liberty and the pursuit of happiness. Respect for the grave sacrifices by veterans requires the Senate to strike down the Coburn ploy and hurry this vital measure to President Bush.

Mr. President, I ask unanimous consent that the full editorial be 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, Aug. 30, 2007]

LOCKED, LOADED AND LOONEY

As the Army's suicide rate hits record levels in the Iraq war, there's small wonder practically everyone in Congress wants to deal with the parallel emerging crisis of depressed veterans tempted to take their own lives. Everyone that is, except Senator Tom Coburn, Republican of Oklahoma. He stands alone in blocking final passage of a suicide prevention bill in fear that the government's record-keeping on troubled vets might somehow crimp their ability to purchase handguns. Even the craven gun lobby should manage some shame over this absurd example of Second Amendment idolatry.

The House has unanimously approved a measure mandating the screening of all veterans for suicide risk, but Senator Coburn worries that veterans' medical data might be appropriated by other agencies to deny that all-encompassing right to wield arms on the domestic front. The senator's office points to another bill near passage—prompted by the Virginia Tech gun massacre—that would encourage states to do a better job of listing mentally troubled individuals on the federal roll of risky gun purchasers. But tying these two measures together is itself evidence of defective reasoning or at least scurrilous politicking. The Virginia Tech measure has nothing to do with veterans and affects only those Americans formally judged by a court to be mentally disturbed. It is an eminently good thing that the anti-suicide measure would require medical specialists to keep track of veterans found to be high risks for suicide. But that's to care for them as human beings, under that other constitutional right—to life liberty and the pursuit of happiness. Respect for the grave sacrifices by veterans requires the Senate to strike down the Coburn ploy and hurry this vital measure to President Bush.

Mr. HARKIN. Lastly, Mr. COBURN spoke on the floor and mentioned his staff had made suggestions about the language. Again, I am very surprised to hear this. Staff from my office and Senator GRASSLEY's office met with Senator COBURN's staff before the recess in an attempt to resolve any differences.

Their staff made no suggestion as to what it would take to lift Senator COBURN's hold. Over recess, I instructed my staff to make attempts to meet with his staff, but his staff was always

unavailable. Over the last few days, we once again attempted to reach out to his staff in an effort to move the bill. But, again, we have not heard anything back.

We suggested we would be willing to work with Senator COBURN on the tracking language he was concerned about. But we have not heard anything from his office until the Senator spoke on the floor this morning.

This bill has received full consideration, as I said, in the House and the Senate. It passed without a single dissenting voice in the House. Is the Senator from Oklahoma saying there are 423 totally irresponsible people in the House? I mean, there are people in the House every bit as conservative as the Senator from Oklahoma. They did not raise any objections to this. We had three hearings in the Senate on the bill, two hearings in the House.

Josh Omvig's parents testified before the Senate VA Committee in April. I wish to recount something they said. At the beginning of my remarks, I mentioned that Joshua Omvig, before he went into the military, had been a member of the Grundy Center Volunteer Fire Department and Police Reserve.

He had hoped to return to serve his community as a police officer. I said: Remember that, because I am going to return to it. I now return to it.

It was his dream to one day become a police officer. As he pursued that dream, he worked alongside many Grundy Center fire and policemen. Here is what Mr. Omvig said to the committee:

The day after Josh's suicide, the Grundy Center police department and fire department had a time where a professional counselor was brought in to help them cope and deal with what happened that day. Do we as a nation take the same measures for our troops who have served for us for months in a combat area? Are we providing our military men and women the appropriate services to help them assimilate to civilian life? Are we providing them with what they need to survive the peace? Ellen and I have to say "No" not at this time. We can and must do more!

Now, I saw Joshua's parents at the time when they were here in Washington. And, you know, it is always awkward to talk to parents about the death of any of their children, especially a young person taking his own life. I said to both the parents: Was there any indication? I mean, do you have any idea why Joshua would take his own life?

Mr. Omvig said: Yeah, I know exactly why. I said: Why? He said: Well, Joshua always wanted to be a police officer, all his life growing up. That is why he volunteered on the police reserves, volunteer fire. He went into the service thinking that would help him to become a police officer. He was worried that if he sought mental health services, he would never be able to become a police officer. What a shame. What a shame that in this country we still treat mental health like that. That is why we have to do a better job.

That is why counseling, someone talking to Joshua, one of his peers who has been through the same thing who may have then gone on to become a police officer could say: You can get mental health help. You can get the necessary treatment, and you can still become a police officer.

Well, while we delay and fail to act, we are losing more and more veterans to suicide. As I said, the VA plan was written 3 years ago, and they are still not implementing it.

The PTSD program treatment at Walter Reed accepts only 65 patients each year. Yet more than 45,000 veterans sought medical help for post-traumatic stress disorder in the first 3 months of 2007; Walter Reed accepts 65 a year.

The VA must be better equipped to deal with veterans who are in crisis. With this bill, we can ensure that the VA will provide comprehensive and critical services, even when the issue is not in the headlines because of some tragedy. We need to hold the VA accountable.

As I said, even their own inspector general said they were not living up to it, our GAO said they were not. We need to make it clear that preventing suicide among our veterans is a congressional and national priority. For our veterans who have served their country, fought for our country, many times they are being left to fight their own private mental health life wars alone, private wars they too often lose.

I urge the objecting Senator to reexamine this important bill, reconsider his objection. Lives are at stake. We need to move forward with the Joshua Omvig Veterans Suicide Prevention Act as quickly as possible.

I yield the floor.

#### MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2008—Continued

Mr. REID. Mr. President, what is the matter now before the Senate?

The PRESIDING OFFICER. H.R. 2642, the Military Construction Appropriations Act.

Mr. REID. Mr. President, Senator REED is in the Chamber or at least in the building. He and Senator KAY BAILEY HUTCHISON have been wanting to move this bill.

I indicated, and the distinguished Republican leader agreed with me this morning, we need to move this legislation.

If there are no amendments that are going to be offered, we should move to third reading. If there are amendments that are going to be offered, I would hope someone would notify the cloakroom immediately, Democratic or Republican cloakroom, and we will certainly be as considerate to them as necessary.

But unless something happens pretty soon, I think we should move to third reading. If there are amendments, the two managers of the bill are happy to

deal with those amendments. We are going to finish this bill tonight. I would hope on this bill I do not have to file cloture, on Military Construction and Veterans. I do not think that would be appropriate.

But if there are no amendments and simply people let us return to final passage of this, I have no alternative. It would send a terribly bad message. Both the distinguished Republican leader and I think we should move forward. I hope we can. We are going to finish the bill tonight or I will file cloture on it tonight.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. SALAZAR. Madam President, I rise today to speak in support of H.R. 2642, an act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008.

Let me say at the outset, the leadership of this committee has done a tremendous job in bringing forward legislation that hopefully will receive the strong bipartisan support of this body. I am especially thankful for the great work of Senator JACK REED and Senator KAY BAILEY HUTCHISON and Senator TIM JOHNSON and his staff for having moved forward in developing a package that, at the end of the day here, will hopefully receive the support of most of the Members of this Chamber.

This legislation is important for us as we move forward to try to make sure we are doing everything we can for a strong America. This is important for us, for our military, for our men and women in uniform, and for our veterans. It is essential legislation which we must pass and which we all hope the President will sign into law.

With respect to military construction, the bill provides \$8.9 billion-plus for our Active-Duty construction efforts and \$929 million for the National Guard and Reserve construction. This includes key projects around the country for the Army National Guard. This is a significant improvement over what the President requested for the National Guard. It will be part of making sure we have a strong military for America.

Second, the legislation fully funds the 2005 recommendations of the BRAC, the Base Realignment and Closure Account. That BRAC recommendation which was approved by this Senate and by the Congress now 2 years ago is an important document that charts the way forward for the American military. This legislation

will fully fund the recommendations of that legislation.

Third, with respect to Veterans Affairs, I am proud that this legislation will provide \$87.5 billion for the VA. That is an increase of almost \$3.6 billion over what the President requested. That increase will go to veterans health care and make sure our PTSD and mental health issues and TBI issues that we are seeing in great numbers as we are involved in the conflicts in Iraq and Afghanistan—that we are providing the right kind of care to our veterans.

I am appreciative of the national issues that are embraced in this legislation that will allow the funding to move forward and to make those projects a reality.

I wish to comment on a few provisions in this legislation that are important to my State of Colorado. I must say, as we worked on these matters over the years, it has been my honor to work closely with Senator ALLARD as we worked on important projects for our veterans and for our military in my State.

I wish to mention the Fitzsimons VA Hospital. There is \$61 million in this legislation for Fitzsimons. Today in Colorado, the VA hospital in Denver is in very rough, shoddy condition. Our veterans deserve better. Over the last decade, there has been an effort in Colorado to try to establish a VA hospital that can become one of the crown jewels of our national health care. We are fortunate today that, under the leadership of MAJ Andy Lobb and others, we have found a site at what is the old Fitzsimons Army hospital which has been turned over to the city of Aurora and to an authority that is rehabilitating that site. At that site today, we have already located the health facilities and hospitals for the University of Colorado. We are about ready to open a brand-new children's hospital at this center. The VA hospital is the next move in the creation of what is going to be a crown jewel for health care and for biotech in the Rocky Mountain West. The Fitzsimons VA Hospital is very much a part of that program, but at its core it is making sure we in America are standing up and giving to the veterans of our country the health care services they deserve.

Next, Fort Carson. Fort Carson is a very important military installation in my State and helps us protect our Nation. Many of the men and women who serve and have trained at Fort Carson are now serving in Iraq and in Afghanistan. There is \$470 million in military construction funds for Fort Carson. That amount of money will accommodate the arrival of an additional 12,000 Active-Duty and 18,360 Active-Duty family members who are currently moving to Fort Carson. I am very proud of the inclusion of that amount of money in this legislation because it will allow us to warmly welcome the soldiers who are coming to Fort Carson, as well as their families, with the kinds of facilities they deserve.

Schriever Air Force Base is part of our national defense. As I say, Colorado is blessed to be the crown jewel of the Nation's homeland defense and national security. We do that through many of our military installations, including Schriever Air Force Base. It is part of the air and space integration program. It is the place where we have our Air Force Space Command. It will receive \$24.5 million for construction of the facilities that are needed there.

The U.S. Air Force Academy, located since the 1950s in El Paso County in Colorado Springs, is one of our Nation's premier institutes in training the future military leaders of our country. It is an installation of which I am very proud. This legislation includes \$15 million for upgrades to the academic facilities at the U.S. Air Force Academy.

The National Guard and Reserves station at Buckley Air Force Base in Aurora, CO, is an important part of the Army installations in our State. This legislation will add \$7.3 million to replace the outdated squadron operations facility that houses the F-16s of the 140th Air Wing of the Colorado National Guard.

This is important legislation, and I am proud to be a supporter of this legislation.

We also will be speaking at a later time this afternoon or this evening on several other amendments I want to bring forth which are important amendments to the future of the State of Colorado but also very important to the future of our Nation's military and assuring that our military has the appropriate training facilities. We will be speaking to an amendment I will be calling up in short order.

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

The PRESIDING OFFICER (Mr. SANDERS). The clerk will call the roll. The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2686

Mr. DEMINT. Mr. President, I have an amendment I would like to offer, but since I do not see a manager here, I will explain the amendment first and then ask that the amendment be brought up as soon as I finish my comments.

The amendment I will offer will strike an earmark from this bill that takes \$4 billion intended for America's veterans and transfers it to the well-to-do citizens of Beverly Hills, CA. It is remarkable that we are even considering a veterans bill that contains an earmark for a facility on Wilshire Boulevard—the main street through Beverly Hills—a site barely 3 miles from the ritzy shops of Rodeo Drive.

This earmark prevents the Veterans' Administration from taking highly val-

uable land in one of America's most lucrative real estate markets and putting it to work for our veterans. It would require that 200-plus acres in the middle of Beverly Hills that could be better used to generate revenue to care for America's veterans to sit empty.

The earmark completely undermines the results of over 3 years of study performed by nonpartisan, independent experts. It also undermines the authority of the Veterans' Administration to best help veterans around the country, not just those in the Beverly Hills area. The language on page 44 of the Senate substitute prohibits the Veterans' Administration from taking any action to:

exchange, trade, auction, transfer, or otherwise dispose of, or reduce the acreage of, Federal land and improvements at the Department of Veterans Affairs West Los Angeles Medical Center, California, encompassing approximately 388 acres on the north and south sides of Wilshire Boulevard and west of the 405 Freeway.

The Veterans' Administration estimates that reuse of this land would result in approximately \$4 billion in savings—that is \$450 per square foot for 205 acres—that would go directly to the Veterans' Administration for future construction since the receipts are deposited into Veterans' Administration accounts under its enhanced-use lease authority. We should note that the Veterans' Administration's enhanced-use lease authority specifically allows the Veterans' Administration to lease land and retain receipts from the lease.

In addition, the Veterans' Administration can place an option to buy in the lease, whereby the property can be sold shortly after commencement of the lease, allowing the Veterans' Administration to retain the sale proceeds. This process was used in 2005 to sell property in downtown Chicago and the Veterans' Administration realized \$50 million in proceeds. All can be used to better the health care of veterans.

As important, this prohibition that is written into this earmark would result in voiding the Capital Assessment Realignment for Enhanced Services process, known as CARES, which has been agreed to by Congress and the administration. Much like BRAC, one exception could undermine the entire process that was based on veterans' needs and not on earmarked interests.

CARES is a systemwide process to put the Veterans' Administration's infrastructure to the best use for the current and future health care needs of veterans. This process was completed in May of 2004, and approved on a bipartisan basis by Congress and the administration. All medical construction budget requests since the completion of the study have complied with CARES recommendations and passed by Congress; that is, until today, if this bill passes.

The study identified 18 sites which called for downsizing or disposal but which were naturally very controversial. Consequently, it was decided each

of these sites needed "further study and analysis." Some of these studies have been completed, and realignment has begun, but the West Los Angeles study is still in process.

The White House recently weighed in against this earmark, saying in its Statement of Administration Policy:

The Administration strongly opposes the earmark provision that prohibits the disposal or transfer of property at the 388-acre West Los Angeles Medical Center. This language circumvents the recommendations in VA's nationwide infrastructure study, the Capital Asset Realignment for Enhanced Services (CARES). The original decision on this property would have allowed VA to designate a portion of the campus for disposal or leasing . . . it is likely that the restrictive Senate language would eliminate more than \$4 billion of revenue, which would be used to improve facilities around the country for our Nation's veterans.

The central concerns of those opposed to the reuse of portions of the 388-acre facility seems to be that it will result in large commercial development. However, in the statement of work for the West L.A. project, the Veterans' Administration has included the following:

Because of a commitment made by a previous Secretary of Veterans Affairs, certain reuses of the property for commercial purposes were not considered in this study. In this context, the term "commercial" [includes] . . . uses such as shopping malls, movie theaters, convenience stores, fast food outlets, industrial/manufacturing activities, and other like operations. . . .

So the Veterans' Administration is listening to the community and is considering their concerns.

In August of 2005, the Veterans' Administration issued an interim report, describing several options available for reuse of the land, but a final decision is still pending, and there is not yet a timetable as to when a decision will be made.

Two public hearings—in May and September of 2005—have taken place, and one is taking place tomorrow night at the VA Center in West L.A. We should let the process we put in place run its course and not overrule the recommendations of independent experts and the Department of Veterans Affairs who are looking out for the needs of America's veterans.

If every Member of this body were to begin blocking modernization of the VA system every time a well-connected constituent in their State complains, America's veterans would be saddled with outdated infrastructure and their health care needs would not be met.

I wish to put this earmark in perspective because it would be the most wasteful and questionable earmark we have seen since the infamous "bridge to nowhere." The "bridge to nowhere" was extremely troubling, but at its heart was only an egregious waste of taxpayer dollars. This earmark, sadly, is much worse. It takes money—\$4 billion of money—which would be used to care for the brave men and women who fought for our country and turns it over to build a park for Beverly Hills.

We should all be able to agree that a community with an average household income of \$125,000 a year has a sufficient tax base to build a park and does not need a \$4 billion handout from the Federal Government. The men and women who wore America's uniform need the money a lot more than the men and women who live in this part of L.A.

In fact, the Los Angeles Times editorialized on this situation recently, citing "the compelling demands for park space" in Beverly Hills as the best use of \$4 billion. I disagree with the L.A. Times, as I often do, that \$4 billion that belongs to veterans should stay with the Veterans' Administration.

Let me repeat, according to the judgment of the L.A. Times, the best use of \$4 billion is a public park between Beverly Hills and Sunset Beach. This defies common sense, and we should all disagree with it.

My amendment is very simple. It would strike this language from the bill and preserve the VA's ability to make changes at this property that could generate over \$4 billion for our Nation's veterans, as well as create a better facility that better serves the health care needs of our veterans. It would also preserve the integrity of the VA's process for realigning its infrastructure to meet the current and future health care needs of veterans and ensure that decisions are made according to the needs of our veterans, instead of the local desires of America's most rich and famous citizens.

I encourage my colleagues to support my amendment.

Mr. President, I would like to move that we set aside the pending amendment and that my amendment be sent to the desk and called up.

The PRESIDING OFFICER (Mr. WEBB). No amendment is pending.

Mr. DEMINT. Then, Mr. President, I send my amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 2686.

Mr. DEMINT. 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:

(Purpose: To strike section 225, relating to a prohibition on the disposal of Department of Veterans Affairs lands and improvements at West Los Angeles Medical Center, California)

Beginning on page 44, strike line 20 and all that follows through page 45, line 23.

Mr. DEMINT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from California is recognized.

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

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

Mrs. FEINSTEIN. Madam President, I come to the floor to oppose the amendment just presented by Senator DEMINT. I worked very hard to get a provision in the military construction bill regarding this major piece of veterans property in the center of Los Angeles. I want to begin by thanking Senator REED and Senator KAY BAILEY HUTCHISON for agreeing to put this legislation in the Military Construction bill. This is 388 acres—388 acres—in the middle of Los Angeles. It is bisected by Wilshire Boulevard. It is near Santa Monica Boulevard. It is a large piece of property, and on that property is a 1,000-bed veterans hospital.

The property was deeded in 1888 following the Civil War by two families to the Federal Government to be used specifically and permanently as an Old Soldiers' Home for the use of veterans. As many Members know, California has the largest number of veterans in America—over 2 million—and over 300,000 veterans are enrolled to use the facilities in this State of which this facility is prime. At the time, as the population of disabled and elderly veterans grew following the end of the Civil War, the Government decided to respond by establishing a number of national homes throughout the United States.

