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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

PRAYER

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

Let us pray.

Gracious Lord, faithfully guide us through life, bringing us where You want us, as we seek Your will. You are our dwelling place, and in Your presence, we find rest. In the shadow of Your wings, we take refuge.

Today, provide safety for the Members of this body. Teach them to delight in Your wise counsel and to hear and do Your will. Give them grace and humility to look to You, to submit to You, and to depend upon You. May the power of Your spirit renew and refresh them physically, emotionally, mentally, and spiritually. Guide them securely down the paths that lead to life until they dwell forever in Your presence.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 6, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. TESTER 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 the transaction of morning business for 1 hour. The time will be equally divided and controlled. The majority controls the first portion and the Republicans control the last portion. Under an order entered last night, we will resume the Military Construction appropriations bill after morning business. There are five amendments that are remaining that are in order that are going to be disposed of.

After the Senate completes action on the Military Construction bill, the Senate will begin consideration of the Foreign Operations appropriations bill. The managers of that will be Senator LEAHY and Senator GREGG. This should be a busy day with votes throughout the day. In addition, the education reconciliation conference report will be available and, as I mentioned earlier this week, we will act on that measure this week.

I will talk in more detail with the Republican leader when we have a better picture of what is going on with the Foreign Operations bill and how long it is going to take to dispose of the Military Construction-VA bill.

Democrats and Republicans worked well together yesterday. We have a lot to do. One of the things we have to do is look forward to somehow funding the Government after October 1. There will be consultations between the Republican leader and me and the appropriations people on Capitol Hill. Also, we have the President to deal with on these issues. Even though there has been a lot made about the difference between what the President wants and what Congress wants, it is not that much different. I hope we can work out those issues.

Anyway, we have a picture ahead of us of what we need to do, and we will proceed to do that business as quickly as we can today and hopefully finish everything today, tomorrow and hopefully not have to worry about tomorrow afternoon or even Saturday. I hope we need not do that. We will keep everyone informed as soon as we can.

RECOGNITION OF THE MINORITY LEADER

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

SENATE BUSINESS

Mr. MCCONNELL. Mr. President, let me add that I share the goal of the majority leader. There is no reason why the Senate cannot finish not only the bill we will wrap up before noon but also the Foreign Operations-State appropriations bill and the education reconciliation. I will mention that during the years when Senator LEAHY and I handled the Foreign Operations bill—and Senator LEAHY is now the chairman and Senator GREGG is the ranking member—our record, I say to my friend, the majority leader, one year we got it done in one afternoon. I don't know if that is possible this year, but it certainly has happened before.

We will be cooperating to the maximum extent possible to help achieve both these goals before the end of the week.

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

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Mr. REID. Mr. President, this bill we are going to take up also is an interesting bill in that it is $700 million less than the President requested, and that is unusual, especially in a Foreign Operations bill. We hope we can work through that legislation. Senator GREGG is certainly experienced, as is Senator LEAHY.

On our side, the time for morning business is going to be allocated as follows: 10 minutes each to Senator NELSON, Senator SALAZAR, and Senator SANDERS, the 30 minutes we have that will be beginning soon.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now be in a period for the transaction of morning business for up to 60 minutes, with Senators permitted to speak for up to 10 minutes each, and with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half of the time and the Republicans controlling the second half of the time.

The Senator from Colorado.

EXPANSION OF PINON CANYON MANEUVER SITE

Mr. SALAZAR. Mr. President, I come to the floor this morning to speak about an amendment we will be voting on in probably an hour and a half. It is amendment No. 2662, which has to do with the expansion of a training facility in my State of Colorado called the Pinon Canyon Maneuver Site. It is a training facility associated with Fort Carson.

In February of 2007, a few months ago, the U.S. Army made an announcement it would move forward with an effort to acquire an additional 400,000 acres-plus of land in my State to add to this training facility. What I am asking my colleagues to do today is to join with me and a vast bipartisan majority of the House of Representatives in saying we need a timeout before we move forward. I ask my Democratic and Republican colleagues to join us in supporting amendment No. 2662.

I say to everyone in this Chamber and to those who are listening, if you care about private property rights, you will support this amendment. If you care about ranchers and farmers in America, including those who make a living in southeastern Colorado, you will support this amendment. If you care about being wise in terms of how we spend taxpayers' dollars in expanding our military facilities, you will support this amendment.

I wish to make a few remarks about its history, to put this into perspective.

First, the Army in 1982 acquired 235,000 acres for the training facility now known as Pinon Canyon. That facility has been used since 1982. It is an integral component of the training capabilities for Fort Carson, CO.

In 2005, the BRAC Commission, in its recommendations which were approved in the Senate, recommendations which I supported, added additional troops to Fort Carson. The findings of the Base Realignment and Closure Commission said that Fort Carson had sufficient training facilities to provide all the training that is needed for our troops stationed at Fort Carson.

So the first question to be asked by all those who are going to be impacted by this 400,000-acre expansion is whether that amount of land is sufficient to carry on the training purpose required at Fort Carson. That question simply has not been answered.

If the Army moves forward with the expansion of the additional 400,000-plus acres, we will have a Pinon Canyon Maneuver Site in Colorado that will have 1,235 square miles. That is an area that is bigger than the size of the State of Rhode Island. Yet what the Army has proposed to do is acquire that land through condemnation or whatever necessary means to move forward with an unjustified need for an expansion of Pinon Canyon.

I am not saying we ought not look at whether we need to have additional training facilities at Fort Carson. We certainly should take a look at that. But until we get the answers as to what has changed from January of 2005 until 2007 that requires the expansion of this training facility so we have a training facility the size of Rhode Island-plus, it is important we ask questions of the Army.

I ask my colleagues to join us in moving forward with a timeout, with a 1-year moratorium on the EIS process which the Army has proposed, and during that 1 year we can ask some very important questions that will be important to those who will be most affected—the residents of southeastern Colorado. We need to ask those questions as well for the men and women in uniform, whom we train at Fort Carson and around our country, to be sure we have appropriate and adequate training facilities for them. Those are questions that do need to be asked.

The Department of Defense authorization and appropriations bills will be coming up, and I have proposed and will introduce legislation that will be cosponsored by my colleague, Senator ALLARD, where we get those questions answered. When we have those questions answered, then we can make a thoughtful decision about how best to move forward in a manner that, first, enhances and protects the national security of the United States; No. 2, make sure we are protecting the private property rights of the ranchers who have lived in this area for sometimes three and four generations; and No. 3, the investments we make with respect to any expansion of Pinon Canyon are investments that make sense from a fiscal point of view.

I ask my colleagues, when we get to amendment No. 2662 in about an hour, that they vote in support of this amendment.

I conclude by saying there are two values that have driven me in my discussions on this issue of the expansion of Pinon Canyon over the last several months. The first of those values is we need to make sure we are providing the necessary training facilities for our soldiers at Fort Carson and those who will train at the Pinon Canyon Maneuver Site. We need to make sure we are doing that, and we have a set of questions that need to be answered in that regard.

Second, we need to be sure we are protecting private property rights. When one thinks about the fact that in these 400-plus acres, there are many ranchers who have been there for three and four generations, ranchers who have come to me with tears in their eyes, who talk about the fact that their wife is buried on their ranch and that they took the ranch from their father and their mother and from their grandparents, it seems to me that if there is an opportunity for us to make sure we are protecting private property rights, this is a time for us to say we are going to protect the private property rights of those ranchers.