In March of 1888, Senator John P. Jones and Arcadia B. de Baker donated their Santa Monica ranch lands in southern California to establish the Pacific branch of the National Homes for Disabled Volunteer Soldiers.

The deed reads very specifically:

That whereas by an act of Congress approved March 2, 1887 to provide for the location and erection of a branch home for the disabled volunteer soldiers west of the Rocky Mountains, the Board of Managers of the National Home for Disabled Volunteer Soldiers were authorized, empowered, and directed to locate, establish, construct, and permanently maintain a branch of said National Home for Disabled Volunteer Soldiers.

The sole purpose outlined in the original deed was affirmed in 2002 by then Veterans Affairs Secretary Anthony Principi when he visited the site and again when he issued a May 2004 decision regarding plans for the modernization of VA facilities elsewhere.

What has happened is the administration sees this land dedicated to veterans and says: Aha, there is a higher and better use for this land. We can make \$4 billion if we lease out the un-built-upon parts of this land. That is what they have done under the radar screen. They have leased out to an automobile rental agency. They have leased out to a Fox movie lot. This is veterans land. This is land that was deeded to veterans to be used by veterans, not to be used by Fox movies, not to be used by automobile rentals. The administration admits if they do this, they can raise \$4 billion in com-

mercial rentals from this land, thereby taking this hospital, now in its park-like setting, and encrusting it with high rise buildings along Wilshire Boulevard.

Well, let me tell my colleagues what has happened. The veterans community has risen up in Los Angeles and said: We are the largest veterans community anywhere in the Nation. You are taking land deeded to us. You are going to lease it, rent it in any way you can for this higher and best use, which is high-rise construction, and they don't like it. The neighbors don't like it. The city doesn't like it. The Board of Supervisors doesn't like it. Yesterday, the L.A. Times editorialized against it.

So this amendment is not an amendment just concocted out of my brain. This is an amendment that has been worked on for a long time, with Members of the House who represent this area and with the Military Construction Subcommittee of Appropriations. We want to preserve the integrity of the land that was originally granted for use as an Old Soldiers' Home for veterans purposes in this new modern-day era and do it in a way where we have access to the largest number of veterans anywhere in the United States.

I find it shocking that the Department of Veterans Affairs went ahead and leased parts of this land. The VA continues to this day film production on the property. It recently allowed Fox Studios to construct a set storage building there.

In 1996, a 65,000-seat NFL football stadium was proposed for the open space on the west L.A. VA until Congress stepped in and passed a resolution to prohibit the action. Once again, I have asked Congress to step in and prohibit the commercialization of this site. It should be used for veterans purposes.

So when I was in Los Angeles in August, I met with former Mayor Dick Riordan and Eli Broad to discuss various options. No decisions were made, but they have a vision for this. The important thing is that it not be commercialized; that for the financial problems of the administration, they shouldn't commercialize this land. They shouldn't sell it to the highest bidder. They shouldn't go for the highest and best use. They shouldn't build high-rise construction. I will tell my colleagues, if it happens, there will be an uprising from the neighbors in the area because this land is right off of the 405 freeway, and congestion and difficulties will result. I find it rather a crass gesture to take veterans land that is dedicated to veterans, that has a large hospital, 1,000 beds in it, that serves tens of thousands of enrolled veterans—no other city serves so many veterans—and go ahead and commercialize this site.

So what this does is stops that commercialization of the site. The California delegation is united, whether it is in the Senate or whether it is in the House. I can give my colleagues two

pages—and I will give my colleagues some of them—of people supporting this legislation: the County of Los Angeles; the City of Los Angeles; Zev Yaroslavsky, chairman of the County Board of Supervisors; Mayor Antonio Villaraigosa; Representatives HENRY WAXMAN, BERMAN, HARMAN, and SHERMAN; City Council members, every one of them; State Senator Kuehl; Assemblyman Feuer, Assemblywoman Bass, Assemblywoman Brownlee; Santa Monica mayor; Santa Monica council; AMVETS Post 2; AMVETS Post 116; American Legion Post 123; VFW Post 875; Vietnam Veterans of America Chapter 446; the Bel-Air Association; the Beverly Glen Association; Blair House; the Brentwood Community Council; and on and on—the Coalition for Veterans Land; the Federation of Hillside and Canyon Associations; Friends of Westwood; the Pacific Palisades. It is virtually all of west L.A. that is saying: Don't sell this land for commercial use.

What the Department has announced is that they intend to make \$4 billion by selling this land. You and I know what is going to go on this land: commercial, office, high-rises because that is what you get the money from. It would be a travesty.

One of the things we now know is that traumatic brain injury is a major injury from this war. We need to build on veterans facilities, not take their land away.

So I would say, Senator DEMINT, take back this motion. It is the wrong thing to do. Administration, I know you have a statement saying you oppose the amendment, but the city of Los Angeles, the county of Los Angeles is united.

So, Madam President, I move to table the amendment, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Madam President, it is just an interesting note that the man who gave this land, the 300-plus acres, to veterans was a United States Senator at the time, John P. Jones. He actually was a Republican from the State of Nevada, and he served 30 years in the Senate, from 1873 to 1903. So he was a 50-percent owner of this land, and it was a wonderful gift to the veterans. I think it should not be destroyed. Thank you.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Madam President, I withdraw my motion to table at this time because I know Senator BOXER is coming to the floor and wishes to address this question, and Senator DEMINT may wish to also respond, and I will remain and propose the motion at a later time.

The PRESIDING OFFICER. The motion is withdrawn.

Mrs. FEINSTEIN. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. Madam President, I have come over to the floor, and I am a little out of breath because this amendment was somewhat of a surprise to me, although Senator FEINSTEIN was a little worried about it possibly coming. I am sorry Senator DEMINT isn't on the floor at this moment because I would like to look him in the eye and tell him that his amendment is misguided. It does damage to the veterans of this country and the faith they put in us.

As Senator FEINSTEIN eloquently stated, and just reiterated to me, the individual who gave this land for the veterans happened to be a Republican from Nevada who wanted to make a commitment to our veterans. So here we have a circumstance that is so bizarre because this amendment that Senator FEINSTEIN wrote, which Senator DEMINT is trying to pull out of the bill, and is now in the bill, is a very wise one. It is one that keeps faith with the veterans of this country at a time when they deserve that support.

In some ways, I say to my colleagues, we have battled many times on this floor for California and for the environment and for women's rights and all the rest. But I remember when another administration at another time tried to sell the Presidio army base for billions of dollars, when the people were promised it would be a park and it was written in legislation that it would be a park. That administration said we could get billions of dollars. But the fact is that certain things you cannot put a price on because, in the long run, it is the wrong thing to do. In the long run, it is wrong in this case to harm our veterans.

Now, here we have this land. As Senator FEINSTEIN has explained to my colleagues, it is in the middle of Los Angeles. Land is a precious commodity in Los Angeles. We have a huge number of veterans who need services in Los Angeles—maybe the highest concentration of veterans in the country. I would have to check that out, but I would not be surprised; it is certainly one of the highest concentrations. Here we are in the middle of a war and we all know the horrors our soldiers are facing. We

know there are great unmet needs in the Veterans' Administration all over this country, and certainly in California. For example, we didn't even have a burn unit in California and this war has brought so many problems with serious burns.

We finally were able to accommodate some beds in San Diego for that purpose. We finally were able to accommodate some of those who have lost their limbs because they were not able to get the services in California.

This, I say to my friend, Senator DEMINT of South Carolina, is not the time, not the place, not the moment to say to our veterans: You are not important; it is more important to have a rental car agency here or a movie studio here. This is not the time to tell that to our veterans. They are sacrificing.

We may have to have a women's clinic there someday. We may want to expand services for homeless veterans. Those of us who have lived through the Vietnam era know that homelessness followed our veterans. And still when you go on the streets of our cities, whether it is San Francisco, Los Angeles, or anywhere else, you will find a third to 45 percent of our veterans are from that era. They are Vietnam-era veterans who are homeless and struggle.

We may need to have job training centers for these returning veterans. Posttraumatic stress—my senior Senator made the point that we are now learning the depth of the problems we have. Is this the time to take this land away from the veterans? It is outrageous, and it is wrong.

Senator FEINSTEIN has absolutely done the right thing in this bill. I praise all of her colleagues on the committee. I wrote to Mr. Nicholson about this issue several months ago saying: Why are you doing this? I will ask to place that letter in the RECORD in a moment.

Senator FEINSTEIN is right not only for our community in southern California but for the veterans throughout this country.

I sent a letter on June 6, 2007, on this subject to the Honorable James Nicholson, Department of Veterans Affairs. I ask unanimous consent to have printed in the RECORD the letter I sent to Secretary Nicholson.

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

U.S. SENATE,  
HART SENATE OFFICE BUILDING,  
Washington, DC, June 6, 2007.

Hon. R. JAMES NICHOLSON,  
Department of Veterans Affairs,  
Washington, DC.

DEAR SECRETARY NICHOLSON: I am writing to you regarding the development of the West Los Angeles VA property and to urge you to ensure that its land and facilities are used by and for the veterans of the Los Angeles area.

I believe that two important facts should serve as the overriding guidelines for the discussion about the West LA VA property.

First, as has been pointed out many times, this property is veterans' property—given to veterans, to be used by veterans—and should not in any way be viewed as excess property to be sold, leased, or used for other purposes. I oppose the use of an Enhanced Use Lease for any project at the West LA VA. It is for this reason that I fully support Congressman Waxman's and Senator Feinstein's legislative efforts to preserve the land for veterans' use.

The second important fact is that at least one million veterans reside within a 50 mile radius of the West LA VA property, more than in 42 other states combined. When we consider that this number continues to grow and that the recent additions to the veterans rolls are sometimes severely disabled, more services rather than fewer services will be needed over time. Additionally, a remarkable number of the homeless population of the area are veterans, many of whom suffer from substance abuse or mental health problems. In Los Angeles County alone, it is estimated that at least 18,000 veterans are without shelter or a place to live. A broad range of services are desperately needed for them.

As the master plan for this property is developed, many people are looking to the Department of Veterans Affairs to use this property to support veterans and their needs. The veterans of the Los Angeles area benefit greatly from the services offered there now, and it is crucial that with the increasing numbers of returning veterans it remain a facility fully committed to serving them—they deserve nothing less.

Sincerely,

BARBARA BOXER,  
U.S. Senator.

Mrs. BOXER. Madam President, I talked about the fact that at least a million veterans reside within a 50-mile radius of the west Los Angeles VA property, more than in 42 other States combined. When we consider that this number continues to grow, this is clearly the wrong thing to do.

Let me say that what my colleague has done in this bill is in concert with everyone in our area. I don't think she or I would walk in and offer an amendment that was a direct blow to a community in South Carolina. We would never do that. That would not be the right thing to do.

The community is opposed to what Mr. DEMINT wants to have happen. Local government, many veterans, from the mayor's office, to the city council, to the board of supervisors, to the full congressional delegation, there is enormous support for the provision that Senator FEINSTEIN has placed in this bill. Dozens of local veterans groups are in support of her provision.

I am going to read some of these supporters because I want to give a sense to my colleagues that they should stick with us on this issue because Senator FEINSTEIN's language that she got placed in this bill is strongly supported.

I ask unanimous consent to be printed in the RECORD the entire list.

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

County of Los Angeles; City of Los Angeles; Supervisor Zev Yaroslavsky, Chairman, Los Angeles County Board of Supervisors; Los Angeles Mayor Antonio Villaraigosa

Representative Henry Waxman; Blair House; Brentwood Community Council; Brentwood Homeowners Association; Cahuenga Pass Neighborhood Association; Citizens for Veterans Rights; Coalition of Homeowner Associations-Council District 5; Coalition for Veterans Land; Federation of Hillside and Canyon Associations; Friends of Westwood; Holmby Hills Homeowners Association; Holmby Westwood Property Owners Association; Mandeville Canyon Association; Pacific Palisades Chamber of Commerce; Pacific Palisades Community Council; Pacific Palisades Residents Association.

Roscomare Valley Association; Santa Monica Canyon Civic Association; Save Westwood Village; St. Paul the Apostle Catholic Parish; Sullivan Canyon Homeowners Association; Representative Howard Berman; Representative Jane Harman; Representative Brad Sherman; L.A. City Council President Eric Garcetti; L.A. City Council Member Jack Weiss; L.A. City Council Member Bill Rosendahl; State Senator Sheila Kuehl; Assemblyman Mike Feuer; Assemblywoman Karen Bass; Assemblywoman Julia Brownlee; Santa Monica Mayor Richard Bloom; Santa Monica Councilman Bobby Shriver; Former Los Angeles Mayor Richard Riordan; Former Assemblywoman Fran Pavley; AMVETS Post 2; AMVETS Post 116.

American Legion Post 123; VFW Post 875; Vietnam Veterans of America Chapter 446; Bel-Air Association; Beverly Glen Association; Tract 7260 Homeowners Association; West L.A. Chamber of Commerce; West L.A. Neighborhood Council; West of Westwood Homeowners Association; Westside Neighborhood Council; Veterans Park Conservancy; Westwood Gardens Civic Association; Westwood Hills Property Owners Association; Westwood Homeowners Association; Westwood South of Santa Monica Homeowners Association.

Mrs. BOXER. Madam President, I will name a few. The County of Los Angeles, the city of Los Angeles, Representative WAXMAN, and every other Representative from that area; HOWARD BERMAN, HARMAN, SHERMAN, the L.A. City Council president, State Senator Sheila Kuehl, all those local folks, former Los Angeles Mayor Riordan, AMVETS Post 2, AMVETS Post 116, American Legion Post 123, VFW Post 875, Vietnam Veterans of America Chapter 446, and then a slew of homeowners associations, including the Coalition of Homeowner Associations Council District 5, the Coalition for Veterans Land, Friends of Westwood, and it goes on and on.

Then we have the religious community: St. Paul the Apostle Catholic parish. We have the chamber of commerce. We have the neighborhood council. It just goes on. The park conservancy, the civic association. The administration is wrong to take this action.

Senator FEINSTEIN is right. She mentioned colleagues on the committee who were very helpful to her. It is very important to note that she moved in a very bipartisan way.

In conclusion, I thank my colleague, Senator FEINSTEIN, for withdrawing her motion to table to give me this opportunity to express myself because I think what she did was so important, and certainly she spoke for both of us when she did it.

I hope she will make this motion to table at the appropriate time, and we

can table this amendment and send a message tonight to the veterans across this country that we stand with them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I join Senator FEINSTEIN and Senator BOXER in their efforts to preserve this property in west Los Angeles as a VA facility and not turn it over to developers. This is commensurate with the deed that originally granted this property to the United States back in 1888. The deed reads as follows:

Whereas, by an act of Congress approved March 2, 1887, to provide for the location and erection of a branch home for the disabled volunteer soldiers west of the Rocky Mountains, the board of managers of the National Home for Disabled Volunteer Soldiers are authorized, empowered, and directed to locate, establish, construct and permanently maintain a branch of said National Home for Disabled Volunteer Soldiers.

The purpose of this donation and the purpose that has been preserved over these many years has been to provide a place where veterans can be hospitalized, and it has become part of not only the Veterans' Administration system, it has become part of the culture of the community of Los Angeles.

The purpose of the original deed has been reaffirmed numerous times. It was reaffirmed in 2002 by then-VA Secretary Anthony Principi when he visited the site and when he issued a May 2004 decision regarding plans for the modernization of VA facilities nationwide. In fact, a document released by the VA previewing the September 6, 2005, Capital Asset Realignment for Enhanced Services—the CARES process—of the local advisory panel meeting regarding the west L.A. VA site states the following:

It is important that the VA preserve the integrity of the land originally granted for use as an old Soldier's home.

And that is the purpose of the language included in the appropriations bill by Senator FEINSTEIN.

The CARES process was akin to the BRAC process used for the military, going around and looking at the uses of all the Veterans' Administration facilities around the country and concluding what is the best and highest purpose.

It is terribly important that the conclusion of this panel, very recently, is that it is important that the VA preserve the integrity of the land originally granted for use as an Old Soldiers' Home. That is what Senator FEINSTEIN proposes to do, and it would be undercut by the amendment of Senator DEMINT.

I join Senator FEINSTEIN and Senator BOXER as they are trying not only to preserve the integrity of this land but also to preserve the integrity of the community of west Los Angeles.

I had occasion to drive by this area, and I will stand corrected by the local geographic experts, but it is a place of open space and tranquility in a very large metropolitan area. So it is a value beyond the VA system; it is a

value to the community of Los Angeles. That is why there is a huge number of supporters of this initiative by Senator FEINSTEIN and Senator BOXER: the County of Los Angeles, the city of Los Angeles, Supervisor Zev Yaroslavsky, chairman of the Los Angeles County Board of Supervisors, Mayor Antonio Villaraigosa, Representative WAXMAN, our colleagues in the House—all these individuals are standing shoulder to shoulder on this issue. This is consistent with the original donation of the land. It is consistent with the evaluation of the Veterans' Administration as to how they should use the land, and it is consistent with the community of Los Angeles.

I applaud and commend the Senators from California for their efforts.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, I particularly thank Chairman REED for putting this provision in the bill. I am very grateful. I am also very grateful for his defense of it today.

I thank my friend and colleague, Senator BOXER, for her help on the floor, for her support, and for her continuous advocacy on behalf of California.

The bottom line is, would you sell the National Mall for profit? Would you sell Roosevelt Island for profit? Would you sell any part of the federal highway system for profit? Why would you take land that has been dedicated for veterans purposes and lease it out for profit when we know, as Senator BOXER said, we have thousands of homeless veterans, and right now there is a proposal moving forward to possibly build some homeless units for veterans on that facility?

This land was deeded to the Federal Government, a huge amount of land, for the purpose of veterans, not for Fox movie studios, not for Enterprise, or whatever car rental agency, but for veterans in a city with the largest number of veterans in the United States, and over 322,000 veterans enrolled to use that facility, with a hospital of 1,000 beds on that facility. You are going to begin to lease out that land?

I think it is terrible, just terrible. The next step would be the National Mall. We ought to resist this effort. There are a lot of ways to make money, but I think the worst way is to make money off veterans at this point in time.

I very much resist this amendment. I join with my friend and colleague, Senator BOXER, in resisting the amendment. I join with the committee chairman in resisting this amendment. I join with the ranking member of the committee in resisting this amendment. I hope there will be a very strong vote.

Madam President, I ask for the yeas and nays, and I move to table the amendment.

Once again, I will withdraw my motion to table for the greater good of

getting a unanimous consent agreement, I hope.

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. REED. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REED. Madam President, I ask unanimous consent that the following be the only first-degree amendments remaining in order to H.R. 2642, that they be subject to second-degree amendments which are relevant to the amendment to which it is offered, that no other amendments be in order: Feingold amendment No. 2661, Obama amendment No. 2658, McCaskill amendment No. 2660, Hutchison amendment No. 2681, Coleman amendment relating to conventions, Sanders amendment No. 2664, Tester amendment No. 2669, Salazar amendment No. 2662, Murray amendment No. 2677, Landrieu amendment No. 2679, Stabenow amendment No. 2680, Stevens/Inouye amendment No. 2682, Allard amendment relating to VA land transfer in Denver, the pending DeMint amendment, and the Brown amendment No. 2673; that when the Senate resumes consideration of the bill on Thursday, the only amendments remaining for disposition be No. 2664, No. 2662, No. 2673, and the Coleman amendment relating to conventions, and passage, with no further debate or motions in order except for debate specified in an order related to the vote sequence; that upon disposition of all amendments, the bill be read a third time and the Senate proceed to vote on passage of the bill; that upon passage, the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses and the Chair be authorized to appoint conferees, with the previous order relating to points of order remaining in effect with respect to this bill; that upon disposition of H.R. 2642, the Senate then proceed to the consideration of Calendar No. 265, H.R. 2764, the State, Foreign Operations Appropriations Act.

The PRESIDING OFFICER. Is there objection?

Mr. LOTT. Reserving the right to object, if I can inquire for clarification, what this really means, then, is that we will have one vote tonight on the pending DeMint issue, and the other remaining four amendments and final passage would occur without other intervening business tomorrow morning; is that correct?

Mr. REED. That is correct.

Mr. LOTT. Thank you very much. That is basically what you just read.

The PRESIDING OFFICER. The Senator from California.

Mr. LOTT. And for the sake of one other issue under my reservation, I would like to ask that a quorum be put

in place, just temporarily. So I suggest the absence of a quorum.

The PRESIDING OFFICER. Is there objection to the quorum call?

Hearing no objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

Is there objection to the unanimous consent request?

Mrs. HUTCHISON. I ask that one additional amendment be added to the list to be voted on tomorrow, Thursday. It would be the McConnell amendment No. 2666.

The PRESIDING OFFICER. Is there objection? Is there objection to the request to modify?

Without objection, it is so ordered.

The Senator from California is recognized.

Mrs. FEINSTEIN. Madam President, I move to table amendment No. 2642, the DeMint amendment. If I might correct that, it is 2686, the DeMint amendment.

I move to table and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion. 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 New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from Arkansas (Mrs. LINCOLN), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

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

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

The result was announced—yeas 66, nays 25, as follows:

[Rollcall Vote No. 312 Leg.]

YEAS—66

Akaka	Dole	Lieberman
Alexander	Domenici	Lott
Baucus	Dorgan	Martinez
Bayh	Durbin	McCaskill
Bingaman	Feinstein	Menendez
Bond	Gregg	Mikulski
Boxer	Harkin	Murkowski
Brown	Hutchison	Murray
Byrd	Inouye	Nelson (FL)
Cantwell	Isakson	Nelson (NE)
Cardin	Johnson	Pryor
Carper	Kennedy	Reed
Casey	Kerry	Reid
Cochran	Klobuchar	Roberts
Coleman	Kohl	Rockefeller
Collins	Landrieu	Salazar
Conrad	Lautenberg	Sanders
Corker	Leahy	Schumer
Cornyn	Levin	Smith

Snowe	Stevens	Webb
Specter	Tester	Whitehouse
Stabenow	Warner	Wyden

## NAYS—25

Allard	Ensign	McConnell
Barrasso	Enzi	Sessions
Bennett	Feingold	Shelby
Bunning	Grassley	Sununu
Burr	Hagel	Thune
Chambliss	Hatch	Vitter
Coburn	Inhofe	Voinovich
Crapo	Kyl	
DeMint	Lugar	

## NOT VOTING—9

Biden	Craig	Lincoln
Brownback	Dodd	McCain
Clinton	Graham	Obama

The motion was agreed to.

Mr. REED. 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 Georgia is recognized.

Mr. CHAMBLISS. Mr. President, I rise to first of all say I am sure I am going to be supporting this underlying bill; military construction is such a critical component of our overall defense programs. But there is a collateral issue I would like to address for a minute. I, first of all, ask unanimous consent to have printed in the RECORD an article from the Moody Air Force Base newspaper from February 1 of this year.

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

[From the Air Force Print News Today, Feb. 1, 2007]

## MOODY OPENS DOORS TO NEW HOUSING

(By Tech. Sgt. Parker Gyokeres)

MOODY AIR FORCE BASE, GA.—Team Moody celebrated the completion of the first new single family housing units with a ribbon cutting ceremony Jan. 31, at the new Magnolia Grove Housing area.

The \$52 million project provides 383 three and four-bedroom homes in Magnolia Grove, each with no less than 1,630 square feet of space.

Dignitaries attending the ribbon cutting ceremony included Maj. Gen. Del Eulberg, Air Force Civil Engineer, Col. Joe Callahan, 23rd Wing commander, and leadership from American Eagle Communities LLC.

"This is a big day for the Airmen and families of Team Moody," said Colonel Callahan. "The Magnolia Grove homes are the nicest base housing units I have ever seen in the 31 years I have been living in base housing. Moody Family Housing has created a community that any Airman would be proud to live in." Moody Family Housing is a 50-year, joint public-private partnership between American Eagle Communities and the U.S. Air Force.

"The partnership is intended to improve standards of living for current and future base housing residents," said Louis Screws, 23rd Civil Engineer Squadron housing flight chief.

The homes are fully owned and maintained by American Eagle under rules agreed to in the project's transaction documents.

"The Air Force benefits because they receive quality new housing without the up-front money a military construction contract requires," said Mr. Screws. "American Eagle can use private sector financing and private resources to build these homes faster, better and more economically using local codes and standards."

The units are built with an all-metal framing system that arrives partially assembled in a kit for a single home. It takes only four days for a team of eight workers to frame an entire house, said Rich Safranic, Moody Family Housing quality assurance director.

By using all-metal construction, the materials are less expensive to transport, stronger than wood, will not burn and can be recycled easily, said Mr. Safranic.

American Eagle plans to use this construction technique for every home in Magnolia Grove, and with an average of five homes a week arriving at the site, every time-saving measure is essential, added the quality assurance inspector.

Moody Family Housing expects to hand over an average of one house a day to Air Force inspectors for certification, said Naomi Hendricks, Moody Family Housing project director. The construction on Magnolia Grove housing is scheduled to be completed this December.

The first residents of Magnolia Grove will be the 94 families currently residing in the "Courts" townhouses of the Quiet Pines housing area. These units are scheduled to be demolished as the residents are relocated. MFH will then use the land for new senior leadership housing, said Mr. Screws.

American Eagle purchased 700 acres of peanut farmland along the southern edge of Moody. There will be 383 single-family units built on 150 acres of this property. The American Eagle Communities has permanently donated approximately 200 acres to the Banks Lake Wildlife Refuge Area. The remaining 350 acres are being set aside for future base-housing growth.

"We are the first major installation to accomplish the goal of creating a new community using a privatized partnership like this," said Lowell Klepper, 23rd CES deputy base civil engineer. "Moody has been working towards this point for more than 20 years."

Mr. CHAMBLISS. I note for the record that after 4 years of work on a housing privatization contract and the millions spent, exactly two houses have been built. This article talks about a celebration at Moody Air Force base upon the completion of these two homes. The problem is, neither one of these two houses has ever been occupied, and the privatization issue at Moody has developed into a real mess.

The Air Force entered into a real estate transaction with Carabetta Enterprises Inc. for privatized housing at Moody Air Force Base. The estimated cost of the project has exceeded available funding by \$25 million, and the project lender stopped funding in March of 2007 to prevent all funds from being expended. At least three other Air Force bases—Patrick Air Force base in Florida, Little Rock Air Force base in Arkansas, and Hanscom Air Force base in Massachusetts—have similar contracting delays with privatized housing projects associated with this same contractor.

Despite having declared bankruptcy in the 1990s and supposedly being embroiled in a series of previous lawsuits over Government contracts, the Carabetta organization was allowed to form a new joint entity, American Eagle Communities LLC, and has won Government contracts in five States for a total \$3.3 billion. American Eagle won the \$50 million contract for the

Moody Air Force Base Magnolia Grove privatized housing project, hired one of its principals to be the general contractor, and now has left dozens of local subcontractors unpaid for months, resulting in numerous liens being filed, a complete lockdown of the site, and millions of dollars in unpaid bills to local subcontractors.

There has been concern that we have 1,000 new personnel who are going to be coming into Moody by 2009 under the BRAC, and this housing project is specifically designed to accommodate the influx. I have written two letters to the Air Force expressing my concern and inquiring about the delay and the intended plan of action. In response, the Air Force has said that because it has no legal agreements with the contractor, issues of nonpayment between the contractor and subcontractors must be resolved through the legal system.

That is not an acceptable answer. The Air Force is a contractor. This directly affects the quality of life of Air Force personnel at Moody Air Force Base as well as the other bases that have contracts with this particular contractor. Air Force personnel are suffering because of the poor performance of this contractor, and the Air Force should have been more proactive to fix this problem before we got to this point.

I have several questions on this issue that have yet to be answered. I am specifically asking the Air Force to answer: First, what were the factors contributing to the decision to award Carabetta Enterprises, Inc. this contract, given their known previous defaults and bankruptcy declarations? Secondly, is the Air Force currently taking steps to terminate this contract and, if so, what steps are they taking and, if not, why not? Thirdly, what is the plan for housing the incoming Air Force personnel slated to live in the new quarters at Moody Air Force base as well as the other bases that are affected by the default of this contractor?

In my opinion, this issue is also ripe for an IG investigation to figure out exactly what went wrong, why this contractor was awarded a \$3.3 billion contract for privatized housing, covering five States, work on all of which has been halted.

I urge the Air Force's expeditious attention and resolution of this issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I wish to bring up several amendments for consideration. These amendments have been cleared on both sides of the aisle.

## AMENDMENT NO. 2661

I call up amendment No. 2661 for Senator FEINGOLD regarding a VA mental health GAO report.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mr. FEINGOLD, proposes an amendment numbered 2661.

Mr. REED. 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: To require a report from the Comptroller General on the adequacy of mental health care services provided by the Department of Veterans Affairs and the Department of Defense to female members of the Armed Forces and female veterans)

On page 50, between lines 17 and 18, insert the following:

SEC. 408. (a) ASSESSMENT OF MENTAL HEALTH CARE SERVICES FOR FEMALE SERVICEMEMBERS AND VETERANS.—The Comptroller General of the United States shall conduct an assessment of the adequacy of the mental health care services provided by the Department of Veterans Affairs and the Department of Defense to female members of the Armed Forces and female veterans to meet the mental health care needs of such members and veterans.

(b) REPORT.—Not later than September 1, 2008, the Comptroller General shall submit to the Subcommittees referred to in section 407 a report on the assessment required by subsection (a).

Mr. REED. I know of no further debate.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2661) was agreed to.

Mr. REED. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2658

Mr. REED. I call up amendment No. 2658 for Senator OBAMA.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mr. OBAMA, proposes an amendment numbered 2658.

Mr. REED. 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: To provide that none of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee makes certain certifications regarding Federal tax liability)

On page 50, between lines 17 and 18, insert the following:

Sec. 408. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied unless the assessment is

the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default or the assessment is the subject of a non-frivolous administrative or judicial appeal.

The PRESIDING OFFICER. Is there further debate?

Mr. REED. I know of no further debate.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2658) was agreed to.

Mr. REED. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2660

Mr. REED. Mr. President, I call up amendment No. 2660 for Senator MCCASKILL regarding the VA Inspector General Web site.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mrs. MCCASKILL, proposes an amendment numbered 2660.

Mr. REED. 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: To provide a mechanism by which individuals can report to the Inspector General of the Department of Veterans Affairs cases of waste, fraud, or abuse with respect to the Department of Veterans Affairs)

On page 46, between lines 2 and 3, insert the following:

SEC. 227. (a) ANONYMOUS REPORTING OF WASTE, FRAUD, OR ABUSE.—Not later than 30 days after the date of the enactment of this Act, the Inspector General of the Department of Veterans Affairs shall establish and maintain on the homepage of the Internet website of the Office of Inspector General a mechanism by which individuals can anonymously report cases of waste, fraud, or abuse with respect to the Department of Veterans Affairs.

(b) LINK TO OFFICE OF INSPECTOR GENERAL FROM HOMEPAGE OF DEPARTMENT OF VETERANS AFFAIRS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish and maintain on the homepage of the Internet website of the Department of Veterans Affairs a direct link to the Internet website of the Office of Inspector General of the Department of Veterans Affairs.

The PRESIDING OFFICER. Is there debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 2660) was agreed to.

Mr. REED. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2677

Mr. REED. I call up amendment No. 2677 for Senator MURRAY regarding the

transfer of funds from the VA to the Secretary of Health and Human Services to train psychologists.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mrs. MURRAY, proposes an amendment numbered 2677.

Mr. REED. 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: To authorize the Secretary of Veterans Affairs to transfer funds to the Secretary of Health and Human Services to train psychologists)

On page 46, between lines 2 and 3, insert the following:

SEC. 227. (a) AUTHORITY FOR TRANSFER OF FUNDS TO SECRETARY OF HEALTH AND HUMAN SERVICES TO TRAIN PSYCHOLOGISTS.—Upon a determination by the Secretary of Veterans Affairs that such action is in the national interest, the Secretary of Veterans Affairs may transfer not more than \$5,000,000 to the Secretary of Health and Human Services for the Graduate Psychology Education Program to support increased training of psychologists skilled in the treatment of post-traumatic stress disorder, traumatic brain injury, and related disorders.

(b) LIMITATION ON USE OF TRANSFERRED FUNDS.—The Secretary of Health and Human Services may only use funds transferred under this section for the purposes described in subsection (a).

(c) NOTIFICATION.—The Secretary of Veterans Affairs shall notify Congress of any such transfer of funds under this section.

The PRESIDING OFFICER. Is there debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 2677) was agreed to.

Mr. REED. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2679

Mr. REED. Mr. President, I call up amendment No. 2679 for Senator LANDRIEU regarding a report on the progress of the veterans hospital in New Orleans.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Ms. LANDRIEU, proposes an amendment numbered 2679.

Mr. REED. 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: To require reports on the reconstruction of the Department of Veterans Affairs Medical Center, New Orleans, Louisiana)

On page 46, between lines 2 and 3, insert the following:

SEC. 227. (a) REPORTS ON RECONSTRUCTION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN NEW ORLEANS, LOUISIANA.—

(1) Not later than October 1 and April 1 each year, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations a report on the current status of the reconstruction of the Department of Veterans Affairs Medical Center in New Orleans, Louisiana. Each report shall include the following:

(A) The current status of the reconstruction of the Medical Center, including the status of any ongoing environmental assessments, the status of any current construction, and an assessment of the adequacy of funding necessary to complete the reconstruction.

(B) If reconstruction of the Medical Center is subject to any major delay—

(i) a description of each such delay;

(ii) an explanation for each such delay; and

(iii) a description of the action being taken or planned to address the delay.

(C) A description of current and anticipated funding for the reconstruction of the Medical Center, including an estimate of any additional funding required for the reconstruction.

(2) The requirement in paragraph (1) shall cease on the day that the reconstruction of the Medical Center referred to in that paragraph is completed.

(b) REPORT ON DESIGNATION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN NEW ORLEANS AS POLYTRAUMA REHABILITATION CENTER OR POLYTRAUMA NETWORK SITE.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Appropriations a report setting forth the recommendation of the Secretary as to whether or not the Department of Veterans Affairs Medical Center being reconstructed in New Orleans, Louisiana, should be designated as a tier I polytrauma rehabilitation center or a polytrauma network site.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2679) was agreed to.

Mr. REED. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2680

Mr. REED. Mr. President, I call up amendment No. 2680 for Senators STABENOW and LEVIN renaming a clinic located in Alpena, MI.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Ms. STABENOW and Mr. LEVIN, proposes an amendment numbered 2680.

Mr. REED. 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: To designate the Department of Veterans Affairs clinic located in Alpena, Michigan, as the "Lieutenant Colonel Clement C. Van Wagoner Department of Veterans Affairs Clinic")

At the appropriate place, insert the following:

SEC. \_\_\_\_ . LIEUTENANT COLONEL CLEMENT C. VAN WAGONER DEPARTMENT OF VETERANS AFFAIRS CLINIC.

(a) DESIGNATION.—The Department of Veterans Affairs clinic located in Alpena, Michi-

gan, shall be known and designated as the "Lieutenant Colonel Clement C. Van Wagoner Department of Veterans Affairs Clinic".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Department of Veterans Affairs clinic referred to in subsection (a) shall be deemed to be a reference to the "Lieutenant Colonel Clement C. Van Wagoner Department of Veterans Affairs Clinic".

The PRESIDING OFFICER. Is there debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 2680) was agreed to.

Mr. REED. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2681

Mr. REED. Mr. President, I call up amendment No. 2681 for Senator HUTCHISON regarding a clinic lease in Texas.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mrs. HUTCHISON, proposes an amendment numbered 2681.

Mr. REED. 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:

At the appropriate place in the bill, insert: SEC . The Secretary of Veterans Affairs may carry out a major medical facility lease in fiscal year 2008 in an amount not to exceed \$12,000,000 to implement the recommendations outlined in the August, 2007 Study of South Texas Veterans' Inpatient and Specialty Outpatient Health Care Needs.

The PRESIDING OFFICER. Is there debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 2681) was agreed to.

Mr. REED. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2689

Mr. REED. Mr. President, I call up amendment No. 2669 for Senators TESTER, BROWN, MCCASKILL, SALAZAR, JOHNSON, and BYRD regarding the VA mileage reimbursement.

The PRESIDING OFFICER. The clerk will report.

The Senator from Rhode Island [Mr. REED], for Mr. TESTER, Mr. BROWN, Mrs. MCCASKILL, Mr. SALAZAR, Mr. JOHNSON, and Mr. BYRD, proposes an amendment numbered 2669.

Mr. REED. 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: To provide, with an offset, an additional \$125,000,000 for the Veterans Beneficiary Travel Program)

On page 46, between lines 2 and 3, insert the following:

SEC. 227. (a) ADDITIONAL AMOUNT FOR MEDICAL SERVICES.—The amount appropriated or otherwise made available by this title under the heading "MEDICAL SERVICES" is hereby increased by \$125,000,000.