I say to my colleagues, I am not asking for the death knell to be put on any proposed expansion by the Army. All I am asking is that we have a 1-year timeout, a 1-year delay so we can get these fundamental questions answered on how we move forward with Pinon Canyon.

I urge my colleagues to please support amendment No. 2662 when we vote on it in about an hour.

Mr. President, I ask unanimous consent to have printed in the RECORD letters in support of my amendment and the position on the Pinon Canyon issue from Otero County, a resolution from Huerfano County, Las Animas County, Colorado Counties, Inc., LaJunta, the Bent County Commissioners, Baca County Commissioners, the Club 20, Action 22, Crowley County, as well as Alamosa County.

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

OTERO COUNTY,
OFFICE OF THE COMMISSIONERS,
La Junia, CO, August 27, 2007.

Senator KEN SALAZAR,
129 West B Street,
Pueblo, CO.

DEAR SENATOR SALAZAR: Through this letter, the Otero Board of County Commissioners officially registers its adamant opposition to the expansion of the current Pinon Canyon Maneuver Site and requests your support of the Musgrave-Salazar amendment. Although this office and individual commissioners have corresponded with you on this matter over the past several months we feel compelled to address once again the U.S. Army proposed expansion.

We appreciate your support in the disallowance of eminent domain to acquire any

land. However, simply halting condemnation will do nothing to truly support those communities that are depending on your representation to halt funding for the expansion entirely. A majority of state lawmakers and Congressional representatives, all 14 southern Colorado county commissions, and the people of Colorado agree there should be no expansion and no money spent on the expansion of the Pinon Canyon site. As you know, opposition to the Pentagon's plan has been overwhelming and bipartisan at every level—community, county, state and national. We urge you to heed the will of the people by ending any and all funding for any and all aspects of the expansion.

Thus, we ask you to protect the integrity of the regional and state agricultural economy by supporting the language authored by Rep. Marilyn Musgrave (R–4th CD), supported by Rep. John Salazar (D–3rd CD) and adopted overwhelmingly by both Republicans and Democrats in the U.S. House of Representatives in June.

Sincerely,

ROBERT BAUSERMAN,
Chair.
HAROLD KLEIN, Jr.,
KEVIN KARNEY.

RESOLUTION NO. 06–33

Whereas, the U.S. Army established the Pinon Canyon Maneuver Site in Las Animas County in 1982, through its acquisition of approximately two hundred and forty thousand acres of private land to provide a training facility for Army personnel stationed at Ft. Carson; and,

Whereas, the U.S. Army has initiated consideration of the expansion of the Pinon Canyon Maneuver Site to accommodate a significantly enhanced training program in expectation of additional Army personnel being stationed at Ft. Carson; and,

Whereas, the expansion of the Pinon Canyon Maneuver Site could result in approximately four hundred thousand acres of additional land being taken out of private ownership in southeastern Colorado; and,

Whereas, since the establishment of the Pinon Canyon Maneuver Site, Huerfano County has realized minimal or no economic benefit from the operations of the Pinon Canyon Maneuver Site; and,

Whereas, the U.S. Army has been forthcoming in providing information to Huerfano County regarding its plans for expansion of the Pinon Canyon Maneuver Site; and,

Whereas, the United States Army has not recognized the serious destruction and loss of public access to the historical artifacts located in the areas such as Vogal and Picket Wire Canyons, including the Santa Fe Trail and other closely situated sites which have scientific, historical, paleontological and tourist-related interest. Now, therefore, be it

Resolved by the Huerfano County Board of County Commissioners, That the Southern District Counties of Colorado Counties, Inc. hereby take a position of opposition to the expansion of the Pinon Canyon Maneuver Site, for the following reasons:

1. that the U.S. Army has not provided sufficiently detailed information to Huerfano County regarding its plans for the expansion of the Pinon Canyon Maneuver Site; and,

2. that the U. S. Army has not agreed to refrain from use of eminent domain to acquire privately owned land for expansion of the Pinon Canyon Maneuver Site; and,

3. that the U.S. Army has no committees to fund a thorough and object socio-economic study of the impacts that will result from the expansion of the Pinon Canyon Maneuver Site; and,

4. that the federal government has not committed to fully compensate impacted counties in Southeastern Colorado with Payments of In Lieu of Taxes (PILT) in conformance with federal law and to provide compensation for all additional land that may be acquired for the expansion of the Pinon Canyon Maneuver Site; and,

5. that the federal government has not committed to provide financial compensation to all local governmental entities that will be economically impacted by the expansion of the Pinon Canyon Maneuver Site, including counties, cities and towns, school districts, special districts, etc.; and,

6. that the U.S. Army has not committed to provide long term employment opportunities for support jobs necessary to operate the Maneuver Site nor afforded local business with opportunities to provide goods and services to support the Pinon Canyon Maneuver Site.

LAS ANIMAS COUNTY,
BOARD OF COUNTY COMMISSIONERS,
Trinidad, CO, July 16, 2007.

DEAR COMMISSIONERS: The Board of County Commissioners of Las Animas County, wish to make you aware of its concerns regarding the potential expansion of the U.S. Army's Pinon Canyon Maneuver Site, located within this county.

The U.S. Army recently released its latest map iteration reflecting the area of interest for expansion of the Maneuver Site by more than four hundred thousand acres. The majority of that land is located within Las Animas County. Should this expansion be approved, the U.S. Army may seek further expansion within Southeastern Colorado in the future.

In the early 1980s, when the U.S. Army Corps of Engineers undertook the acquisition of privately owned land in Las Animas County, to create the Pinon Canyon Maneuver Site, not all land owners were willing sellers. While the Army Corps of Engineers negotiated for acquisition of several properties, it proceeded to utilize the federal government's power of eminent domain to acquire land from those property owners with whom it was not able to negotiate a purchase price or who were unwilling to sell. In the end, it took the properties and let the Court determine just compensation.

The acquisition of additional privately owned land will further impact the agricultural community, displace population, reducing the number of school-aged children in K–12 rural schools and reduce the tax base depended upon by this county and the schools districts and special districts in the area of the Maneuver Site. Further, the federal government has never fully funded the Payment In Lieu of Tax (PILT) program to offset lost tax base revenues.

In June, the House of Representatives of the United States Congress overwhelmingly, approved an amendment to the federal military spending bill for 2008, prohibiting the U.S. Army from proceeding forward with its plans for expansion of the Pinon Canyon Maneuver Site. Within the next several days, that same amendment will be considered by the U.S. Senate. You are respectfully requested to contact both of Colorado's United States Senators, Kenneth Salazar and Wayne Allard, and request that they support the Musgrave-Salazar Amendment to the military funding bill to preclude the U.S. Army from pursuing expansion of the Pinon Canyon Maneuver Site. They may be contacted at the following addresses and phone numbers:

U.S. Senator Kenneth Salazar, 702 Hart Senate Office Building, Washington, DC 20510.

U.S. Senator Wayne Allard, 521 Dirksen Senate Office Building, Washington, DC 20510.

Your support of this effort is sincerely appreciated.