(b) AVAILABILITY.—Of the amount appropriated or otherwise made available by this title under the heading "MEDICAL SERVICES", as increased by subsection (a), \$125,000,000 shall be available for the Veterans Beneficiary Travel Program. The amount available for the Veterans Beneficiary Travel Program under this subsection is in addition to any other amounts available for that program under this title.

(c) OFFSET.—The amount appropriated or otherwise made available by this title for the Veterans Health Administration under the heading "MEDICAL ADMINISTRATION" is hereby decreased by \$125,000,000.

The PRESIDING OFFICER. Is there debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 2669) was agreed to.

Mr. REED. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2682

Mr. REED. Mr. President, I call up amendment No. 2682 for Senators STEVENS and INOUE regarding a VA rural health report.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mr. STEVENS, for himself, Ms. MURKOWSKI, and Mr. INOUE, proposes an amendment numbered 2682.

Mr. REED. 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: To require a report on access to medical services provided by the Department of Veterans Affairs to veterans who live in remote rural areas)

On page 46, between lines 2 and 3, insert the following:

SEC. 227. (a) REPORT ON ACCESS TO MEDICAL SERVICES PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS TO VETERANS IN REMOTE RURAL AREAS.—Not later than six months after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report setting forth the following:

(1) A description of the following:

(A) The unique challenges and costs faced by veterans in remote rural areas of contiguous and non-contiguous States when obtaining medical services from the Department of Veterans Affairs.

(B) The need to improve access to locally-administered care for veterans who reside in remote rural areas.

(C) The need to fund alternative sources of medical services—

(i) in areas where facilities of the Department of Veterans Affairs are not accessible to veterans without leaving such areas; and

(ii) in cases in which receipt of medical services by a veteran in a facility of the Department requires transportation of such veteran by air due to geographic and infrastructural constraints.

(2) An assessment of the potential for increasing local access to medical services for

veterans in remote rural areas of contiguous and non-contiguous States through strategic partnerships with other government and local private health care providers.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committees on Veterans’ Affairs of the Senate and the House of Representatives; and

(2) the Subcommittees referred to in section 407.

The PRESIDING OFFICER. Is there debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 2682) was agreed to.

Mr. REED. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2688

Mr. REED. Mr. President, I call up amendment No. 2688 for Senator ALLARD regarding a land transfer to the VA.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mr. ALLARD, proposes an amendment numbered 2688.

Mr. REED. 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: To authorize the Secretary of the Interior to modify certain instruments to allow the City of Aurora, State of Colorado, to convey to the United States certain non-Federal land to be used by the Secretary of Veterans Affairs for the construction of a veterans medical facility)

At the appropriate place, insert the following:

SEC. \_\_\_\_ (a) In this section:

(1) The term “City” means the City of Aurora, Colorado.

(2) The term “deed” means the quitclaim deed—

(A) conveyed by the Secretary to the City; and

(B) dated May 24, 1999.

(3) The term “non-Federal land” means—

(A) parcel I of the Fitzsimons Army Medical Center, Colorado; and

(B) the parcel of land described in the deed.

(4) The term “Secretary” means the Secretary of the Interior.

(b)(1) In accordance with paragraph (2), and subject to each term and condition required under paragraph (3), to allow the City to convey to the United States the non-Federal land to be used by the Secretary of Veterans Affairs for the construction of a veterans medical facility, the Secretary may execute such instruments as determined by the Secretary to be necessary to modify or release any condition under which the non-Federal land would revert to the United States.

(2) In carrying out paragraph (1), with respect to the non-Federal land, the Secretary shall alter—

(A) each provision of the deed relating to a reversionary interest of the United States; and

(B) any other reversionary interest of the United States

to authorize the use of the property to include use as a veterans’ facility in addition to use for recreational purposes.

(3) The Secretary shall carry out paragraph (1) subject to such terms and conditions as the Secretary determines to be necessary to protect the interests of the United States.

The PRESIDING OFFICER. Is there debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 2688) was agreed to.

Mr. REED. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REED. Unless my colleague has anything to say, 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. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

FORT MONMOUTH

Mr. LAUTENBERG. Mr. President, I would like to take a few moments to discuss an important issue with the manager of this bill, Senator REED, and with my colleague from New Jersey, Senator MENENDEZ.

Mr. REED. I am happy to discuss this issue with my colleagues from New Jersey.

Mr. LAUTENBERG. I thank the Senator. I would like to first thank the Senator and Senator HUTCHISON for putting together a good bill. Everyone in this body agrees that we must support the men and women of the military while they are serving overseas and when they return home, and I believe this appropriations bill meets that demand.

Mr. MENENDEZ. Mr. President, I agree and I support this legislation as well. It will provide critical money to make sure our veterans are given the health care they deserve.

Mr. REED. I thank the Senators from New Jersey. We have no greater responsibility than to our veterans, and I am proud of the bill we were able to complete in committee and now offer on the floor.

Mr. LAUTENBERG. Mr. President, this bill also strengthens our military bases, providing money for military construction efforts and improvements at bases, and to support projects related to the Defense Base Realignment and Closure Act of 2005, known as BRAC. While I support strengthening our bases and their overall infrastructure, some disturbing information has come to light about the BRAC process and the closing of the Fort Monmouth Army base in New Jersey since our Appropriations Committee completed work on this bill that warrants our immediate attention.

Mr. MENENDEZ. Mr. President, fighting wars involves not just the men and women on the ground overseas but

also dedicated workers here at home. It depends on the training and research done at military bases like Fort Monmouth. Fort Monmouth provides intelligence and reconnaissance support for our Armed Forces, making them more effective fighters and protecting their lives.

Mr. LAUTENBERG. Fort Monmouth researchers also develop critical technology for our Armed Forces, such as “Warlock Jammers,” which were engineered at Fort Monmouth and modified for use in Iraq. This equipment emits radio frequencies that interfere with the signals that set off improvised explosive devices known as IEDs. The military was able to deploy them within 60 days of their development, and they started saving American lives.

Mr. REED. Mr. President, I agree that great work has been done at Fort Monmouth to support our military and it deserves recognition. Fort Monmouth has played an important role in the wars in Iraq and Afghanistan and the men and women working there are to be commended.

Mr. MENENDEZ. The BRAC Commission knew about that important work and wanted to make sure our troops in the field would not be harmed by closing the base. They included a requirement that the Secretary of Defense issue a report to Congress proving that “movement of organizations, functions, or activities from Fort Monmouth to Aberdeen Proving Ground will be accomplished without disruption of their support to the Global War on Terrorism.”

Mr. LAUTENBERG. Yet more than 2 years after the BRAC Commission vote, the administration has failed to produce this report. To make matters worse, the Army is trying to move personnel out of Fort Monmouth now, before it has even considered the effect on our Armed Forces. Before the Army starts to shift work out of Fort Monmouth, we need to know that it won’t hurt our troops.

Mr. MENENDEZ. When we raised concerns about this to the Army, it halted the transfer and our understanding was that the Army would wait until the report required by BRAC was completed. But now the Army has reversed course and plans to start transferring people soon.

Mr. LAUTENBERG. This is simply unacceptable. No personnel should be transferred out of Fort Monmouth until the Department of Defense has submitted the report to Congress proving that the closure of Fort Monmouth will not hurt troops in the field.

Mr. REED. I thank the Senator for his thoughts. It is my understanding that the Army plans to issue a report on Fort Monmouth by the end of the year. I can also assure my colleagues from New Jersey that the Senate Armed Services Committee as the authorizing committee will continue its oversight of the BRAC process.

Mr. CONRAD. Mr. President, I rise to offer for the RECORD, the Budget Committee’s official scoring of H.R. 2642,

the Military Construction and Department of Veterans Affairs Appropriations Act for fiscal year 2008.

The bill, as reported by the Senate Committee on Appropriations, provides \$64.745 billion in discretionary budget authority for fiscal year 2008, which will result in new outlays of \$38.327 billion. When outlays from prior-year budget authority are taken into account, discretionary outlays for the bill will total \$55.001 billion.

The Senate-reported bill is at its section 302(b) allocation for budget authority and \$20 million below its allocation for outlays. No points of order lie against the committee-reported bill.

I commend the distinguished chairman of the Military Construction and Department of Veterans Affairs Appropriations Subcommittee for bringing this legislation before the Senate. I ask unanimous consent that the table displaying the Budget Committee scoring of the bill be printed in the RECORD.

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

H.R. 2642, MILITARY CONSTRUCTION AND DEPARTMENT OF VETERANS AFFAIRS APPROPRIATIONS, 2008  
(Spending comparisons—Senate reported bill (in millions of dollars))

	Defense	General purpose	Total
<b>Senate-Reported Bill:</b>			
Budget Authority .....	21,556	43,189	64,745
Outlays .....	13,302	41,699	55,001
<b>Senate 302(b) allocation:</b>			
Budget Authority .....	.....	.....	64,745
Outlays .....	.....	.....	55,021
<b>House-passed bill:</b>			
Budget Authority .....	21,371	43,374	64,745
Outlays .....	13,259	41,573	54,832
<b>President's Request:</b>			
Budget Authority .....	22,071	38,672	60,743
Outlays .....	13,264	39,120	52,384
<b>Senate-Reported Bill Compared To:</b>			
<b>Senate 302(b) allocation:</b>			
Budget Authority .....	.....	.....	0
Outlays .....	.....	.....	-20
<b>House-passed bill:</b>			
Budget Authority .....	185	-185	0
Outlays .....	43	126	169
<b>President's Request:</b>			
Budget Authority .....	-515	4,517	4,002
Outlays .....	38	2,579	2,617

Mr. AKAKA. Mr. President, I express my strong support for the level of funding provided for the Department of Veterans Affairs in the pending Military Construction and Veterans Affairs appropriations bill for fiscal year 2008. I also take this opportunity to congratulate Senators REED, BYRD, and the other members of the committee for their hard work on this measure.

This bill truly reflects our commitment to fully fund veterans' health care and benefits. Indeed, the bill before us closely tracks the level of funding recommended by the Veterans' Affairs Committee in our Views and Estimates to the Budget Committee. This legislation would provide a \$6.5 billion increase for VA health care over last year, \$3.6 billion more than the President requested. This represents the largest increase in funding ever for VA health care. I am very pleased that there are additional funds included in this amount for the treatment of traumatic brain injuries, TBI, and for VA

mental health programs, to treat the "invisible wounds" that many veterans suffer from after serving in combat. These are two areas of vital importance to servicemembers returning from Operations Iraqi and Enduring Freedom.

I also thank the Military Construction-VA Appropriations Subcommittee members for their support of the VA Office of Inspector General. The \$16 million increase for the OIG will enable that office to continue conducting extremely valuable oversight of VA. The VA inspector general has consistently been vitally important to the Veterans' Affairs Committee in the execution of our oversight responsibilities. The OIG is the central gear in VA's internal controls and quality assurance mechanism.

I would like to take this opportunity to raise the issue of Priority 8—so-called middle-income—veterans and their current exclusion from the VA health care system. The majority members of the Veterans' Affairs Committee, in our Views and Estimates, endorsed re-opening enrollment to these veterans. That recommendation was followed. The omnibus health care authorization bill recently reported out by the Veterans' Affairs Committee contains a provision that would allow these veterans back into VA. We would fully allow the VA Secretary to close enrollment off at any time. It is my view that adequate funding to re-open enrollment exists.

I want to also express my strong support for the \$21.5 billion in funding for military construction projects included in this bill. This bill fully funds the administration's request for BRAC and the President's Grow the Force Initiative. It also includes the much needed funding necessary to repair and maintain the military facilities that are so critically important to the readiness and well-being of the Armed Forces. I am particularly in support of the bill's inclusion of \$929 million for National Guard and Reserve construction. We have asked our National Guard and Reserve troops to commit significant sacrifices for this Nation and we should be prepared to provide these brave men and women the support they need to fulfill their duties.

I thank Senator REED and the other subcommittee members for their work on this bill and for sending the right message to both our Nation's veterans and those currently serving. We have made a commitment to providing support both before and after active service, and this measure honors that commitment. I urge my colleagues to support swift passage of the legislation before us today.

Mr. NELSON of Nebraska. Mr. President, I rise today to speak about a critical issue regarding Iraq and Afghanistan veterans' health care needs. America's Armed Forces are sustaining attacks by rocket-propelled grenades, improvised explosive devices, and land mines almost daily in Iraq and Afghan-

istan. These injured soldiers require specialized care from providers experienced in treating their unique health challenges. These blast injuries result from the complex pressure waves generated by an explosion. Air-filled organs such as the ear, lung, and other organs surrounded by fluid-filled cavities such as the brain and spinal cord are especially susceptible.

Earlier this year, I visited with a soldier named Mack Richards who sustained blast wounds to his wrist and ankle in Iraq, as well as traumatic brain injury, or TBI. This soldier recounted to me his difficulty and frustration in receiving treatment for his brain injury. He was left at an army base far from home for months before he was sent back to his family and finally received therapy from our local rehabilitation facility.

Congress has been assured that veterans with brain and other complex injuries are able to access the specialized treatment they need. However, Mack's story is not unique, and I think the time has come to question what role the underutilized capacity in civilian rehab can play. That is not to devalue VA efforts and the great facilities the VA has to offer, but to ask how civilian providers can complement VA facilities and improve the care afforded our veterans returning from Iraq and Afghanistan.

The large numbers of traumatic brain injury survivors returning home from war highlights the need to leverage all of the resources available to us for the successful treatment and rehabilitation of our injured troops. Tapping into existing civilian TBI research and treatment capacity can help improve outcomes and supplement the care systems being developed at both the Department of Defense and the Department of Veterans Affairs.

This is an issue which I know can stir up sensitivities given the diversity of our veteran population. I want to make it clear that I am fully committed, as are many of my colleagues, to ensuring the VA has the resources and strength to offer sustainable and top quality care for every American veteran. That said, the public and civilian sectors must come together to meet the needs of our newest generation of wounded warriors. This is not unprecedented. In the past, the Department of Defense and the Department of Veterans Affairs have contracted with civilian clinicians and providers to make up the TBI continuum of care.

The VA has shown tremendous effort in addressing the needs of our returning troops, given the enormous challenges we face. However, I believe the large volume of returning veterans with increasingly complex health care needs require an increasingly dynamic approach to better serve those who have given so much for our country. The need for timely treatment and immediate rehabilitation expertise and capacity requires additional resources and flexibility for the VA to form partnerships to ensure top notch care for

our service personnel. And, if this care can be provided closer to veterans' community and family support networks, then it is a win-win as families can be kept together and servicemembers can more easily transition back into their daily routines.

I have included language in this bill requesting the Department of Veterans Affairs to report to Congress on the conditions and criteria used for contracting with civilian rehabilitation providers, and outreach efforts being conducted to inform veterans and those who advocate on their behalf about such treatment options. I look forward to working with the VA and my colleagues to make sure our veterans have access to the care their sacrifices and personal injuries require.

#### MORNING BUSINESS

Mr. REED. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 5 minutes each.

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

#### HONORING OUR ARMED FORCES

SERGEANT JON BONNELL, JR.

Mr. GRASSLEY. Mr. President, I speak today with great sorrow as we have lost a great American. A Fort Dodge native, Marine Sergeant Jon "J.J." Bonnell died while serving his country in Iraq on August 7, 2007. Sergeant Bonnell stepped on a roadside bomb while on duty between Baghdad and Fallujah. He was part of the 1st Battalion, 11th Marine Regiment, based in Camp Pendleton CA. My prayers and deepest sympathy go out to J.J.'s parents, Jon Bonnell, Sr., and Denise Roark, as well as to his three sisters and all his family and friends. I also wish to express my sympathy to the community of Fort Dodge, who not only lost a fine young man, but an exemplary soldier.

J.J. will be remembered fondly and missed dearly. Only 22 years old, multiple students at Fort Dodge Senior High School referred to J.J. as a "hero," a label he greatly deserves. Making the ultimate sacrifice, J.J. deserves the gratitude of every American. An uncle described J.J. by saying "He loved doing what he did, and he gave the ultimate sacrifice. He said he was ready for the ultimate sacrifice." This speaks volumes for J.J.'s character, and we as Iowans and Americans are fortunate and honored to have a man with J.J.'s devotion and dedication serving our Nation.

J.J. enlisted in the Marine Corps as a senior in high school in 2003. He assisted victims of the 2004 tsunami in Southeast Asia after his first tour in Iraq. A deeply dedicated marine, his grandmother recounted that J.J. "thought all the marines were heroes." On behalf of all Iowans, I offer my most

sincere appreciation for J.J.'s service to our Nation. I ask my colleagues in the Senate, and every American, to take a moment and remember with honor and gratitude the ultimate sacrifice of a true patriot, Sgt. Jon Bonnell, Jr.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO THE EASTERN KENTUCKY CONCENTRATED EMPLOYMENT PROGRAM, INCORPORATED

• Mr. BUNNING. Mr. President, today I pay tribute to the Eastern Kentucky Concentrated Employment Program, Incorporated, EKCEP, for their recent accomplishments at the 2007 Workforce Innovations Conference.

The 2007 Workforce Innovations Conference provides the opportunity for State and local government officials, workforce and economic development officials, as well as private sector representatives to assemble and discuss new ideas about workforce development issues. During this conference, Eastern Kentucky Concentrated Employment Program's Coal Services Program was awarded the U.S. Department of Labor's Recognition of Excellence Award for "Leveraging the Power of e3 Partnerships." The U.S. Labor Department's Employee and Training Administration presents Recognition of Excellence honors in five different categories. The e3 partnerships category presents value in projects that demonstrate sustained partnerships between employers, educators, and economic development leaders.

The EKCEP's Coal Services Program uses a variety of services that tackle the needs of employers and job seekers, such as crucial training for new coal miners and seasoned miners who need new training to increase mine productivity. Training is easily accessible for miners through Kentucky Community and Technical College System locations as well as a mobile miner training unit equipped with a high-tech classroom that features a computerized three-dimensional mining simulator.

I now ask my fellow colleagues to join me in congratulating the Eastern Kentucky Concentrated Employment Program for their achievements and commitment in helping Kentucky's largest industry and our Nation's largest energy source.●

##### TRIBUTE TO ALEX SOTO

• Mr. MARTINEZ. Mr. President, today I congratulate Mr. Alex Soto as he nears the end of his term as the 102nd president of the Nation's largest insurance association, the Independent Insurance Agents & Brokers of America, IIABA. Mr. Soto was elected to the IIABA's executive committee in 2001 and was installed as the association's president last September.

Founded in 1896, IIABA, or the Big "I" as it is better known, is the Na-

tion's oldest and largest association of independent insurance agents and brokers, representing a network of more than 300,000 agents, brokers, and their employees. During his term as president of the Big "I," Alex Soto has been a leader on a number of issues for the association including natural disaster insurance, regulatory reform, and producer compensation. He is a national leader on enhancement and enforcement of building codes, which is an important issue in our home State of Florida. Notably, as chairman of the National Branding Committee and president of the IIABA, Alex devoted significant time and energy to the development and promotion of the "Trusted Choice" brand for independent agents. Thanks to his leadership, the Trusted Choice initiative has successfully created a distinctive mark that conveys the virtues of the independent agent insurance delivery system.

Alex Soto is also a great American success story. He came to the United States as a political refugee after fleeing communist Cuba in 1960 at the age of 11. When he arrived in this country, he did not speak any English and had to completely start over, learning the language, customs, and assimilating. Alex has gone on to achieve numerous accomplishments and is now the president of InSource, Inc., a successful and growing independent agency in Miami. He holds a degree in international affairs from Florida State University, the Chartered Property and Casualty Underwriter, CPCU, designation, and the Associate in Risk Management, ARM, designation. Alex has served as the chairman of the Florida Association of Insurance Agents, FAIA, and before that, as president of the Independent Insurance Agents of Dade County. He was vice chairman of the Florida Property Casualty Joint Underwriting Association, FPCJUA, in 1995-1996, as well as a member of the Governor's Commission on the Florida Insurance Crisis in 1993, and the Insurance Fraud Task Force in 1997.

In addition, Alex is active in his community. He has taught numerous insurance courses with the FAIA and at the University of Miami. He also serves as a trustee of the Archdiocese of Miami Trust. He was a member of St. Hugh Catholic Church Parish Council and a member of the Grove Outreach Center.

I sincerely thank Alex Soto for his work with the IIABA over the years and for his commitment to his profession, his community, and our State of Florida. His efforts are greatly appreciated. I am proud to count Alex as both a constituent and a friend. I wish him, his wife Patt, and their family all the best in their future endeavors.●

##### TRIBUTE IN HONOR OF MACDONALD GALLION

• Mr. SHELBY. Mr. President, today I pay tribute to MacDonald Gallion, who passed away on Saturday, August 11,

2007. For 13 years, MacDonald Gallion served as Alabama's attorney general. He was a personal friend of mine and along with the entire State of Alabama, I mourn his passing.

Born in Montgomery and raised in Birmingham, MacDonald Gallion moved to Tuscaloosa in the 1930s to attend the University of Alabama. While at the university, MacDonald Gallion studied law and subsequently received his bachelor of law degree in 1937. That same year, he returned to Birmingham where he began his law practice.

In 1941, following the start of World War II, MacDonald Gallion took a leave of absence from his law practice to enlist in the U.S. Marine Corps. He served his country with great valor, witnessing extreme combat in the South Pacific. While serving abroad, he was wounded at Saipan and was later awarded a Purple Heart. He received several other honors for courage and returned to the United States as first lieutenant.

Upon his return from war, MacDonald Gallion relocated to Montgomery to serve as assistant attorney general for the State of Alabama. However, after several years, he resigned to return to private practice.

Later, MacDonald Gallion would again be called to serve his State. He was appointed special counsel to Governor Gordon Persons during the historic Phenix City Trials and was asked in 1955 to serve as chief assistant attorney general to Attorney General John M. Patterson. In 1958, MacDonald Gallion was elected to serve as attorney general for the State of Alabama. He would again be elected to this position in 1966.

MacDonald Gallion served two terms as Alabama's attorney general. During his tenure, MacDonald Gallion led successful litigation in several significant cases including one that established Alabama's offshore oil and gas rights. This historic ruling would later pave the way for the State's multimillion-dollar trust fund. He also led the successful litigation against loansharks. At the time, this was the largest litigation of its kind in the United States.

Active in his community, MacDonald Gallion was a member of many civic organizations and legal associations. He held the position of assistant editor at the Alabama Lawyer and was listed among the "Who's Who in America." He was instrumental in the founding of the Alabama District Attorney's Association. For his many accomplishments and contributions to Alabama, MacDonald Gallion was inducted into the Alabama Senior Citizens Hall of Fame.

MacDonald Gallion will be missed by his son Thomas Travis Gallion III, and his daughter Mallory Gallion Bear. He will be remembered for his dedication and decades of service to the State of Alabama. I ask the entire Senate to join me in recognition of the life of MacDonald Gallion. ●

#### MESSAGES FROM THE HOUSE

At 2:49 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 2358) to require the Secretary of the Treasury to mint and issue coins in commemoration of Native Americans and the important contributions made by Indian tribes and individual Native Americans to the development of the United States and the history of the United States, and for other purposes.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2669) to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, that Messrs. GEORGE MILLER of California, ANDREWS, SCOTT of Virginia, HINOJOSA, TIERNEY, WU, Mrs. DAVIS of California, Messrs. DAVIS of Illinois, BISHOP of New York, Ms. HIRONO, Messrs. ALTMIRE, YARMUTH, COURTNEY, MCKEON, KELLER of Florida, Mrs. McMORRIS RODGERS, Ms. FOXX, Messrs. KUHLE of New York, WALBERG, SOUDER, EHLERS, Mrs. BIGGERT, and Mr. PRICE of Georgia, be managers of the conference on the part of the House.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 23. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

H.R. 694. An act to establish a digital and wireless network technology program, and for other purposes.

H.R. 2850. An act to provide for the implementation of a Green Chemistry Research and Development Program, and for other purposes.

H.R. 2992. An act to amend the Small Business Act to improve trade programs, and for other purposes.

H.R. 3020. An act to improve the Microloan program, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 377. An act to establish a United States-Poland parliamentary youth exchange program, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 196. Concurrent resolution authorizing the use of the Rotunda and grounds of the Capitol for a ceremony to award the Congressional Gold Medal to Tenzin Gyatso, the Fourteenth Dalai Lama.

At 6:00 p.m., a message from the House of Representatives, delivered by

Ms. Niland, one of its reading clerks, announced that the House has agreed to the following resolution:

H. Res. 632. Resolution relative to the death of the Honorable Paul E. Gillmor, a Representative, from the State of Ohio.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 23. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II; to the Committee on Veterans' Affairs.

H.R. 2850. An act to provide for the implementation of a Green Chemistry Research and Development Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 2992. An act to amend the Small Business Act to improve trade programs, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 3020. An act to amend the Small Business Act to improve the Microloan program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

#### MEASURES DISCHARGED

The following measure was discharged from the Committee on Foreign Relations, and referred as indicated:

S.J. Res. 17. A joint resolution directing the United States to initiate international discussions and take necessary steps with other Nations to negotiate an agreement for managing migratory and transboundary fish stocks in the Arctic Ocean; to the Committee on Commerce, Science, and Transportation.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 2419. An act to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

H.R. 3221. An act moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure.

#### 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-2890. A communication from the Under Secretary of Defense (Acquisition and Technology), transmitting, pursuant to law, an annual report on the Mentor-Protégé Program for fiscal year 2006; to the Committee on Armed Services.

EC-2891. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting,

pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; South Carolina: Revisions to Ambient Air Quality Standards" (FRL No. 8457-2) received on August 27, 2007; to the Committee on Environment and Public Works.

EC-2892. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pyriproxyfen; Pesticide Tolerance" (FRL No. 8142-4) received on August 27, 2007; to the Committee on Environment and Public Works.

EC-2893. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to Consolidated Federal Air Rule" (FRL No. 8459-5) received on August 27, 2007; to the Committee on Environment and Public Works.

EC-2894. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, South Coast Air Quality Management District" (FRL No. 8452-1) received on August 27, 2007; to the Committee on Environment and Public Works.

EC-2895. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Sacramento Metropolitan Air Quality Management District and San Joaquin Valley Air Pollution Control District Technical Amendment" (FRL No. 8458-9) received on August 27, 2007; to the Committee on Environment and Public Works.

EC-2896. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Two Optional Methods for Relative Accuracy Test Audits of Mercury Monitoring Systems Installed on Combustion Flue Gas Streams and Several Amendments to Related Mercury Monitoring Provisions" (FRL No. 8459-8) received on August 27, 2007; to the Committee on Environment and Public Works.

EC-2897. A communication from the Acting Deputy Director, Endangered Species Program, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Final Rule to Remove the Idaho Springsnail From the Federal List of Endangered and Threatened Wildlife" (RIN1018-AU66) received on August 27, 2007; to the Committee on Environment and Public Works.

EC-2898. A communication from the Acting Assistant Secretary for Fish, Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for *Catesbaea melanocarpa*" (RIN1018-AU76) received on August 27, 2007; to the Committee on Environment and Public Works.

EC-2899. A communication from the Acting Assistant Secretary for Fish, Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Hine's Emerald Dragonfly" (RIN1018-AU74) received on August 27, 2007; to the Committee on Environment and Public Works.

EC-2900. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Establishment of Interim Progress for the Annual Fine Particle National Ambient Air Quality Standard" (FRL No. 8461-5) received on August 27, 2007; to the Committee on Environment and Public Works.

EC-2901. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flusilazole; Pesticide Tolerances for Emergency Exemptions" (FRL No. 8138-6) received on August 27, 2007; to the Committee on Environment and Public Works.

EC-2902. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flutriafol; Time-Limited Pesticide Tolerance" (FRL No. 8135-6) received on August 27, 2007; to the Committee on Environment and Public Works.

EC-2903. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Propylene Oxide; Pesticide Tolerance" (FRL No. 8143-9) received on August 27, 2007; to the Committee on Environment and Public Works.

EC-2904. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Spinosad; Pesticide Tolerance" (FRL No. 8142-1) received on August 27, 2007; to the Committee on Environment and Public Works.

EC-2905. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Revised Denver and Longmont Carbon Monoxide Maintenance Plans, and Approval of Related Revisions" (FRL No. 8453-5) received on August 16, 2007; to the Committee on Environment and Public Works.

EC-2906. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Arizona-Phoenix PM-10 Non-attainment Area; Salt River Area Plan for Attainment of the 24-hour PM-10 Standard" (FRL No. 8446-1) received on August 16, 2007; to the Committee on Environment and Public Works.

EC-2907. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Idaho and Washington; Interstate Transport of Pollution; Withdrawal of Direct Final Rule" (FRL No. 8456-3) received on August 16, 2007; to the Committee on Environment and Public Works.

EC-2908. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled

"Approval and Promulgation of State Plan for Designated Facilities and Pollutants; Louisiana; Clean Air Mercury Rule" (FRL No. 8455-3) received on August 16, 2007; to the Committee on Environment and Public Works.

EC-2909. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Arkansas: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 8455-5) received on August 16, 2007; to the Committee on Environment and Public Works.

EC-2910. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Buprofezin; Pesticide Tolerance; Technical Correction" (FRL No. 8140-9) received on August 16, 2007; to the Committee on Environment and Public Works.

EC-2911. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cis-isomer of 1-(3-chloroallyl)-3,5,7-triazola-1-azoniaadamantane chloride; Exemption from the Requirement of a Tolerance" (FRL No. 8122-3) received on August 16, 2007; to the Committee on Environment and Public Works.

EC-2912. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fipronil; Pesticide Tolerances" (FRL No. 8142-6) received on August 16, 2007; to the Committee on Environment and Public Works.

EC-2913. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Lambda-Cyhalothrin; Pesticide Tolerance" (FRL No. 8143-1) received on August 16, 2007; to the Committee on Environment and Public Works.

EC-2914. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Louisiana: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 8455-9) received on August 16, 2007; to the Committee on Environment and Public Works.

EC-2915. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "New Mexico: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 8455-6) received on August 16, 2007; to the Committee on Environment and Public Works.

EC-2916. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Zucchini Yellow Mosaic Virus-Weak Strain; Exemption from the Requirement of a Tolerance" (FRL No. 8137-9) received on August 16, 2007; to the Committee on Environment and Public Works.

EC-2917. A communication from the Chairman, U.S. International Trade Commission, transmitting, pursuant to law, a report entitled, "The Year in Trade 2006"; to the Committee on Finance.

EC-2918. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled, "2007 Data Book: Healthcare Spending and the Medicare Program"; to the Committee on Finance.

EC-2919. A communication from the Regulations Coordinator, Office of Financial Management, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program and State Children's Health Insurance Program; Payment Error Rate Measurement" ((RIN0938-AN77) (Docket No. CMS-6026-F)) received on August 31, 2007; to the Committee on Finance.

EC-2920. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program, Hospice Wage Index For Fiscal Year 2008" ((RIN0938-AO72) (Docket No. CMS-1539-F)) received on August 31, 2007; to the Committee on Finance.

EC-2921. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Physicians' Referrals to Health Care Entities With Which They Have Financial Relationships" ((RIN0938-AK67) (Docket No. CMS-1810-F)) received on August 31, 2007; to the Committee on Finance.

EC-2922. 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 "Section 1045 Application to Partnerships" ((RIN1545-BC67) (TD 9353)) received on August 17, 2007; to the Committee on Finance.

EC-2923. 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 "Expenses for Household and Dependent Care Services Necessary for Gainful Employment" ((RIN1545-BB86) (TD 9354)) received on August 17, 2007; to the Committee on Finance.

EC-2924. 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 "Disregarded Entities; Employment and Excise Taxes" ((RIN1545-BE43) (TD 9356)) received on August 17, 2007; to the Committee on Finance.

EC-2925. 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 "Transaction of Interest—Contribution of Successor Member Interest" (Notice 2007-72) received on August 17, 2007; to the Committee on Finance.

EC-2926. 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 "Regulations Under Section 6655 Regarding Estimated Tax Payments by Corporations" ((RIN1545-AY22) (TD 9347)) received on August 7, 2007; to the Committee on Finance.

EC-2927. 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 "Weighted Average Interest Rate Update" (Notice 2007-68) received on August 27, 2007; to the Committee on Finance.

EC-2928. 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 "Elimination of Country-by-Country Reporting to Shareholders of Foreign Taxes Paid by Regulated Investment Companies" (TD 9357) received on August 27, 2007; to the Committee on Finance.

EC-2929. 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 "Examination and Closing Procedures for Form 8697, Look-Back Interest" (LMSB-04-0207-048) received on August 16, 2007; to the Committee on Finance.

EC-2930. 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 "Modification of Notice 2003-81" (Notice 2007-71) received on August 16, 2007; to the Committee on Finance.

EC-2931. 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 "2007 National Pool" (Rev. Proc. 2007-55) received on August 16, 2007; to the Committee on Finance.

EC-2932. 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 "Biotech Industry Overview Guide" (LMSB-04-0207-019) received on August 16, 2007; to the Committee on Finance.

EC-2933. 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 "Notice on Low Normal Retirement Age" (Notice 2007-69) received on August 16, 2007; to the Committee on Finance.

EC-2934. 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 "Revenue Procedure: Examination of Returns and Claims for Refund, Credit, or Abatement; Determination of Tax Liability" (Rev. Proc. 2007-58) received on August 27, 2007; to the Committee on Finance.

EC-2935. 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 "Food Industry Overview Guide" (LMSB-04-0207-018) received on August 16, 2007; to the Committee on Finance.

EC-2936. 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 "Domestic Production Deduction Industry Director Directive" (LMSB-04-0707-049) received on August 27, 2007; to the Committee on Finance.

EC-2937. 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 "Clarification of Section 6411 Regulations" ((RIN1545-BF66) (TD 9355)) received on August 27, 2007; to the Committee on Finance.

EC-2938. 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 "Pharmaceutical Industry Overview Guide" (LMSB-04-0207-010) received on August 16, 2007; to the Committee on Finance.

EC-2939. 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 "Update to Notice 2006-89—Section 906 of the Pension Protection Act of 2006" (Notice 2007-67) received on August 16, 2007; to the Committee on Finance.

EC-2940. 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 "Update of Rev. Rul. 94-62" (Rev. Rul. 2007-58) received on August 27, 2007; to the Committee on Finance.

EC-2941. 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 "Applicable Federal Rates—September 2007" (Rev. Rul. 2007-57) received on August 27, 2007; to the Committee on Finance.

EC-2942. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed agreement for the transfer of hardware, technical data, and defense services to Canada for the NIMIQ 5/6/5R Satellites Program; to the Committee on Foreign Relations.

EC-2943. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, two agreements between the American Institute in Taiwan and American organizations; to the Committee on Foreign Relations.

EC-2944. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2007-161—2007-180); to the Committee on Foreign Relations.

EC-2945. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed technical assistance agreement for the export of technical data, defense services and defense articles relating to the maintenance of the C-130 fleet of Saudi Arabia; to the Committee on Foreign Relations.

EC-2946. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of technical data, defense services and defense articles for the manufacture of 25MM Turrets for Kuwait; to the Committee on Foreign Relations.

EC-2947. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed technical assistance agreement for the export of technical data, defense services and defense articles to support repair and modification of Singapore's AH-64D helicopters; to the Committee on Foreign Relations.

EC-2948. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the effectiveness of UN efforts to prevent sexual exploitation and abuse in its peacekeeping missions; to the Committee on Foreign Relations.

EC-2949. A communication from the Secretary of State, transmitting, pursuant to law, the Joint Strategic Plan of the Department and the U.S. Agency for International Development for fiscal years 2007 to 2012; to the Committee on Foreign Relations.

EC-2950. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule

entitled "Amendments to Civil Penalties under ERISA Section 502(c)(7)" (RIN1210-AB23) received on August 11, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-2951. A communication from the Deputy Assistant Secretary, Office of Federal Contract Compliance Programs, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors Regarding Disabled Veterans, Recently Separated Veterans, Other Protected Veterans, and Armed Forces Service Medal Veterans" (RIN1215-AB46) received on August 11, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-2952. A communication from the Deputy Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044) received on August 8, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-2953. A communication from the Human Resources Specialist, Office of the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Public Affairs, received on August 3, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-2954. A communication from the Assistant Secretary for Civil Rights, Department of Education, transmitting, pursuant to law, the annual report of the Office of Civil Rights for fiscal year 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-2955. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, a report relative to the Department's inventory of inherently governmental and commercial activities for fiscal year 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-2956. A communication from the Acting White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary for Special Education and Rehabilitative Services, received on August 27, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-2957. A communication from the Acting White House Liaison, Department of Education, transmitting, pursuant to law, the report of the designation of an acting officer for the position of Assistant Secretary for Special Education and Rehabilitative Services, received on August 27, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-2958. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of a vacancy and nomination for the position of Assistant Secretary for Children and Families, received on August 27, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-2959. A communication from the President of the United States, transmitting, pursuant to law, the District of Columbia's Budget Request Act for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-2960. A communication from the Director, Strategic Human Resources Policy Division, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "5 CFR Part 990" (RIN3206-AJ97) received on August 8, 2007; to the Committee

on Homeland Security and Governmental Affairs.