Sincerely,

JIM D. MONTOYA,
Chairman.
KENNETH M. TORRES,
Chairman pro tem.
GARY D. HILL,
Commissioner.

Hon. WAYNE ALLARD,
Dirksen Senate Office Building,
Washington, DC.
Hon. KENNETH SALAZAR,
Hart Senate Office Building,
Washington, DC.

DEAR SENATORS: We, the undersigned County Commissioners, comprising the Southern District of Colorado Counties, Inc., and representing our respective counties within Colorado, wish to express our appreciation to both of you Senators, for your position opposing the use of eminent domain by the U.S. Army.

Your support is respectfully requested to adopt the Salazar-Musgrave Amendment, as approved by the U.S. House of Representatives, to prevent any funding for the study of the expansion of the maneuver site, as the matter is taken up by the U.S. Senate.

While the U.S. Army has withdrawn its official map of expansion published in June, nevertheless, any expansion plan, should it be allowed, would have significant negative social and economic impacts to our respective counties and to southeastern Colorado, as a whole.

Respectfully,

(Signatures of Boards of Commissioners of the counties comprising the Southern District of CCI.)

RESOLUTION NO. R–20–2006

Whereas, the City of La Junta is cognizant of its neighbors and the manner in which its neighbors have maintained their livelihood; and

Whereas, it is the belief of the City Council that Otero County continues to be a predominantly rural area, neighboring other counties with a similar preponderance of rural related industries; and

Whereas, the City of La Junta is cognizant of the proposal by the United States of America acting through the Department of the Army and Department of Defense requesting the expansion of the Pinon Canyon Maneuver Site to include a substantial expansion in Otero County and other neighboring counties; and

Whereas, the City of La Junta is cognizant of the great hardship that will be realized by the citizens of La Junta, to include the neighbors of La Junta in Otero County and in surrounding counties as the impact of this increase in the Army maneuver site will have a radical and adverse affect upon the rural, predominantly agricultural related farming and ranching operations of the area; and

Whereas, a substantial number of wholesale and retail businesses, retail feedlots and retail transportation entities are directly related to and participate in activities which are primarily agriculturally related and which would be severely impacted by the expansion of the Pinion Canyon Maneuver Site; and

Whereas, the United States Army has not recognized the rather serious esthetic destruction to historical artifacts located in Vogel and Picket Wire Canyons, including the Santa Fe Trail and other closely situated sites which have both scientific and historic and tourist related interest; and

Whereas, the City of La Junta is desirous of protecting the rights of its citizens and

the rights of its neighbors to enjoy the blessings provided to all Americans to include the business operations that they participate in; and

Whereas, it is the judgment of the City Council of the City of La Junta that the Pinon Canyon Maneuver Site Expansion Project would adversely affect the economy of the City of La Junta, the economy of Otero County, and the region as a whole; and be it therefore

Resolved by the City Council of the City of La Junta, That the City of La Junta does adamantly oppose any expansion efforts in the Pinon Canyon Area by the Department of the Army or the Department of Defense as currently proposed.

BENT COUNTY
BOARD OF COUNTY COMMISSIONERS,
Las Animas, CO, July 25. 2007.

Hon. KENNETH SALAZAR,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR SALAZAR: Although the Bent County Commissioners have corresponded with you on this matter over the past several months we feel compelled to address once again the U.S. Army proposed expansion of the Pinon Canyon Maneuver site located in our neighboring counties of Otero and Las Animas.

We do recognize the necessity of our military troops to be adequately and professionally trained in their mission of defending the freedoms that all of us as United States citizens wish to preserve, however, the potential expansion of the Pinon Canyon site by more than four hundred thousand acres is not a viable solution. Property owners in both Otero and Las Animas Counties have already made considerable sacrifice on this project. The acreage previously acquired for the Pinon Canyon site was, for the most part, secured by the U.S. Army Corps of Engineers utilizing the Federal government's power of eminent domain. The compensation paid to those sellers unwilling to sell was therefore determined by the Court and in many cases was an unjust dollar figure.

The removal of lands in the affected counties will further impact the agricultural communities of southeast Colorado thereby displacing our already sparse population. Experience from the previous purchase by the Federal government of the Pinon Canyon lands has already shown a significant negative impact on the tax base used to fund the counties, schools, and special districts. The Federal government has never fully funded the Payment in Lieu of Tax (PILT) to offset the loss of tax base revenues.

We respectfully request that you support the Musgrave-Salazar amendment to the military spending bill, as was overwhelmingly approved in the House of Representatives in June, which would prohibit the U.S. Army from proceeding forward with its plans for the expansion of the Pinon Canyon site.

On behalf of the Bent County Board of Commissioners

Respectfully yours,

BILL LONG,
Chairman.

BACA COUNTY
BOARD OF COUNTY COMMISSIONERS,
Springfield, CO, May 8, 2006.

DEAR SENATOR SALAZAR: The Baca County Commissioners wish to express our opposition to the expansion of the Pinon Canyon Maneuver site, more specifically in the use of condemnation or eminent domain to secure property from unwilling sellers. We also object to the expansion based on the negative economic impact to our county because of the large amount of goods and services provided by our constituents to the residents of the expansion area.

Sincerely,

TROY CRANE,
Chairman.
BILL WRIGHT,
District 2.
GLEN R. AUSMUS,
District 1.

CLUB 20,
Grand Junction, CO, August 1, 2007.

Re CLUB 20 concern about proposed expansion of Army's Pinon Canyon Training Area.

Senator WAYNE ALLARD
U.S. Senate,
Washington, DC.
Congressman MARK UDALL,
House of Representatives,
Washington, DC.
Senator KEN SALAZAR,
U.S. Senate,
Washington, DC.
Congressman JOHN SALAZAR,
House of Representatives,
Washington, DC.

DEAR SENATORS ALLARD AND SALAZAR, AND CONGRESSMEN UDALL AND SALAZAR: CLUB 20's membership recently discussed the proposed expansion of the U.S. Army's Pinon Canyon Training Area in southeastern Colorado and we want to make you aware of two concerns that we have regarding that proposal. While we are quick to acknowledge that this particular issue is obviously outside of the geographic scope of CLUB 20's Western Slope constituency, the concerns that we have regarding this proposal relate to matters that could establish dangerous precedents for private landowners and local governments everywhere.

CLUB 20 fully supports the need for our government to maintain the best-equipped and most highly-trained fighting force in the world. However, with respect to this need, we would like to raise for your consideration the following two concerns related to the proposed Pinon Canyon expansion:

(1) It is the policy of CLUB 20 that the federal government should only acquire additional land when such proposals have strong support from the local county and municipal governments where the lands would be acquired. As concerns the Army's proposed Pinon Canyon expansion, we are aware of a significant amount of concern which has been raised by local governments and private landowners in that area. Because of the importance of securing local support for such projects, we request that you urge the Army to make a more diligent effort to engage these local governments in a collaborative dialogue to effectively address the concerns of the local community.

(2) As with all such proposals which transfer land from private to public ownership, CLUB 20 is concerned about the resulting reduction in property tax revenues and the historic unwillingness of Congress to fully fund Payments-In-Lieu-of-Taxes (PILT) to help offset this economic hardship to the local community. While we recognize that related troop increases at Fort Carson may yield additional economic benefits for the larger Colorado Springs community, the removal of these private lands from the tax rolls will likely pose little economic benefit to more rural areas like Las Animas County. We encourage you to fully explore the potential adverse tax revenue impacts associated with the conversion of such private lands and the removal of the private agriculture enterprises currently dependent on those lands.