EC-2961. A communication from the Director, Strategic Human Resources Policy Division, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Extension of Eligibility for Presidential Rank Awards to Employees in Senior-Level and Scientific-Professional Positions" (RIN3206-AJ65) received on August 8, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-2962. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Letter Report: Audit of Advisory Neighborhood Commission 3C for Fiscal Years 2005 through 2007, as of March 31, 2007"; to the Committee on Homeland Security and Governmental Affairs.

EC-2963. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Letter Report: Audit of Advisory Neighborhood Commission 3D for Fiscal Years 2005 Through 2007, as of March 31, 2007"; to the Committee on Homeland Security and Governmental Affairs.

EC-2964. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Letter Report: Audit of Advisory Neighborhood Commission 6B for Fiscal Years 2005 Through 2007, as of March 31, 2007"; to the Committee on Homeland Security and Governmental Affairs.

EC-2965. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Letter Report: Audit of Advisory Neighborhood Commission 4A for Fiscal Years 2005 through 2007, as of March 31, 2007"; to the Committee on Homeland Security and Governmental Affairs.

EC-2966. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, (2) reports relative to vacancy announcements within the Department, received on August 27, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC-2967. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Federal Emergency Management Agency Touhy Regulations" (RIN1660-AA54) (Docket No. FEMA-2007-0006) received on August 27, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC-2968. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Health Affairs and Chief Medical Officer, received on August 27, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC-2969. A communication from the Attorney General, transmitting, pursuant to law, the Department's Strategic Plan for fiscal years 2007 to 2012; to the Committee on the Judiciary.

EC-2970. A communication from the Under Secretary of Commerce (Intellectual Property), transmitting, pursuant to law, the report of a rule entitled "Changes to Practice for Continued Examination Filings, Patent Applications Containing Patentably Indistinct Claims, and Examination of Claims in Patent Applications" ((RIN0651-AB93) (RIN0651-AB94)) received on August 8, 2007; to the Committee on the Judiciary.

EC-2971. A communication from the Principal Deputy Assistant Attorney General, Of-

fice of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Bureau of Justice Assistance's annual report for fiscal year 2005; to the Committee on the Judiciary.

EC-2972. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Elimination of Exemptions for Chemical Mixtures Containing the List I Chemicals Ephedrine and/or Pseudoephedrine" (RIN1117-AB11) received on August 27, 2007; to the Committee on the Judiciary.

EC-2973. A communication from the Deputy White House Liaison, U.S. Attorney's Office for the Northern District of Indiana, Department of Justice, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of Acting U.S. Attorney, received on August 27, 2007; to the Committee on the Judiciary.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 376. A bill to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes (Rept. No. 110-150).

## 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. MENENDEZ:

S. 2018. A bill to allow the Department of Housing and Urban Development to better serve persons with limited proficiency in the English language by providing technical assistance to recipients of Federal funds; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. HUTCHISON (for herself and Mr. CORNYN):

S. 2019. A bill to prohibit the imposition and collection of tolls on certain highways constructed using Federal funds; 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. THUNE (for himself, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAIG, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr.

INOUE, Mr. ISAKSON, Mr. KENNEDY, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TESTER, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, and Mr. WYDEN):

S. Res. 306. A resolution concerning the return of Senator Tim Johnson; considered and agreed to.

By Mr. ISAKSON (for himself and Mr. SALAZAR):

S. Res. 307. A resolution supporting efforts to increase childhood cancer awareness, treatment, and research; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CHAMBLISS (for himself, Mr. ISAKSON, and Mrs. LINCOLN):

S. Res. 308. A resolution congratulating the Warner Robins American Little League team of Warner Robins, Georgia, for winning the championship game of the Little League World Series; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 156

At the request of Mr. WYDEN, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 156, a bill to make the moratorium on Internet access taxes and multiple and discriminatory taxes on electronic commerce permanent.

S. 367

At the request of Mr. DORGAN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 367, a bill to amend the Tariff Act of 1930 to prohibit the import, export, and sale of goods made with sweatshop labor, and for other purposes.

S. 604

At the request of Mr. LAUTENBERG, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 604, a bill to amend title 10, United States Code, to limit increases in the certain costs of health care services under the health care programs of the Department of Defense, and for other purposes.

S. 626

At the request of Mr. KENNEDY, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Hawaii (Mr. INOUE) were added as cosponsors of S. 626, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 630

At the request of Mr. COLEMAN, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 630, a bill to amend part C of title XVIII of the Social Security

Act to provide for a minimum payment rate by Medicare Advantage organizations for services furnished by a critical access hospital and a rural health clinic under the Medicare program.

S. 651

At the request of Mr. HARKIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 651, a bill to help promote the national recommendation of physical activity to kids, families, and communities across the United States.

S. 714

At the request of Mr. AKAKA, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 714, a bill to amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally.

S. 725

At the request of Mr. LEVIN, the names of the Senator from Illinois (Mr. OBAMA) and the Senator from Ohio (Mr. VOINOVICH) were added as cosponsors of S. 725, a bill to amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to reauthorize and improve that Act.

S. 772

At the request of Mr. KOHL, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 772, a bill to amend the Federal anti-trust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads.

S. 790

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 790, a bill to amend the Richard B. Russell National School Lunch Act to permit the simplified summer food programs to be carried out in all States and by all service institutions.

S. 807

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 807, a bill to amend the Comprehensive Environmental Response Compensation and Liability Act of 1980 to provide that manure shall not be considered to be a hazardous substance, pollutant, or contaminant.

S. 911

At the request of Mr. COLEMAN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 911, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 935

At the request of Mr. NELSON of Florida, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 935, a bill to repeal the

requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 968

At the request of Mrs. BOXER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 968, a bill to amend the Foreign Assistance Act of 1961 to provide increased assistance for the prevention, treatment, and control of tuberculosis, and for other purposes.

S. 988

At the request of Ms. MIKULSKI, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 988, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

S. 1060

At the request of Mr. BIDEN, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 1060, a bill to reauthorize the grant program for reentry of offenders into the community in the Omnibus Crime Control and Safe Streets Act of 1968, to improve reentry planning and implementation, and for other purposes.

S. 1107

At the request of Mr. SMITH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1107, a bill to amend title XVIII of the Social Security Act to reduce cost-sharing under part D of such title for certain non-institutionalized full-benefit dual eligible individuals.

S. 1239

At the request of Mr. ROCKEFELLER, the name of the Senator from Ohio (Mr. VOINOVICH) 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. 1246

At the request of Mr. LIEBERMAN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1246, a bill to establish and maintain a wildlife global animal information network for surveillance internationally to combat the growing threat of emerging diseases that involve wild animals, such as bird flu, and for other purposes.

S. 1251

At the request of Mrs. LINCOLN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1251, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of horses, and for other purposes.

S. 1306

At the request of Mr. OBAMA, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 1306, a bill to direct the Consumer Product Safety Commission to classify certain children's products containing lead to be banned hazardous substances.

S. 1310

At the request of Mr. SCHUMER, the name of the Senator from Missouri (Mrs. MCCASKILL) 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. 1338

At the request of Mr. ROCKEFELLER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1338, a bill to amend title XVIII of the Social Security Act to provide for a two-year moratorium on certain Medicare physician payment reductions for imaging services.

S. 1374

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1374, a bill to assist States in making voluntary high quality full-day prekindergarten programs available and economically affordable for the families of all children for at least 1 year preceding kindergarten.

S. 1416

At the request of Mrs. LINCOLN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1416, a bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for mortgage insurance premiums.

S. 1451

At the request of Mr. WHITEHOUSE, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1451, a bill to encourage the development of coordinated quality reforms to improve health care delivery and reduce the cost of care in the health care system.

S. 1459

At the request of Mr. MENENDEZ, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1459, a bill to strengthen the Nation's research efforts to identify the causes and cure of psoriasis and psoriatic arthritis, expand psoriasis and psoriatic arthritis data collection, study access to and quality of care for people with psoriasis and psoriatic arthritis, and for other purposes.

S. 1484

At the request of Mr. ROBERTS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1484, a bill to amend part B of title XVIII of the Social Security Act to restore the Medicare treatment of ownership of oxygen equipment to that in effect before enactment of the Deficit Reduction Act of 2005.

S. 1551

At the request of Mr. BROWN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1551, a bill to amend the Public Health Service Act with respect to making progress toward the goal of eliminating tuberculosis, and for other purposes.

S. 1555

At the request of Mr. LAUTENBERG, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1555, a bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, and for other purposes.

S. 1627

At the request of Mrs. LINCOLN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1627, a bill to amend the Internal Revenue Code of 1986 to extend and expand the benefits for businesses operating in empowerment zones, enterprise communities, or renewal communities, and for other purposes.

S. 1651

At the request of Mr. KENNEDY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1651, a bill to assist certain Iraqis who have worked directly with, or are threatened by their association with, the United States, and for other purposes.

S. 1661

At the request of Mr. DORGAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1661, a bill to communicate United States travel policies and improve marketing and other activities designed to increase travel in the United States from abroad.

S. 1738

At the request of Mr. BIDEN, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1738, a bill to establish a Special Counsel for Child Exploitation Prevention and Interdiction within the Office of the Deputy Attorney General, to improve the Internet Crimes Against Children Task Force, to increase resources for regional computer forensic labs, and to make other improvements to increase the ability of law enforcement agencies to investigate and prosecute predators.

S. 1744

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1744, a bill to prohibit the application of certain restrictive eligibility requirements to foreign non-governmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 1760

At the request of Mr. BROWN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1760, a bill to amend the Public Health Service Act with respect to the Healthy Start Initiative.

S. 1776

At the request of Mr. DURBIN, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of 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.

S. 1792

At the request of Mr. BROWN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 1792, a bill to amend the Worker Adjustment and Retraining Notification Act to improve such Act.

S. 1816

At the request of Mrs. CLINTON, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1816, a bill to authorize the Secretary of the Interior to establish a commemorative trail in connection with the Women's Rights National Historical Park to link properties that are historically and thematically associated with the struggle for women's suffrage, and for other purposes.

S. 1905

At the request of Ms. KLOBUCHAR, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1905, a bill to provide for a rotating schedule for regional selection of delegates to a national Presidential nominating convention, and for other purposes.

S. 1924

At the request of Mr. CARPER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1924, a bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any of certain diseases is the result of the performance of such employee's duty.

S. 1942

At the request of Mr. HARKIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1942, a bill to amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants for the renovation of schools.

S. 1951

At the request of Mr. BAUCUS, the names of the Senator from New Mexico (Mr. BINGAMAN), the Senator from Nebraska (Mr. HAGEL), and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1951, a bill to amend title XIX of the Social Security Act to ensure that individuals eligible for medical assistance under the Medicaid program continue to have access to prescription drugs, and for other purposes.

S. 1954

At the request of Mr. BAUCUS, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1954, a bill to amend title XVIII of the Social Security Act to improve access to pharmacies under part D.

S. 1971

At the request of Mr. KERRY, the name of the Senator from New York

(Mrs. CLINTON) was added as a cosponsor of S. 1971, a bill to authorize a competitive grant program to assist members of the National Guard and Reserve and former and current members of the Armed Forces in securing employment in the private sector, and for other purposes.

## S. CON. RES. 31

At the request of Mr. FEINGOLD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a sponsor of S. Con. Res. 31, a concurrent resolution expressing support for advancing vital United States interests through increased engagement in health programs that alleviate disease and reduce premature death in developing nations, especially through programs that combat high levels of infectious disease, improve children's and women's health, decrease malnutrition, reduce unintended pregnancies, fight the spread of HIV/AIDS, encourage healthy behaviors, and strengthen health care capacity.

## S. RES. 178

At the request of Mr. BINGAMAN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 178, a resolution expressing the sympathy of the Senate to the families of women and girls murdered in Guatemala, and encouraging the United States to work with Guatemala to bring an end to these crimes.

## S. RES. 301

At the request of Mrs. LINCOLN, the names of the Senator from New York (Mr. SCHUMER), the Senator from New Jersey (Mr. MENENDEZ), the Senator from California (Mrs. BOXER), the Senator from Vermont (Mr. LEAHY), the Senator from Michigan (Ms. STABENOW), the Senator from Connecticut (Mr. DODD), the Senator from Colorado (Mr. SALAZAR), the Senator from Illinois (Mr. DURBIN), the Senator from Illinois (Mr. OBAMA), the Senator from Delaware (Mr. BIDEN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Delaware (Mr. CARPER), the Senator from Massachusetts (Mr. KERRY), the Senator from California (Mrs. FEINSTEIN), the Senator from Georgia (Mr. CHAMBLISS), and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. Res. 301, a resolution recognizing the 50th anniversary of the desegregation of Little Rock Central High School, one of the most significant events in the American civil rights movement.

## AMENDMENT NO. 2000

At the request of Mr. NELSON of Florida, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 2000 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. 2661

At the request of Mr. FEINGOLD, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of amendment No. 2661 proposed to H.R. 2642, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

## SUBMITTED RESOLUTIONS

## SENATE RESOLUTION 306—CONCERNING THE RETURN OF SENATOR TIM JOHNSON

Mr. THUNE (for himself, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAIG, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. KENNEDY, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TESTER, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

## S. RES. 306

Whereas Tim Johnson is returning to the United States Senate after an absence to recuperate from an intracranial hemorrhage suffered on December 13, 2006: Now, therefore, be it

*Resolved*, That, as Senator Tim Johnson returns to the Senate, his fellow Members of the Senate extend their warmest welcome and express their personal happiness at his return, and offer their very best wishes for his continued good health.

## SENATE RESOLUTION 307—SUPPORTING EFFORTS TO INCREASE CHILDHOOD CANCER AWARENESS, TREATMENT, AND RESEARCH

Mr. ISAKSON (for himself and Mr. SALAZAR) submitted the following reso-

lution; which was referred to the Committee on Health, Education, Labor, and Pensions:

## S. RES. 307

Whereas an estimated 12,400 children are diagnosed with cancer each year;

Whereas cancer is the leading cause of death by disease in children under age 15;

Whereas an estimated 2,300 children die from cancer each year;

Whereas the incidence of cancer among children in the United States is rising by about 1 percent each year;

Whereas 1 in every 330 people in the United States develops cancer before age 20;

Whereas approximately 8 percent of deaths of individuals between 1 and 19 years old are caused by cancer;

Whereas, while some progress has been made, a number of opportunities for childhood cancer research still remain unfunded or underfunded;

Whereas limited resources for childhood cancer research can hinder the recruitment of investigators and physicians to field of pediatric oncology;

Whereas the results of peer-reviewed clinical trials have helped to raise the standard of care for pediatrics and have improved cancer survival rates among children;

Whereas the number of survivors of childhood cancers continues to increase, with about 1 in 640 adults between ages 20 to 39 having a history of cancer;

Whereas up to ⅓ of childhood cancer survivors are likely to experience at least 1 late effect from treatment, which may be life-threatening;

Whereas some late effects of cancer treatment are identified early in follow-up and are easily resolved, while others may become chronic problems in adulthood and have serious consequences; and

Whereas 89 percent of children with cancer experience substantial suffering in the last month of life: Now, therefore, be it

*Resolved*, That it is the sense of Senate that Congress should support—

(1) public and private sector efforts to promote awareness about—

(A) the incidence of cancer among children;

(B) the signs and symptoms of cancer in children;

(C) options for the treatment of, and long-term follow-up for, childhood cancers;

(2) increased public and private investment in childhood cancer research to improve prevention, diagnosis, treatment, rehabilitation, post-treatment monitoring, and long-term survival;

(3) policies that provide incentives to encourage medical trainees and investigators to enter the field of pediatric oncology;

(4) policies that provide incentives to encourage the development of drugs and biologics designed to treat pediatric cancers;

(5) policies that encourage participation in clinical trials;

(6) medical education curricula designed to improve pain management for cancer patients; and

(7) policies that enhance education, services, and other resources related to late effects from treatment.

SENATE RESOLUTION 308—CONGRATULATING THE WARNER ROBINS AMERICAN LITTLE LEAGUE TEAM OF WARNER ROBINS, GEORGIA, FOR WINNING THE CHAMPIONSHIP GAME OF THE LITTLE LEAGUE WORLD SERIES

Mr. CHAMBLISS (for himself and Mr. ISAKSON, and Mrs. LINCOLN) submitted the following resolution; which was considered and agreed to:

S. RES. 308

Whereas, on August 26, 2007, the Warner Robins American Little League team defeated the Tokyo Kitasuna Little League team of Tokyo, Japan, by 3 runs to 2 runs to win the 61st annual Little League Baseball World Series;

Whereas the Warner Robins American Little League team had an impressive record of 20 wins and only 1 loss;

Whereas the success of the Warner Robins American Little League team depended on the tremendous dedication and sportsmanship of the team, including—

- (1) Keaton Allen, who played outfield and pitched for the team;
- (2) Dalton Carriker, who played shortstop and pitched for the team;
- (3) Zane Conlon, who played 2nd base, shortstop, outfield, and pitched for the team;
- (4) Hunter Jackson, who played 3rd base;
- (5) Taylor Lay, who played 2nd base and outfield;
- (6) Nick Martens, who played 2nd base and outfield;
- (7) Payton Purvis, who played outfield;
- (8) Kendall Scott, who pitched and caught for the team;
- (9) Hunt Smith, who played 1st base and outfield;
- (10) David Umphreyville, who played outfield and caught for the team;
- (11) Micah Wells, who played 1st base; and
- (12) Clint Wynn, who played outfield and pitched for the team;

Whereas the Warner Robins American Little League team was managed by Mickey Lay and coached by Mike Conlon, Tommy Morris, and Mike Smith, each of whom demonstrated leadership, professionalism, and respect for the players they led and the game of baseball;

Whereas the fans of the Warner Robins American Little League team showed enthusiasm, support, and courtesy for the game of baseball and all of the players and coaches;

Whereas the performance of the Warner Robins American Little League team demonstrated to parents and communities throughout the United States that athletic participation builds character and leadership in children;

Whereas the Warner Robins American Little League team became the second consecutive team from the State of Georgia to win the Little League World Series, following the win by the Columbus Northern Little League team in 2006;

Whereas Georgia is only the 4th State to produce back-to-back champions in the 61-year history of the Little League World Series and the first State to win back-to-back titles since 1992-1993;

Whereas every team from the State of Georgia that has participated in the Little League World Series has won the Championship; and

Whereas the Warner Robins American Little League team brought pride and honor to the State of Georgia and the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates and honors the Warner Robins American Little League team and the

loyal fans who supported the team on winning the 61st annual Little League Baseball World Series;

(2) recognizes and commends the hard work, dedication, determination, and commitment to excellence of the members, parents, coaches, and managers of the Warner Robins American Little League team;

(3) recognizes and commends the people of Warner Robins, Georgia, for the outstanding loyalty and support that they displayed for the Warner Robins American Little League team throughout the season;

(4) commends Little League Baseball for continuing the tradition of encouraging the development of sportsmanship and confidence in youth by sponsoring world-class baseball; and

(5) respectfully requests—

(A) that the American people recognize the achievements of the Warner Robins American Little League team; and

(B) that the Secretary of the Senate transmit an enrolled copy of this resolution to—

- (i) the City of Warner Robins; and
- (ii) the Warner Robins American Little League Baseball team for appropriate display.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2662. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table.

SA 2663. Mr. HAGEL submitted an amendment intended to be proposed by him to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2664. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2665. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2666. Mr. MCCONNELL (for himself and Mr. BUNNING) submitted an amendment intended to be proposed by him to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2667. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2668. Mr. TESTER (for himself, Mr. BYRD, Mr. BROWN, Mrs. McCASKILL, Mr. SALAZAR, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2669. Mr. TESTER (for himself, Mr. BYRD, Mr. BROWN, Mrs. McCASKILL, Mr. SALAZAR, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill H.R. 2642, supra.

SA 2670. Mr. SALAZAR (for himself and Mr. ALLARD) submitted an amendment intended to be proposed by him to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2671. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2672. Mr. BROWN (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2673. Mr. BROWN submitted an amendment intended to be proposed by him to the

bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2674. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2675. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2676. Mrs. BOXER (for herself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by her to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2677. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2642, supra.

SA 2678. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2679. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2642, supra.

SA 2680. Ms. STABENOW (for herself and Mr. LEVIN) submitted an amendment intended to be proposed by her to the bill H.R. 2642, supra.

SA 2681. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2642, supra.

SA 2682. Mr. STEVENS (for himself, Ms. MURKOWSKI, and Mr. INOUE) submitted an amendment intended to be proposed by him to the bill H.R. 2642, supra.

SA 2683. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2684. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2685. Mr. SALAZAR (for himself and Mr. ALLARD) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2686. Mr. DEMINT proposed an amendment to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

SA 2687. Mr. COLEMAN (for himself, Mr. ALLARD, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill H.R. 2642, supra; which was ordered to lie on the table.

SA 2688. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2642, supra.

#### TEXT OF AMENDMENTS

**SA 2662.** Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 50, between lines 17 and 18, insert the following:

SEC. 408. None of the funds appropriated or otherwise made available by this Act may be

used for any action that is related to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.

**SA 2663.** Mr. HAGEL submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. It is the sense of Congress that, in order to expedite construction projects of the Department of Veterans Affairs and any other real property improvements of the Department that are authorized, or for which funds are appropriated, by this Act, use of the design-build method of project delivery, in which one entity provides both design and construction services, is encouraged.

**SA 2664.** Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. None of the funds appropriated or otherwise made available by this Act may be used during fiscal year 2008 to round down dollar amounts to the next lower whole dollar for payments of the following:

(1) Disability compensation under section 1114 of 38, United States Code.

(2) Additional compensation for dependents under section 1115(1) of such title.

(3) Clothing allowance under section 1162 of such title.

(4) Dependency and indemnity compensation to surviving spouse under subsections (a) through (d) of section 1311 of such title.

(5) Dependency and indemnity compensation to children under sections 1313(a) and 1314 of such title.

**SA 2665.** Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. Of the amount appropriated or otherwise made available by this title under the heading "MEDICAL SERVICES", \$13,000,000 shall be available for the National Center for Post-Traumatic Stress Disorder.

**SA 2666.** Mr. MCCONNELL (for himself and Mr. BUNNING) submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 4 and 5, insert the following:

SEC. 127. (a) The amount appropriated or otherwise made available by this title for "CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE" is hereby increased by \$17,000,000.

(b) Of the amount appropriated or otherwise made available by this title for "CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE", as increased by subsection (a), \$17,000,000 shall be available for the construction of a munitions demilitarization facility at Blue Grass Army Depot, Kentucky.

(c) The amount of the increase under subsection (a) shall be derived from unobligated balances from the amounts appropriated or otherwise made available for military quality of life and veterans affairs from prior fiscal years.

**SA 2667.** Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ . PROHIBITION ON REQUIRING ADOPTION OF CERTAIN "CROWD-OUT" STRATEGIES AND CERTAIN ASSURANCES AS A CONDITION OF APPROVAL FOR EXPANSION OF AN INCOME ELIGIBILITY LEVEL FOR CHILDREN UNDER THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM (SCHIP).

The requirements set forth in the August 17, 2007, letter to State Health Officials from the Director of the Center for Medicaid and State Operations in the Centers for Medicare & Medicaid Services requiring States that expand the income eligibility level for children under the State Children's Health Insurance Program (CHIP) above 250 percent of the Federal poverty level to adopt the 5 crowd-out strategies described in such letter with the components identified therein, and to provide certain assurances described in such letter, are null and void and shall not be applied.

**SA 2668.** Mr. TESTER (for himself, Mr. BYRD, Mr. BROWN, Mrs. MCCASKILL, Mr. SALAZAR, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. (a) ADDITIONAL AMOUNT FOR MEDICAL SERVICES.—The amount appropriated or otherwise made available by this title under the heading "MEDICAL SERVICES" is hereby increased by \$125,000,000.

(b) AVAILABILITY.—(1) Of the amount appropriated or otherwise made available by this title under the heading "MEDICAL SERVICES", as increased by subsection (a), \$125,000,000 shall be available for the Veterans Beneficiary Travel Program to use the mileage reimbursement rate prescribed by the Administrator of General Services under section 5707(b) of title 5, United States Code, for the use of privately owned vehicles by Government employees on official business (when a Government vehicle is available), without adjusting the deductible established under section 111(c)(1) of title 38, United States Code.

(2) The amount available for the Veterans Beneficiary Travel Program under this subsection is in addition to any other amounts available for that program under this title.

(c) OFFSET.—The amount appropriated or otherwise made available by this title for the Veterans Health Administration under the heading "MEDICAL ADMINISTRATION" is hereby decreased by \$125,000,000.

**SA 2669.** Mr. TESTER (for himself, Mr. BYRD, Mr. BROWN, Mrs. MCCASKILL, Mr. SALAZAR, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. (a) ADDITIONAL AMOUNT FOR MEDICAL SERVICES.—The amount appropriated or otherwise made available by this title under the heading "MEDICAL SERVICES" is hereby increased by \$125,000,000.

(b) AVAILABILITY.—Of the amount appropriated or otherwise made available by this title under the heading "MEDICAL SERVICES", as increased by subsection (a), \$125,000,000 shall be available for the Veterans Beneficiary Travel Program. The amount available for the Veterans Beneficiary Travel Program under this subsection is in addition to any other amounts available for that program under this title.

(c) OFFSET.—The amount appropriated or otherwise made available by this title for the Veterans Health Administration under the heading "MEDICAL ADMINISTRATION" is hereby decreased by \$125,000,000.

**SA 2670.** Mr. SALAZAR (for himself and Mr. ALLARD) submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 4 and 5, insert the following:

SEC. 127. (a) The amount appropriated or otherwise made available by this title for "CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE" is hereby increased by \$32,000,000.

(b) Of the amount appropriated or otherwise made available by this title for "CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE", as increased by subsection (a), \$32,000,000 shall be available for the construction of a munitions demilitarization facility at Pueblo Chemical Depot, Colorado.

(c) The amount of the increase under subsection (a) shall be derived from unobligated balances from the amounts appropriated or otherwise made available for military quality of life and veterans affairs from prior fiscal years.

**SA 2671.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. (a) REPORTS ON RECONSTRUCTION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN NEW ORLEANS, LOUISIANA.—(1) Not later than October 1 and April 1 each year, the Secretary of Veterans Affairs shall submit to the Subcommittees of Congress referred to in section 407 a report on the current status of the reconstruction of the Department of Veterans Affairs Medical Center in New Orleans, Louisiana. Each report shall include the following:

(A) The current status of the reconstruction of the Medical Center, including the status of any ongoing environmental assessments, the status of any current construction, and an assessment of the adequacy of funding necessary to complete the reconstruction.

(B) If reconstruction of the Medical Center is subject to any major delay—

(i) a description of each such delay;

(ii) an explanation for each such delay; and

(iii) a description of the action being taken or planned to address the delay.

(C) A description of current and anticipated funding for the reconstruction of the Medical Center, including an estimate of any additional funding required for the reconstruction.

(2) The requirement in paragraph (1) shall cease on the day that the reconstruction of the Medical Center referred to in that paragraph is completed.

(b) REPORT ON DESIGNATION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN NEW ORLEANS AS POLYTRAUMA REHABILITATION CENTER OR POLYTRAUMA NETWORK SITE.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Subcommittees of Congress referred to in section 407 a report setting forth the recommendation of the Secretary as to whether or not the Department of Veterans Affairs Medical Center being reconstructed in new Orleans, Louisiana, should be designated as a tier I polytrauma rehabilitation center or a polytrauma network site.

**SA 2672.** Mr. BROWN (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 4 and 5, insert the following:

SEC. 127. (a) The amount appropriated or otherwise made available by this title for “MILITARY CONSTRUCTION, DEFENSE-WIDE” is hereby increased by \$20,000,000.

(b) Of the amount appropriated or otherwise made available by this title for “MILITARY CONSTRUCTION, DEFENSE-WIDE”, as increased by subsection (a), \$20,000,000 shall be available for the modernizing and renovation of canine facilities of the Armed Forces.

**SA 2673.** Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. None of the funds appropriated or otherwise made available by this Act or any

other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with—

(1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, and Independent Agencies Appropriations Act, 2006 (Public Law 109-115; 119 Stat. 2506); or

(2) section 8110(a)(5) of title 38, United States Code.

**SA 2674.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. Section 4332 of title 38, United States Code, is amended—

(1) by redesignating paragraphs (2), (3), (4), (5), and (6) as paragraphs (3), (4), (5), (6), and (7) respectively;

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) The number of complaints received by the Department of Defense under this chapter during the fiscal year for which the report is made regarding violations of the employment and reemployment rights of Reserves under this chapter.”; and

(3) in paragraph (5), as so redesignated, by striking “(2), or (3)” and inserting “(2), (3), or (4)”.

**SA 2675.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. Section 3485(a)(4) of title 38, United States Code, is amended by striking “June 30, 2007” each place it appears and inserting “June 30, 2012”.

**SA 2676.** Mrs. BOXER (for herself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by her to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. Section 1980A(b)(1) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

“(I) The inability to carry out the activities of daily living due to Post-Traumatic Stress Disorder (PTSD) that is acquired as a direct result of combat experience.”.

**SA 2677.** Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. (a) AUTHORITY FOR TRANSFER OF FUNDS TO SECRETARY OF HEALTH AND HUMAN SERVICES TO TRAIN PSYCHOLOGISTS.—Upon a determination by the Secretary of Veterans Affairs that such action is in the national interest, the Secretary of Veterans Affairs may transfer not more than \$5,000,000 to the Secretary of Health and Human Services for the Graduate Psychology Education Program to support increased training of psychologists skilled in the treatment of post-traumatic stress disorder, traumatic brain injury, and related disorders.

(b) LIMITATION ON USE OF TRANSFERRED FUNDS.—The Secretary of Health and Human Services may only use funds transferred under this section for the purposes described in subsection (a).

(c) NOTIFICATION.—The Secretary of Veterans Affairs shall notify Congress of any such transfer of funds under this section.

**SA 2678.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. (a) REPORTS ON RECONSTRUCTION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN NEW ORLEANS, LOUISIANA.—(1) Not later than October 1 and April 1 each year, the Secretary of Veterans Affairs must submit to the Committees on Appropriations a report on the current status of the reconstruction of the Department of Veterans Affairs Medical Center in New Orleans, Louisiana. Each report shall include the following:

(A) The current status of the reconstruction of the Medical Center, including the status of any ongoing environmental assessments, the status of any current construction, and an assessment of the adequacy of funding necessary to complete the reconstruction.

(B) If reconstruction of the Medical Center is subject to any major delay—

(i) a description of each such delay;

(ii) an explanation for each such delay; and

(iii) a description of the action being taken or planned to address the delay.

(C) A description of current and anticipated funding for the reconstruction of the Medical Center, including an estimate of any additional funding required for the reconstruction.

(2) The requirement in paragraph (1) shall cease on the day that the reconstruction of the Medical Center referred to in that paragraph is completed.

(b) REPORT ON DESIGNATION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN NEW ORLEANS AS POLYTRAUMA REHABILITATION CENTER OR POLYTRAUMA NETWORK SITE.—Not later than 60 days after the date of the enactment of this Act, the Secretary must submit to the Committees on Appropriations a report setting forth the recommendation of the Secretary as to whether or not the Department of Veterans Affairs Medical Center being reconstructed in new Orleans, Louisiana, should be designated as a tier I polytrauma rehabilitation center or a polytrauma network site.

**SA 2679.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2642, making appropriations for military construction,

the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. (a) REPORTS ON RECONSTRUCTION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN NEW ORLEANS, LOUISIANA.—(1) Not later than October 1 and April 1 each year, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations a report on the current status of the reconstruction of the Department of Veterans Affairs Medical Center in New Orleans, Louisiana. Each report shall include the following:

(A) The current status of the reconstruction of the Medical Center, including the status of any ongoing environmental assessments, the status of any current construction, and an assessment of the adequacy of funding necessary to complete the reconstruction.

(B) If reconstruction of the Medical Center is subject to any major delay—

- (i) a description of each such delay;
- (ii) an explanation for each such delay; and
- (iii) a description of the action being taken or planned to address the delay.

(C) A description of current and anticipated funding for the reconstruction of the Medical Center, including an estimate of any additional funding required for the reconstruction.

(2) The requirement in paragraph (1) shall cease on the day that the reconstruction of the Medical Center referred to in that paragraph is completed.

(b) REPORT ON DESIGNATION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN NEW ORLEANS AS POLYTRAUMA REHABILITATION CENTER OR POLYTRAUMA NETWORK SITE.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Appropriations a report setting forth the recommendation of the Secretary as to whether or not the Department of Veterans Affairs Medical Center being reconstructed in new Orleans, Louisiana, should be designated as a tier I polytrauma rehabilitation center or a polytrauma network site.

**SA 2680.** Ms. STABENOW (for herself and Mr. LEVIN) submitted an amendment intended to be proposed by her to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ . LIEUTENANT COLONEL CLEMENT C. VAN WAGONER DEPARTMENT OF VETERANS AFFAIRS CLINIC.

(a) DESIGNATION.—The Department of Veterans Affairs clinic located in Alpena, Michigan, shall be known and designated as the “Lieutenant Colonel Clement C. Van Wagoner Department of Veterans Affairs Clinic”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Department of Veterans Affairs clinic referred to in subsection (a) shall be deemed to be a reference to the “Lieutenant Colonel Clement C. Van Wagoner Department of Veterans Affairs Clinic”.

**SA 2681.** Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2642, making ap-

propriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place in the bill, insert:

SEC. . The Secretary of Veterans Affairs may carry out a major medical facility lease in fiscal year 2008 in an amount not to exceed \$12,000,000 to implement the recommendations outlined in the August, 2007 Study of South Texas Veterans’ Inpatient and Specialty Outpatient Health Care Needs.

**SA 2682.** Mr. STEVENS (for himself, Ms. MURKOWSKI, and Mr. INOUYE) submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. (a) REPORT ON ACCESS TO MEDICAL SERVICES PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS TO VETERANS IN REMOTE RURAL AREAS.—Not later than six months after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report setting forth the following:

(1) A description of the following:

(A) The unique challenges and costs faced by veterans in remote rural areas of contiguous and non-contiguous States when obtaining medical services from the Department of Veterans Affairs.

(B) The need to improve access to locally-administered care for veterans who reside in remote rural areas.

(C) The need to fund alternative sources of medical services—

(i) in areas where facilities of the Department of Veterans Affairs are not accessible to veterans without leaving such areas; and

(ii) in cases in which receipt of medical services by a veteran in a facility of the Department requires transportation of such veteran by air due to geographic and infrastructural constraints.

(2) An assessment of the potential for increasing local access to medical services for veterans in remote rural areas of contiguous and non-contiguous States through strategic partnerships with other government and local private health care providers.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committees on Veterans’ Affairs of the Senate and the House of Representatives; and

(2) the Subcommittees referred to in section 407.

**SA 2683.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table, as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. (a) PROHIBITION ON INTERMENT OR MEMORIALIZATION IN NATIONAL CEMETERIES OR ARLINGTON NATIONAL CEMETERY OF PERSONS COMMITTING FEDERAL OR STATE SEX CRIMES.—None of the funds appropriated or otherwise made available in this Act may be

used to provide interments and memorializations in violation of section 2411 of title 38, United States Code, as amended by subsection (b).

(b) AMENDMENTS.—Section 2411 of title 38, United States Code, is amended—

(1) in subsection (b)—

(A) by redesignating paragraph (3) as paragraph (5);

(B) by inserting after paragraph (2) the following new paragraphs (3) and (4):

“(3) A person who has been convicted of a Federal sex crime.

“(4) A person who has been convicted of a State sex crime.”; and

(C) in paragraph (5)(A), as redesignated by subparagraph (A), by striking “or a State capital crime” and inserting “, a State capital crime, a Federal sex crime, or a State sex crime”;

(2) in subsection (c), by striking “under subsection (b)(3)” and inserting “under subsection (b)(5)”;

(3) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (5); and

(B) by inserting after paragraph (2) the following new paragraphs (3) and (4):

“(3) The term ‘Federal sex crime’ means a criminal offense under Federal law that has an element involving a sexual act or sexual contact with another, including rape or sexual assault.

“(4) The term ‘State sex crime’ means a criminal offense that is a felony under State law and has an element involving a sexual act or sexual contact with another, including rape or sexual assault.”.

(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall apply to interments and memorializations in cemeteries of the National Cemetery Administration or Arlington National Cemetery that occur after the date of the enactment of this section.