Thank you for your consideration of these two concerns, and thank you for your continued support of our military institutions and the men and women who proudly serve our country in uniform.

Sincerely,

REEVES BROWN,
Executive Director.

RESOLUTION 07–08 AG 8

Whereas, the U.S. Army wishes to acquire additional needed land to expand the Pinon Canyon Maneuver Site; and

Whereas, the expansion of troops into Ft. Carson, as provided in the BRAC report, is not contingent upon the expansion of the Pinon Canyon Maneuver site, and

Whereas, the new technology permits smaller units to operate in and control significantly greater battle space than was previously possible,

Whereas, The expansion of the Pinon Canyon Maneuver Site could currently result in approximately four hundred thousand acres of additional land being taken out of private ownership in southeastern Colorado; and

Whereas, Since the establishment of the Pinon Canyon Maneuver Site, counties in Southeastern Colorado have realized minimal or no economic benefit from the operations of the Pinon Canyon Maneuver Site;

Whereas, Homeland Security is of utmost importance to the United States and the proper training of our soldiers is needed; now, therefore, be it

Resolved, That ACTION 22 believes that the use of eminent domain is not an acceptable means in the on-going discussion in the expansion of the Pinon Canyon Maneuver Site, and be it further

Resolved, That ACTION 22 stresses the need for timely, positive discussions on the economic future of Southern Colorado and the region as whole, and be it further

Resolved, That ACTION 22 will not consider supporting the expansion of the Pinon Canyon Maneuver Site until the U.S. Army provides sufficient detailed information to Action 22 counties** regarding its plans and needs for the expansion of the Pinon Canyon Maneuver Site.

CROWLEY COUNTY
BOARD OF COUNTY COMMISSIONERS,
Ordway, CO, July 31, 2007.

Hon. KENNETH SALAZAR,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR SALAZAR, We would like to lend our support to out friends and neighbors in Las Animas County by requesting your consideration of the Musgrave-Salazar Amendment to the military funding bill when the legislation reaches the Senate. Under the present set of circumstances it is difficult to imagine transferring 400,000 plus acres from private ownership to federal government control, without large economic, social and cultural dislocations occurring.

We very much appreciate your thoughtful consideration in this matter.

Sincerely,

T.E. ALLUMBAUGH.
KATHLEEN MEDINA.
MATT HEIMERICH.

COMMISSIONERS,
ALAMOSA COUNTY,
Alamosa, CO, July 30, 2007.

Hon. KEN SALAZAR,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR SALAZAR: This letter is in support of the Las Animas County Commissioners who are troubled with the potential expansion of the U.S. Army's Pinon Canyon Maneuver site.

The Board of Alamosa County Commissioners is troubled about the expansion because of the agricultural community and the

reduction of the tax base for Las Animas County. By reducing the tax base this could have a major economic impact on the schools and the community. The County like other Counties in the state is struggling with revenues and this expansion could do more harm.

The Board of Alamosa County Commissioners is respectfully asking that you support Las Animas County in prohibiting the expansion of Pinon Canyon Maneuver site.

Sincerely,

DARIUS ALLEN,
Chairman.

Mr. SALAZAR. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON of Florida. I thank the Chair.

(The remarks of Mr. NELSON of Florida pertaining to the introduction of S. 2024 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

AMENDMENT TO H.R. 2642

Mr. SANDERS. Mr. President, later on this morning, I will be offering an amendment which, frankly, in terms of dollars, is not one of the big amendments as part of the Military Construction and Veterans Affairs bill, which is over $100 billion. This amendment is only $20 million. But while it is small in the amount of money it deals with, it is enormously significant to the millions of men and women who have served our country in war, and it is especially relevant to disabled veterans, those people who have given as much as anyone can expect defending their country—the people without arms, the people without legs, the people in wheelchairs. It is for them I am offering this amendment, and I am very pleased that this amendment has the support of the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, the Paralyzed Veterans of America, and AMVETS.

The amendment I am offering addresses an ongoing and an emotional concern within the veterans community. It is the concern that we in the U.S. Government are nickel and diming veterans in an absolutely shameful way through the so-called rounding-down process in terms of the checks that go to disabled veterans. Some years ago, as a temporary budget Band-Aid, the Congress initiated the so-called rounding down of veterans disability benefits and a few other categories of benefits that affect veterans, their spouses, and their children. Under this rounding-down process, every year when we calculate the new disability benefits veterans will receive as a result of their COLAs, the resulting amount is rounded down to the whole dollar.

Let me give an example of what I mean. A veteran receives a check, or should receive a check, every month for hypothetically $200.99. What we have done is say to that veteran: We are taking away, every month, that 99 cents, and you are going to get a check for $200.

Now, somebody here may say: Hey, 99 cents is not a lot of money. Multiplied by 12 months a year, you are talking about less than $12 a year. What is the problem? Well, the problem is, if you are a low-income veteran, it does matter. But I think even more significantly than the dollars, what we are saying to that veteran who opens that check, sitting in a wheelchair, we are saving 99 cents a month on you. But by the way, we are giving no-bid contracts out in Iraq which cost the taxpayers hundreds of millions of dollars, or perhaps billions of dollars, and we are going to balance the budget on your 99 cents per month.

So the amount of money we are talking about here is not a whole lot, but symbolically, to thousands of disabled veterans, it says something about how we in the Congress feel about them. We are saving 99 cents a month. Well, I think we can afford to give that 99 cents to those guys in the wheelchairs, the people without one arm, the people who are blind, the people who can't hear, the people coming home from Iraq with traumatic brain injury. I think we can afford to give them that 99 cents, and that is what this amendment is about. This amendment is going to cost all of $20 million—$20 million in a bill which is over $100 billion.

Let me quote from the Independent Budget. I think many Members of the Senate know that the Independent Budget is the budget brought together by all of the major veterans groups, and this is what they say when they describe this process:

> Disability compensation and dependency and indemnity compensation rates have historically been increased each year to keep these benefits even with the cost of living. However, as a temporary measure to reduce the budget deficit,—

A temporary measure.

> Congress enacted legislation to require monthly payments, after adjustment for increases in the cost of living, to be rounded down to the nearest whole dollar amount.

And let's remind ourselves what kind of benefits we are talking about. Disability compensation benefits are benefits that veterans receive if they have a service-related disability and were discharged under other than dishonorable conditions.

Furthermore, this rounding down applies to what is known as the clothing allowance. When veterans have prosthetics or orthopedic appliances such as a wheelchair, they understandably have a high chance of wearing down or tearing clothing at a faster rate than the average person. In other words, you are in a wheelchair, it rubs, your clothing gets worn out. You get help with that. We are rounding down those checks.

This is not a complicated piece of legislation. This is legislation that says to people who have done as much as a human being can do for this country that we are no longer going to continue to nickel-and-dime you. I hope very much the Members of the Senate will join me and the American Legion, the Veterans of Foreign Wars, the Paralyzed Veterans of America, the Disabled American Veterans, and AMVETS in supporting this legislation.

I yield my time.

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

Mr. ENSIGN. Mr. President, are we in morning business now?

The ACTING PRESIDENT pro tempore. The Senate is in morning business.

REAGAN'S ECONOMIC POLICY

Mr. ENSIGN. Mr. President, an interesting economic trend is sweeping through countries around the globe. It is one that started right here in the United States, and it would be wise for us to consider some of the amazing results that are being documented internationally.

More than 25 years ago, Ronald Reagan took the helm of an economy that was tanking quickly and bringing American families down with it. The economy was shrinking; inflation was in double digits; more than 7 million Americans were unemployed; and the prime interest rate was through the roof.

Ronald Reagan fought for an aggressive plan to rein in non-defense government spending, provide tax relief, and eliminate unnecessary government regulation. There were many critics who argued that Reagan's plan would create greater inflation. They cried that tax relief would be paid for out of entitlements and leave the elderly and needy worse off. However, John F. Kennedy's assertion that a rising tide lifts all boats was true.

As Reagan prepared to leave the presidency, spending was down, as were tax rates and inflation. Employment had climbed to record heights—there more jobs and better, higher paying jobs. Family income had been on the rise for 4 straight years. America's poor were able to climb out of poverty at the fastest rate in 10 years. It marked the longest economic peacetime expansion in history.

In his farewell address to the nation in 1989, Reagan stated: Common sense told us that when you put a big tax on something, the people will produce less of it. So, we cut the people's tax rates, and the people produced more than ever before. The economy bloomed like a plant that had been cut back and could now grow quicker and stronger.

Among the loudest critics of Reagan's philosophy of lower taxes and less government regulation were European countries that taxed high to offer more social services to their citizens.

The tide has changed all right. Countries around the world, including those in Europe, are racing to cut their taxes. France, Spain, Italy, Sweden,

Russia, Germany, Poland, Ireland, Austria, Slovakia, Hungary, Malaysia, New Zealand, Singapore, Taiwan, Vietnam, and Hong Kong.

They are cutting business taxes or capital gains taxes or turning to a flat tax in the name of economic growth. A study of 86 countries last year by KPMG International showed that tax cuts attracted business investment with minimal loss of old revenue. And that loss was offset by new revenue from increased hiring and spending.

Does that sound familiar? It is the economic plan that in the 1980s helped raise our Nation out of one of our worst economic situations and reach new, undiscovered heights. But instead of maintaining a tried and true economic path, the party in power is proposing to do just the opposite and raise taxes. The rest of the world is competing to lower their tax rates the fastest in order to attract businesses, jobs, investment, and wealth. But here, in the United States, Democrats want to spend more than $1 billion of the Social Security surplus, increase the national debt by $2 trillion, and raise taxes by an estimated $900 billion—the largest tax hike ever. And their plans contain no proposals to cut or eliminate wasteful spending.

In a Nation where we have always thrived when given the opportunity to grow, the Democrats' plan just doesn't make sense. We need to return to the principles of Ronald Reagan—we need to trust the American people with their hard-earned money. Let them keep more of it so that they can provide for their families, save and invest for their futures, and maybe even take a chance on a business they have been dreaming about.

We also need to give businesses the tools to compete in this very global economy. When countries around the world are lowering their tax rates to attract businesses, it puts us in a difficult position. Companies flock to the best environment, so higher tax rates clearly put American businesses that want to grow here at a disadvantage. It also puts our workers at a disadvantage when competing against workers all over the world.

Taxing, spending and stifling opportunity have never been the answers to our economic woes. Presently, our economy is healthy and strong because of tax relief that the Republican Congress provided.

But that is the past. The question now becomes, what are we going to do today? The corporate income tax rate in America is the second highest in the industrialized world. Instead of looking at ways to raise taxes, I believe this Congress should be looking at ways to make us more competitive by lowering taxes. That is the big challenge that is before us today: to keep the economy strong, to provide better-paying jobs to America. Do we raise taxes, or do we keep taxes low? Do we try to lower those taxes that are too high?

I believe the answer is simple. It has been proven by history. It has been proven by John F. Kennedy and has been proven by Ronald Reagan and has been proven by George W. Bush. We need to take those lessons of history, learn from them, and expand our economic opportunities, the opportunities for jobs in America.

I yield the floor.

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

IRAQ

Mr. BOND. Mr. President, as we approach the sixth anniversary of September 11, 2001, we are reminded of the consequences of ignoring the threat al-Qaida and other ''mufsidoon'' terrorists pose to our Nation. Al-Qaida and radical extremists declared war, or ''Hirabah,'' on this Nation in the early 1990s, and not until 2001 did we finally take that threat seriously. While some in our own country refuse to believe this reality, that terrorists—Osama bin Laden, Ayman al Zawahiri—agree that Iraq is the central front in the war on terror, our entire intelligence community testified in open session before the Senate Intelligence Committee last January that to retreat from Iraq prematurely on a political timetable would invite disaster. They testified that a precipitous withdrawal of American forces would lead to chaos, regional sectarian conflict, Shias and Sunnis killing each other. It would create a safe haven from which al-Qaida could launch further and much more robust attacks on America, and it could lead to the possible deployment of troops, this time not to a fledgling democracy but to prevent the spread of a radical Islamic Caliphate, with a capital in Baghdad and borders reaching from Spain to Indonesia. A precipitous withdrawal would also send a message to the enemies of freedom all over the world that the American people lack the resolve to win; that while our brave military cannot be defeated, politicians in Washington can; that when the going gets tough, America gets going—home.

Next week, General Petraeus will deliver a progress report on the new strategy in Iraq. I expect this report to show that finally we are seeing real progress in the security situation in several key areas. This issue should not be a political one, but unfortunately there are those who are politicizing our fight there. This battle is too important to be used by those who want to declare defeat in Iraq for their own short-term political gains in 2008, claims such as, ''the war is lost,'' and claims that the success of the surge ''misses the point'' are troubling at best and dangerous at the worst.

Sadly, there are some in this body who are vested politically in defeat. I find it disappointing that some in Congress would now say they will refuse even to believe General Petraeus, despite the fact Democrats and Republicans unanimously approved his appointment in February.

General Petraeus takes his responsibility for our troops on the front line seriously. He is highly respected, has an outstanding military career, and should be listened to. I am confident he will deliver a report based on facts on the ground and not political conditions at home.

I hope more of my colleagues will listen to our military leaders when they deliver Iraq's progress report. The worst case scenario would be for a majority in Congress to ignore our military leaders and continue to demand timetables, withdrawal dates, and attempts to control troop movements. Military decisions must be made by our military commanders on the ground, not micromanaged by Congress in our wonderful air-conditioned hall, thousands of miles away.

We have seen what has happened in the past when politicians have tried to run a war—from Vietnam to the Iranian hostage crisis.

On the political front, I agree that Prime Minister Maliki is not getting the job done, at least not getting the job done on the timetable that we have artificially set, but that much more work needs to be done. However, as we have seen for months now, progress is occurring from the bottom up at the local level. Our military, our leaders, and our troops in the field tell us that they are being successful. They are making progress. This is no time to quit.

The Al Anbar Province, where I and several Intelligence Committee members visited a few months ago, has been demonstrating tremendous signs of progress, even back then. This was the area controlled by al-Qaida just a year ago, where al-Qaida said they were going to establish the headquarters of their evil empire, the Caliphate.