**SA 2684.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table, as follows:

On page 46, between lines 2 and 3, insert the following:

SEC. 227. (a) PROHIBITION ON INTERMENT OR MEMORIALIZATION IN NATIONAL CEMETERIES OR ARLINGTON NATIONAL CEMETERY OF PERSONS COMMITTING FEDERAL OR STATE SEX CRIMES.—Section 2411 of title 38, United States Code, is amended—

(1) in subsection (b)—

(A) by redesignating paragraph (3) as paragraph (5);

(B) by inserting after paragraph (2) the following new paragraphs (3) and (4):

“(3) A person who has been convicted of a Federal sex crime.

“(4) A person who has been convicted of a State sex crime.”; and

(C) in paragraph (5)(A), as redesignated by subparagraph (A), by striking “or a State capital crime” and inserting “, a State capital crime, a Federal sex crime, or a State sex crime”;

(2) in subsection (c), by striking “under subsection (b)(3)” and inserting “under subsection (b)(5)”;

(3) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (5); and

(B) by inserting after paragraph (2) the following new paragraphs (3) and (4):

“(3) The term ‘Federal sex crime’ means a criminal offense under Federal law that has

an element involving a sexual act or sexual contact with another, including rape or sexual assault.

“(4) The term ‘State sex crime’ means a criminal offense that is a felony under State law that has an element involving a sexual act or sexual contact with another, including rape or sexual assault.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to interments and memorializations in cemeteries of the National Cemetery Administration or Arlington National Cemetery that occur after the date of the enactment of this section.

**SA 2685.** Mr. SALAZAR (for himself and Mr. ALLARD) 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 the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal 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 XXVIII, add the following:

**SEC. 2864. REPORT ON THE PINON CANYON MANEUVER SITE, COLORADO.**

(a) REPORT ON THE PINON CANYON MANEUVER SITE.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report on the Pinon Canyon Maneuver Site (referred to in this section as “the Site”).

(2) CONTENT.—The report required under paragraph (1) shall include the following:

(A) An analysis of whether existing training facilities at Fort Carson, Colorado, and the Site are sufficient to support the training needs of units stationed or planned to be stationed at Fort Carson, including the following:

(i) A description of any new training requirements or significant developments affecting training requirements for units stationed or planned to be stationed at Fort Carson since the 2005 Defense Base Closure and Realignment Commission found that the base has “sufficient capacity” to support four brigade combat teams and associated support units at Fort Carson.

(ii) A study of alternatives for enhancing training facilities at Fort Carson and the Site within their current geographic footprint, including whether these additional investments or measures could support additional training activities.

(iii) A description of the current training calendar and training load at the Site, including—

(I) the number of brigade-sized and battalion-sized military exercises held at the Site since its establishment;

(II) an analysis of the maximum annual training load at the Site, without expanding the Site; and

(III) an analysis of the training load and projected training calendar at the Site when all brigades stationed or planned to be stationed at Fort Carson are at home station.

(B) A report of need for any proposed addition of training land to support units stationed or planned to be stationed at Fort Carson, including the following:

(i) A description of additional training activities, and their benefits to operational readiness, which would be conducted by

units stationed at Fort Carson if, through leases or acquisition from consenting landowners, the Site were expanded to include—

(I) the parcel of land identified as “Area A” in the Potential PCMS Land expansion map;

(II) the parcel of land identified as “Area B” in the Potential PCMS Land expansion map; and

(III) the parcels of land identified as “Area A” and “Area B” in the Potential PCMS Land expansion map.

(ii) An analysis of alternatives for acquiring or utilizing training land at other installations in the United States to support training activities of units stationed at Fort Carson.

(iii) An analysis of alternatives for utilizing other federally owned land to support training activities of units stationed at Fort Carson.

(C) An analysis of alternatives for enhancing economic development opportunities in southeastern Colorado at the current Site or through any proposed expansion, including the consideration of the following alternatives:

(i) The leasing of land on the Site or any expansion of the Site to ranchers for grazing.

(ii) The leasing of land from private landowners for training.

(iii) The procurement of additional services and goods, including biofuels and beef, from local businesses.

(iv) The creation of an economic development fund to benefit communities, local governments, and businesses in southeastern Colorado.

(v) The establishment of an outreach office to provide technical assistance to local businesses that wish to bid on Department of Defense contracts.

(vi) The establishment of partnerships with local governments and organizations to expand regional tourism through expanded access to sites of historic, cultural, and environmental interest on the Site.

(vii) An acquisition policy that allows willing sellers to minimize the tax impact of a sale.

(viii) Additional investments in Army missions and personnel, such as stationing an active duty unit at the Site, including—

(I) an analysis of anticipated operational benefits; and

(II) an analysis of economic impacts to surrounding communities.

(3) POTENTIAL PCMS LAND EXPANSION MAP DEFINED.—In this subsection, the term “Potential PCMS Land expansion map” means the June 2007 map entitled “Potential PCMS Land expansion”.

(b) COMPTROLLER GENERAL REVIEW OF REPORT.—Not later than 180 days after the Secretary of Defense submits the report required under subsection (a), the Comptroller General of the United States shall submit to Congress a review of the report and of the justification of the Army for expansion at the Site.

(c) PUBLIC COMMENT.—After the report required under subsection (b) is submitted to Congress, the Army shall solicit public comment on the report for a period of not less than 90 days. Not later than 30 days after the public comment period has closed, the Secretary shall submit to Congress a written summary of comments received.

**SA 2686.** Mr. DEMINT proposed an amendment to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

Beginning on page 44, strike line 20 and all that follows through page 45, line 23.

**SA 2687.** Mr. COLEMAN (for himself, Mr. ALLARD, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table, as follows:

At the end of the bill, add the following:

SEC. \_\_\_\_ For an additional amount \$100,000,000, with \$50,000,000 each to the Cities of Denver, Colorado, and St. Paul, Minnesota, shall be available to the Department of Homeland Security for State and local law enforcement entities for security and related costs, including overtime, associated with the Democratic National Convention and Republican National Convention in 2008. The Department of Homeland Security shall provide for an audit of all amounts made available under this section, including expenditures by State and local law enforcement entities. Amounts provided by this section are designated as an emergency requirement pursuant to section 204 of S. Con. Res. 21 (110th Congress).

**SA 2688.** Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ (a) In this section:

(1) The term “City” means the City of Aurora, Colorado.

(2) The term “deed” means the quitclaim deed—

(A) conveyed by the Secretary to the City; and

(B) dated May 24, 1999.

(3) The term “non-Federal land” means—

(A) parcel I of the Fitzsimons Army Medical Center, Colorado; and

(B) the parcel of land described in the deed.

(4) The term “Secretary” means the Secretary of the Interior.

(b)(1) In accordance with paragraph (2), and subject to each term and condition required under paragraph (3), to allow the City to convey to the United States the non-Federal land to be used by the Secretary of Veterans Affairs for the construction of a veterans medical facility, the Secretary may execute such instruments as determined by the Secretary to be necessary to modify or release any condition under which the non-Federal land would revert to the United States.

(2) In carrying out paragraph (1), with respect to the non-Federal land, the Secretary shall alter—

(A) each provision of the deed relating to a reversionary interest of the United States; and

(B) any other reversionary interest of the United States

to authorize the use of the property to include use as a veteran’s facility in addition to use for recreational purposes.

(3) The Secretary shall carry out paragraph (1) subject to such terms and conditions as the Secretary determines to be necessary to protect the interests of the United States.

## 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 hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, September 12, 2007, at 9:30 a.m., in room SD-366 of the Dirksen Building.

The purpose of the hearing is to receive testimony on the status of energy efficient lighting technologies and on S. 2017, the Energy Efficient Lighting for a Brighter Tomorrow Act.

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.

For further information, please contact Deborah Estes at (202) 224-4971 or Britni Rillera at (202) 224-1219.

AUTHORITY FOR COMMITTEES TO  
MEET

## COMMITTEE ON FOREIGN RELATIONS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, September 5, 2007, at 10 a.m. to hold a nomination hearing.

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

## COMMITTEE ON THE JUDICIARY

Mr. REED. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet in order to conduct a hearing entitled "The 50th Anniversary of the Civil Rights Act of 1957 and its Continuing Importance" on Wednesday, September 5, 2007, at 10 a.m. in the Dirksen Senate Office Building, room 226.

## Witness List:

Panel I: The Honorable John Lewis, United States Representative [D-GA-5th].

Panel II: Wade Henderson, President and CEO, Leadership Conference on Civil Rights, Washington, DC; Theodore Shaw, Director-Counsel and President, NAACP Legal Defense and Education Fund, Inc., Washington, DC; Peter Zamora, Washington, DC Regional Counsel, Mexican American Legal Defense and Educational Fund [MALDEF], Washington, DC; Gail Heriot, Commissioner, United States Commission on Civil Rights, Professor of Law, University of California at San Diego, San Diego, CA; Robert P. Moses, President The Algebra Project, Inc., Cambridge, MA; Robert H. Driscoll, Partner, Alston & Bird, Washington, DC.

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

## SPECIAL COMMITTEE ON AGING

Mr. REED. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet today Wednesday, September 5, 2007, from 2 p.m.-4 p.m. in SD-628 for the purpose of conducting a hearing.

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

## PRIVILEGES OF THE FLOOR

Mr. GRAHAM. Mr. President, I ask unanimous consent that Matt Guenther, a military fellow in my office, be accorded the privilege of the floor for the duration of the 110th Congress.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Jill Antonishak, a member of my staff, be given the privilege of the floor for the remainder of the day.

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

DISCHARGE AND REFERRAL—S.J.  
RES. 17

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of S.J. Res. 17 and the joint resolution be referred to the Committee on Commerce, Science and Transportation.

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

## ORDER FOR PRINTING—H.R. 1538

Mr. REED. Mr. President, I ask unanimous consent that H.R. 1538, the Wounded Warriors legislation, be printed, as passed by the Senate on July 25, 2007.

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

AUTHORIZING THE USE OF THE  
ROTUNDA AND GROUNDS OF THE  
CAPITOL

Mr. REED. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 196, just received from the House and at the desk.

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

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 196) authorizing the use of the Rotunda and grounds of the Capitol for a ceremony to award the Congressional Gold Medal to Tenzin Gyatso, the Fourteenth Dalai Lama.

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

Mr. REED. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table, without intervening action or debate.

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

The concurrent resolution (H. Con. Res. 196) was agreed to.

CONGRATULATING THE WARNER  
ROBINS AMERICAN LITTLE  
LEAGUE TEAM OF WARNER ROB-  
INS, GEORGIA, FOR WINNING  
THE CHAMPIONSHIP GAME OF  
THE LITTLE LEAGUE WORLD SE-  
RIES

Mr. REED. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 308, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 308) congratulating the Warner Robins American Little League team of Warner Robins, Georgia, for winning the championship game of the Little League World Series.

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

Mr. CHAMBLISS. Mr. President, I rise to encourage my colleagues to join Senator ISAKSON and myself in support of a resolution congratulating the 2007 Little League World Series champions, the Warner Robins American Little League team of Warner Robins, GA. Warner Robins and Houston County, where Warner Robins is located, have a very proud athletic tradition. Warner Robins High School and Houston County High School have been in the same region as my home high school over the last several years and I have seen my high school win and lose against teams coming out of Houston County. The tradition in Houston County goes way back.

There is also a town in Houston County called Perry, and Perry, GA is the home of a former all-State basketball player by the name of Sam Nunn who served in this great institution for a period of 24 years.

Success in Houston County and Warner Robins from an athletic standpoint is nothing new. But on August 26, 2007, the Warner Robins American Little League team defeated the Tokyo Kitasuna Little League team of Tokyo, Japan by a score of 3-2 after Dalton Carriker hit a solo walk-off home run in the bottom of the eighth inning. This victory concluded their impressive season with a record of 20 wins and only 1 loss. Considering the fact that more than 7,000 Little League All-Star teams took the field in July, this accomplishment is extremely impressive.

Their talent, hard work, and sportsmanship allowed them to become the third team from the State of Georgia to win the Little League World Series and, in doing so, they captured the hearts of people all across Georgia and in many parts of the Nation who love the game of baseball.

As a former Little League coach myself, during the years when my wife, Julianne, and I were raising our children in Moultrie, GA, I was proud to

participate in the longstanding tradition of Little League baseball as a coach for my son's team, the Destiny Dawgs. I have seen firsthand the uncontested confidence, determination, and hard work that Little League baseball instills in our youth.

I wish to recognize the 12 young men of the Warner Robins American team individually for their great accomplishment: Keaton Allen, Dalton Carriker, Zane Conlon, Hunter Jackson, Taylor Lay, Nick Martens, Payton Purvis, Kendall Scott, Hunt Smith, David Umphreyville, Micah Wells, and Clint Wynn. Their manager Mickey Lay and coaches Mike Conlon, Tommy Morris, and Mike Smith each deserve strong recognition for guiding these young men to victory.

Moreover, I would be remiss if I did not recognize the teachers and students of these young men's schools, the fans who represented their community, and the State of Georgia, for their enthusiasm and their support for this team's efforts. It is with great pride that I extend my heartfelt congratulations to the Warner Robins American Little League team and their families. I am extremely proud of each of them and their accomplishments. I wish them great success in the future and urge my colleagues to support this resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I thank Senator CHAMBLISS for this opportunity. I am pleased to join him in paying tribute to the Warner Robins Little League. I associate myself with all his remarks.

Dalton Carriker's walk-off home run in extra innings was a thrill. Kendall Scott's great relief pitching was a thrill. But what was the most thrilling thing of all, because I got home in time to watch the end of that game, were the actions of those kids in response to the despair of the Japanese kids. In fact, I want to quote from a news article. A reporter interviewed Kendall Scott, the winning pitcher, after the end of the game when he gazed across the field and saw the Japanese players all on their knees in tears, disappointed in their loss. Kendall Scott said the following:

They don't disrespect, they're very disciplined and they're some of the nicest kids you'll ever meet in your entire life. Just seeing them fall down and cry, you just couldn't let them do that—you gotta pick them up.

Having had two boys who went through Little League, having worked in baseball as a youngster myself, I know one of the goals of Little League is to instill good sportsmanship and teamwork on behalf of players. I commend manager Mickey Lay and coaches Mike Conlon, Tommy Morris, and Mike Smith for the discipline, the teamwork, and the respect they instilled in these young men, because at the height of their victory, zenith of their young careers, they stopped their

celebration to console those they had defeated on the field. That shows that Little League and its goals of teaching teamwork and sportsmanship are alive and well, not just in Warner Robins, GA but throughout the United States. I am pleased to join my colleague and commend the Warner Robins Little League on their victory and remind everyone, that is back to back for Georgia. Columbus, GA won last year. Warner Robins won this year. We will try for a trifecta next year.

I yield the floor.

Mr. REED. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 308) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 308

Whereas, on August 26, 2007, the Warner Robins American Little League team defeated the Tokyo Kitasuna Little League team of Tokyo, Japan, by 3 runs to 2 runs to win the 61st annual Little League Baseball World Series;

Whereas the Warner Robins American Little League team had an impressive record of 20 wins and only 1 loss;

Whereas the success of the Warner Robins American Little League team depended on the tremendous dedication and sportsmanship of the team, including—

- (1) Keaton Allen, who played outfield and pitched for the team;
- (2) Dalton Carriker, who played shortstop and pitched for the team;
- (3) Zane Conlon, who played 2nd base, shortstop, outfield, and pitched for the team;
- (4) Hunter Jackson, who played 3rd base;
- (5) Taylor Lay, who played 2nd base and outfield;
- (6) Nick Martens, who played 2nd base and outfield;
- (7) Payton Purvis, who played outfield;
- (8) Kendall Scott, who pitched and caught for the team;
- (9) Hunt Smith, who played 1st base and outfield;
- (10) David Umphreyville, who played outfield and caught for the team;
- (11) Micah Wells, who played 1st base; and
- (12) Clint Wynn, who played outfield and pitched for the team;

Whereas the Warner Robins American Little League team was managed by Mickey Lay and coached by Mike Conlon, Tommy Morris, and Mike Smith, each of whom demonstrated leadership, professionalism, and respect for the players they led and the game of baseball;

Whereas the fans of the Warner Robins American Little League team showed enthusiasm, support, and courtesy for the game of baseball and all of the players and coaches;

Whereas the performance of the Warner Robins American Little League team demonstrated to parents and communities throughout the United States that athletic participation builds character and leadership in children;

Whereas the Warner Robins American Little League team became the second consecutive team from the State of Georgia to win the Little League World Series, following the win by the Columbus Northern Little League team in 2006;

Whereas Georgia is only the 4th State to produce back-to-back champions in the 61-year history of the Little League World Series and the first State to win back-to-back titles since 1992-1993;

Whereas every team from the State of Georgia that has participated in the Little League World Series has won the Championship; and

Whereas the Warner Robins American Little League team brought pride and honor to the State of Georgia and the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates and honors the Warner Robins American Little League team and the loyal fans who supported the team on winning the 61st annual Little League Baseball World Series;

(2) recognizes and commends the hard work, dedication, determination, and commitment to excellence of the members, parents, coaches, and managers of the Warner Robins American Little League team;

(3) recognizes and commends the people of Warner Robins, Georgia, for the outstanding loyalty and support that they displayed for the Warner Robins American Little League team throughout the season;

(4) commends Little League Baseball for continuing the tradition of encouraging the development of sportsmanship and confidence in youth by sponsoring world-class baseball; and

(5) respectfully requests—

(A) that the American people recognize the achievements of the Warner Robins American Little League team; and

(B) that the Secretary of the Senate transmit an enrolled copy of this resolution to—

- (i) the City of Warner Robins; and
- (ii) the Warner Robins American Little League Baseball team for appropriate display.

ORDERS FOR THURSDAY,  
SEPTEMBER 6, 2007

Mr. REED. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m., Thursday, September 6; that on Thursday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time of the two leaders be reserved for their use later in the day; that there be a period of morning business for 60 minutes with Senators permitted to speak therein for up to 10 minutes each, and that the time be equally divided and controlled between the leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that at the close of morning business, the Senate resume consideration of the Military Construction and Veterans Affairs Appropriations Act; that when the Senate resumes consideration of the bill, Senator BUNNING be recognized to speak for up to 30 minutes; that at the conclusion of his remarks, there be 2 minutes of debate prior to a vote in relation to the Coleman amendment with the time equally divided between Senators COLEMAN and BUNNING or their designees; that there be 2 minutes of debate prior to a vote in relation to all remaining amendments, equally divided and controlled in the usual form; that upon disposition of

the Coleman amendment, the amendment vote sequence be: SANDERS, SALAZAR, BROWN, MCCONNELL, and then final passage; that after the first vote of the sequence, vote time be limited to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

Mr. REED. Mr. President, if there is no further business today, I ask unani-

mous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:59 p.m., adjourned until Thursday, September 6, 2007, at 9:30 a.m.