In fact, today, General Jim Jones will be releasing his report that reached the same conclusion I did after my visit. You saw different headlines in the paper today about that report—not surprising. They wanted to focus on other sites. But today's Washington Post reported:

> U.S. and Iraqi alliances with Sunni tribal forces in Anbar province have produced ''real and encouraging'' military progress and intelligence cooperation, and there are promising signs they can be replicated elsewhere.

It is here, where local tribal leaders and sheiks are cooperating with American and Iraqi Army commanders to take their neighborhoods back from al-Qaida. As a result, we have seen a decrease in sectarian violence, an increase in weapons cache discoveries, and some relative stability.

This is a classic example of how General Petraeus's counterinsurgency strategy, or COIN strategy, is working.

We should have had this policy 2 or 3 years ago. But General Petraeus has written a book, the Army and Marine field manual. When he talks about dealing with the counterinsurgency, you go in, you clear, you hold, you work with local forces, and you help

them rebuild. Show them that there is progress that can come when they cooperate with those of us who are trying to prevent violence and terrorism from taking over their country.

When we were there, the marines in Ramadi had just finished rebuilding the Blue Mosque, the sacred point for Sunnis in Al Anbar, and they are using that. We are working with them.

Our military is beginning to replicate these successful lessons in other parts of Iraq. Sure progress is slow, but progress is real. With a new counterinsurgency strategy in place, our military shows the momentum going our way, and with this momentum it is clearly the wrong time to cut the legs out from under them with a new strategy. We are witnessing the increasing likelihood that our troops can find success and return home victorious. Even previous critics such as the Brookings Institution's O'Hanlon and Pollack, writing in the New York Times, said this is ''a war we just might win.'' But let me be very clear about one thing.

Our U.S. national security interest is seeing relative peace and stability established and maintained in Iraq for the short and intermediate term because only by assuring that stability, and our coalition forces working with Iraqi security forces, can we ensure we will avoid the genocide among Shias and Sunni, the opening of Iraq to a safe haven for al-Qaida and its related terrorist elements, and the likelihood of a regionwide sectarian war, bringing in other countries in the region, creating havoc, chaos, threatening Israel, cutting off oil supplies, and having an international crisis.

Long term, we have an interest in seeing real reconciliation and political accommodation accomplished by the elected officials of the Iraqi Government. Iraqis are going to have to make those decisions for themselves—who does it and how they do it—but we have to realize that before you can have political compromise and success, you have to have stability.

Secondly, political reconciliation takes time. It took a long time to put the United States of America together. If you read, as I hope you have, the book about Lincoln's Presidency, ''A Team of Rivals,'' you see even in 1860–1864, we were still fighting those battles in a war at the same time, but Abraham Lincoln persevered and we came through.

So not only as a policymaker but as a father concerned about our future generations, I understand the tremendous sacrifice our troops have made in support of a policy in Iraq. Our troops on the ground have told me, in many different ways, they understand they are making progress. They understand they are making these sacrifices; they are willing to do this for the good of our country. One particular quote sticks in my mind when they were first told about the possibility that Congress would set arbitrary time limits for withdrawal. Their response was: We have made far too many contributions and too many sacrifices to see it all be for naught.

This coming from troops on the ground who have seen their colleagues shot up and sent the belongings of lost comrades back home. They made a contribution to the peace and security of the United States, and they do not want us pulling the rug out from under them.

Let's remain committed to seeing the job done to protect this country from the radical and extremist attacks of al-Qaida and others. Our Nation's security, our credibility in the world, the freedom of millions of Iraqis and many other people threatened by this kind of terrorist attempt to establish a caliphate are depending upon us.

I urge my colleagues to listen carefully and accept the recommendations of General Petraeus and Ambassador Crocker, two men of unquestioned integrity who will be presenting the situation on the ground, not as we view it on TV, not as some mischaracterize it but from the people who have the responsibility for our missions, our vitally important missions, important not only for Iraq and the Middle East but to our own national security.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. MARTINEZ. Mr. President, I wish to follow on my distinguished colleague's remarks regarding the situation in Iraq.

I had the opportunity to visit there a week ago today. I went to Iraq because I wanted to see for myself, on the ground, the conditions there in advance of General Petraeus's and Ambassador Crocker's report. I am happy to report I believe what I saw was significant military progress.

My first stop on the visit was in Tikrit. I got a full briefing there of the conditions in this area, which was Saddam Hussein's birthplace, a place that was well known as a place of a lot of al-Qaida and Sunni insurgent activity.

This area was under control. This area was moving in the right direction. Significant progress has been made in pacifying and bringing Tikrit to a better situation.

I had a very interesting visit then to Patrol Base Murray. Patrol Base Murray is about 12 to 14 kilometers south of Baghdad by the Tigris River. It is an area that was totally controlled by al-Qaida a few weeks ago. Our brave men and women in uniform moved in as the last brigade of the surge. See, the surge began in the middle of February, I guess, but it did not conclude until the last brigade reported for duty, and that was in early June, late May. This brigade, the Stryker force, moved into this area under very difficult circumstances, and they have had a battle on their hands. But their commanders reported to us that under the most difficult of circumstances, they have made incredible progress, and that area is beginning to turn and turn dramatically. They are working with the locals. I spoke with an Iraqi gentleman who is cooperating and working with our forces there in trying to bring a normalcy of life to people who live in this part of Iraq and is making progress. It is working not without some losses, not without the grief of losing one of our valued soldiers and many casualties, but at the same time progress has been made.

Under the most difficult of circumstances and intense heat, their morale is incredibly high. The fact is that by all measures, this is a successful outcome to this particular aspect of our surge. The surge is doing precisely what it was intended to do, to clear and sustain and work with the locals as partners. All of those things seem to be working as intended, as General Petraeus laid out.

I had the opportunity to spend some time with General Petraeus and Ambassador Crocker to hear their assessment of the situation and hear some indication of what their report might yield. While we certainly need to allow them to speak for themselves when they come, I did get the definitive impression that the metric they utilized to sense and see whether, in fact, progress is being made, all seem to be moving in the right direction—not evenly, not without setbacks, but certainly significant progress is being made.

The strategy has shifted dramatically. It so happened that as we were shifting our strategy, al-Qaida and their excesses had been more than the local Iraqi communities could stand, and so we have had a confluence of interests, as many Iraqi leaders and tribal leaders and provincial leaders have turned against al-Qaida, understanding the way of al-Qaida is not the way that would be best for the Iraqi people. So this is a good confluence. This confluence has brought about the kind of incredible results the Senator from Missouri was speaking of in Al Anbar Province. So I believe a political reconciliation is ultimately the only way in which this will be a successful outcome. But the conditions on the ground are beginning to be such so as to allow the kind of a peaceful country to then begin the difficult process of political reconciliation.

There is no question that the Maliki Government has not delivered as hoped, but at the same time, some hopeful signs are beginning to emerge. There is no question the political progress lags behind the military progress. But I would expect it always would be so. The reason the military surge went ahead is so there could be the conditions for political progress.

Over the last several weeks, there have been meetings that have resulted in the beginnings of what I believe to be the political accommodations that need to take place. I think particularly important are the debaathification law and also the law that would allow for local and provincial elections. These

will go a long way toward setting the stage for the kind of political reconciliation that ultimately will make Iraq a peaceful country.

I wish to touch a moment on the report by General Jones on the conditions of the Iraqi military. I got a very positive assessment from General Petraeus. Their casualty rate is 3 to 1 to ours. They are taking the fight to the enemy, and they apparently are conducting themselves in stellar fashion.

However, they do need our help and will continue to need our help. I think it is important we note, as General Jones reports, that while he sees progress by the Iraqi military, surely they are going to be needing our help in logistics and air cover and things such as that for some time to come.

There is a big difference between them taking the brunt of the fight, which I think they are poised to do in the months to come, and still continuing to need the kind of backup and support that undoubtedly will take longer for them to build. It is a big difference for our military to be assisting in logistics than it is to be at the front of the battlefield. I think the Iraqis might be in a position to do so. I do not think there is any question that our goal is a successful Iraq, an Iraq that will not be a safe haven for al-Qaida, nor will it give Iran the kind of political control over this country that would be cataclysmic to the security and stability of the region. That is our goal.

As a result of that goal being achieved, then we will be able to withdraw our troops. But the goal ought to not be troop withdrawal at all costs. That would be a mistake for our country. It would be a mistake for the region. I believe that while progress is difficult and the sacrifices are great, that enough progress is being made for us to understand the way forward is a way of continuing involvement there until such time as Iraq has reached the point of stability that they can govern themselves and also provide for their own security.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

AMENDMENT NO. 2622

Mr. ALLARD. Mr. President, I rise to speak on amendment No. 2622, which the Senate will be voting on later today offered by Senator SALAZAR.

Mr. President, I regret that I must rise to oppose this amendment from my friend and colleague from Colorado. But this issue is of too great importance to the men and women who are fighting for our freedoms around the world.

My colleague has characterized this as an Army versus the ranchers and farmers issue. I do not think this is our fighting men in the military versus farmers and ranchers, and here is why. Because I believe there are willing sellers and willing buyers in this particular instance. Private property owners, I have been told, approached the Army and said: Look, we have some land available we want you to consider in your plans to expand a needed training area, for the Army to consider looking at dealing with us and selling that land.

So I think this particular proposal does not need to be an Army versus farmers and ranchers. I think this can be worked out with deliberation and thought during this process. Two years ago, the entire Colorado congressional delegation made a successful argument to the BRAC Commission to keep Fort Carson Army Base in Colorado Springs open. We made a commitment that if the Army kept Fort Carson open and even added soldiers, we would make sure our soldiers stationed there would be provided with adequate training to do their job.

The Army kept Fort Carson open and restationed two new brigades, totalling more than 10,000 new soldiers, to the mountain post due to the commitment made by the entire Colorado delegation.

It would be hypocritical for us as a delegation to now tell the Army: We want those new soldiers, and we want the economic benefit from those new soldiers, but we are unwilling to do what is required of us as a State to ensure that our men and women stationed at Fort Carson are provided with adequate training.

This amendment is a horrible precedent that will impact more than Fort Carson. It is a national security issue at a time when our Nation is engaged in armed conflict. Currently, the Army has a backlog of 2 million acres needed for training. The shortfall is expected to increase to 5 million acres by 2011, according to the Department of the Army's response to the National Defense Authorization Act of 2007, which is available for perusal by my colleagues.

This issue could be reaching your State. Congress should be working with the Pentagon to address this serious backlog that is hindering the Army's ability to provide adequate training our soldiers need and deserve.

I ask unanimous consent to have printed in the RECORD the letter of opposition to the Salazar amendment from the Secretary of Army, Pete Geren.

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

(See exhibit 1.)

Mr. ALLARD. According to the Army, the Salazar amendment is too restrictive. It prevents them from doing anything on Pinon Canyon to resolve even their differences with the farmers and ranchers, including photocopying handouts or maps to the citizens with questions, holding community meetings to find common ground, and even doing a required environmental impact statement.

Senator SALAZAR and I have offered amendments to last year's and this year's Defense authorization bill to address many of the valid issues raised by concerned citizens and elected officials whose communities are affected by the proposed expansion of Pinon Canyon, the need for any expansion of Pinon Canyon by the Army, and the economic and environmental impact to southeastern Colorado. I agree with my colleague that the Army needs to answer questions. I agree we need to ensure the residents and communities impacted by any expansion are part of the process and their concerns are addressed. I believe this amendment would not accomplish those goals but, rather, actually keep us from getting needed answers to which they are entitled. Where we disagree is on the approach. This amendment will have long-term unintended consequences we could regret. I ask my colleagues to consider those consequences before they vote.

I ask my colleagues to vote no on the Salazar amendment.

EXHIBIT 1

SECRETARY OF THE ARMY,
Washington, DC, September 6, 2007.

Senator JACK REED,
Acting Chairman, Senate Committee on Appropriations, Subcommittee on Military Construction, and Veterans' Affairs, Washington, DC.

Senator KAY BAILEY HUTCHISON,
Ranking Member, Senate Committee on Appropriations, Subcommittee on Military Construction, and Veteran's Affairs, Washington, DC.

DEAR MR. CHAIRMAN AND SENATOR HUTCHISON: I am writing to express the Army's views regarding the Piñon Canyon Maneuver Site (PCMS) in Colorado. The Army wishes to expand the PCMS in order to provide our Soldiers with the best, most realistic, and doctrinally sound training possible.

The Army's need for U.S.-based training and maneuver space will increase significantly as a result of the planned return of approximately 70,000 troops from overseas bases. These Soldiers previously conducted much of their training and achieved their readiness standards by using overseas training and maneuver space; the same requirements are now being shifted onto an existing U.S. installation footprint. Adding an increased requirement to a finite amount of training space can be partially managed with work-arounds, but there are limits. At some point, training can become degraded in quality and unrealistic. Moreover, the land itself must also recover from intense training exercises. Adding more training exercises to the same plot of land can pose environmental risks.

In addition, changes to technology and the organization of our units requires each Brigade Combat Team (BCT) to be more agile, be more readily deployable, and be able to secure significantly more territory than their Cold-War era counterparts. To properly train our BCTs, they need to meet higher home-station readiness levels than ever before. To attain this readiness, they need adequate space to maneuver under realistic conditions. Shipping units elsewhere is not an acceptable substitute for home-station training because it would take valuable time from Soldiers away from their Families—Soldiers and Families are already bearing tough sacrifices on behalf of the nation.

The Army has a growing training land shortfall that will reach 5 million acres across the entire country by 2011. Fort Carson is not the only base with projected training land shortfalls, but not all bases have an opportunity to expand to remedy to the problem. The Army has the ability to address some of the overall training land shortfall by acquiring land at PCMS. If the Army is legislatively prevented from expanding PCMS, it will harm the Army's ability to provide necessary and realistic training to units stationed at Fort Carson, as well as Active, Reserve, and Guard units training there.

The Army firmly opposes legislation to limit the Army's proposed expansion of PCMS. Indeed, the Army may need to expand other installations around the country, and such legislation could create a dangerous precedent that the Army will forever be locked into its current training and maneuver space footprint regardless of any future changes to organization, technology, doctrine, or threats.

Thank you for your consideration of the Army's views as you complete your work on S. 1645.

Sincerely,

PETE GEREN.

The PRESIDING OFFICER (Mr. PRYOR). The Senator from Colorado.

Mr. SALAZAR. What is the pending business and the amount of time?

The PRESIDING OFFICER. The Senate is still in a period of morning business, and the majority controls 5 minutes.

Mr. SALAZAR. Mr. President, I ask unanimous consent for up to 2 minutes of that time, followed by Senator BROWN for the remainder.

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

Mr. ALLARD. Mr. President, I want to make sure we don't have Republican colleagues who have a need to speak further in morning business.

The PRESIDING OFFICER. The Republican side has 40 seconds remaining in their allotted time.

Mr. ALLARD. Very good. I have no objection.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I thank my friend from Colorado for his views on this amendment. I also thank him for the work we do together in support of our military installations which we consider to be part of the crown jewel of the Nation's defense and homeland security, and we often work on those matters together.

I will take exception with respect to a characterization concerning my amendment in that there is some inconsistency between what we did in the 2005 BRAC recommendations, which we all supported, and this particular amendment.

The fact is, the BRAC, in its findings, said we would move the additional brigades into Fort Carson, that there was sufficient capacity to provide all the training that was required there at Fort Carson, and that is because Fort Carson has over 100,000 acres on its own site and 235,000 acres of additional land. Now the Army wants to acquire land that is going to make the Army's holdings at Piñon Canyon greater than the size of the entire State of Rhode Island. My question is, What has changed from January of 2005 until today? What has changed is that all of a sudden the Army has decided that it needs all this additional land.

I go back to my initial argument, which is, if we care about private property rights, if we care about the ranchers in southeast Colorado, if we care about national security and making sure we are investing taxpayer dollars wisely, then it is important we do a timeout, which is all that my amendment does.

I urge my Republican and Democratic colleagues to support my amendment.

The PRESIDING OFFICER. The Senator from Ohio.

VA OUTSOURCING

Mr. BROWN. I thank the Chair.

Mr. President, the amendment I will be calling up later this morning does not change current law. It simply reminds the Veterans' Administration to abide by current law. All Federal agencies are bound by certain rules when they outsource jobs. While the Department of Defense has its own set of rules, every other Federal agency, including the Veterans' Administration, is required to take the same straightforward steps to ensure that when outsourcing occurs, which sometimes it needs to, it actually improves upon the status quo, not outsourcing for the sake of outsourcing or to feed private contractors but outsourcing to serve taxpayers and, in the case of the VA, veterans better. If any Federal agency should be required to show a good reason before displacing Government workers, it should be the Veterans' Administration. That is because so many VA employees are actually veterans themselves. Arbitrarily firing veterans is not only wrong, it is shortsighted. The obstacles to employment are steep enough for veterans in too many cases without throwing unjustifiable outsourcing into the mix.

Even if we put that aside, taxpayers are not well served when Government contracts are handed out without regard to the costs or benefits that result. That is one of the many lessons we should have learned from Katrina. It is a lesson we are learning over and over from Iraq. These lessons don't seem to be sinking in with the administration. The VA is firing many of its blue-collar workers and replacing them with private contractors without going through the competition process that Congress has called for again and again. It is bad enough that the VA is moving forward without actually figuring out what is in the best interest of taxpayers. Sometimes outsourcing jobs makes sense. More often than not, as we have found, it doesn't. But that question should be asked before any outsourcing is done in every single case.

Making matters worse, four-fifths of the blue-color jobs targeted for outsourcing were held by veterans. So the Veterans' Administration is outsourcing Government jobs held by veterans to go to private contractors without proving that it is actually saving money. This is more than a paycheck or a path to independence. Sidestepping the rules to eliminate their jobs is bad business and bad policy.

I urge my colleagues to support the amendment.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is 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 assistant 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 PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 2687

Mr. BUNNING. Mr. President, I rise to express my strong opposition to the Coleman amendment No. 2687. The amendment requires the use of emergency Federal funds paid by taxpayers from every State for security at the 2008 Presidential political party conventions in Minneapolis and Denver. If the amendment passes, both the Republican and Democratic political party conventions will each receive $50 million additional in Federal taxpayer dollars for State and local law enforcement costs associated with hosting the conventions. The $50 million for the Minneapolis convention is on top of the $12.5 million in Federal funds the State also will receive in the current version of the Commerce-Justice-State appropriations bill. This is all on top of $70 million each party receives to host their conventions and run their political campaigns.

Spending an additional $100 million in taxpayer funds for political conventions in Minneapolis and Denver is pretty outrageous to me. States that bid to host political conventions know that winning the bid also means a high cost for security comes with it. Sure, the cost of security after September 11 has gone up, but States and cities that bid on the 2008 conventions knew that burden at the get-go.

Plus, the States will receive an enormous benefit from hosting the conventions. I have not heard one person say that the States or cities hosting the

conventions will go bankrupt from holding them. One estimate shows that Minneapolis will receive more than $150 million in benefits from hosting the convention. Denver will likely receive a similar financial benefit. The millions of dollars in benefits is the main reason cities bid to host conventions in the first place. That is why every 4 years many cities bid to host each of the conventions. This windfall comes from thousands of people staying at the hotels, eating at the restaurants, and shopping in the stores in Denver and Minneapolis. That will result in a lot of sales tax revenue and hotel tax revenue that will stay in each of those cities and States.

Paying for security definitely should not put States in the red. It is definitely not an unfunded mandate on the States or cities by the Federal Government. So if the States are receiving this huge benefit, why are taxpayers footing over $100 million additional in Federal funding for these political conventions? And how did we determine that figure of $50 million that was needed for each of these cities and States? Was this thoroughly researched? By whom? And what will the actual need be for Minneapolis? What will it be for Denver? Why has no Member of this body made this case?

At the 2004 convention in New York City that I attended, they spent about $58 million in security. Will Minneapolis and Denver, which are not as big as New York and not a major port city, need the same amount of funding? It seems we are just throwing taxpayer money needlessly around without seriously looking at the situation.

The legislation before us today provides over $109 billion for veterans and military construction projects all across the Nation. This legislation is supposed to help support our troops who are risking their lives overseas and to help the veteran men and women who so bravely fought for our country. With this in mind, I ask, why are we funding political conventions in this VA-Military Construction appropriations bill? What do political conventions have to do with the military? This is a combination of oil and water, and the Coleman amendment is trying to put them together. It doesn't mix.

I also have extreme concerns with the use of emergency Federal spending to pay for political party conventions—emergency Federal spending. This is just a budget gimmick to get around the need to offset the funds. I keep saying this over and over, but emergency spending should only be for just that—emergencies. Usually emergency funding goes to things such as the Iraq war, the Afghanistan war, or victims of Hurricane Katrina, and other major disasters that occur in the United States. It should not go toward nonemergency funding such as the conventions. Come on. Everybody knew, once the winning conventions city and State bids were announced, that security would have to be somehow funded. Holding conventions takes advance planning from States and cities and their political parties. All this does not add up to an emergency situation requiring emergency Federal funding.

The fiscal year 2008 budget resolution allows for a point of order against amendments such as this that are not true emergency spending. It sets criteria for emergency spending which I do not think this amendment meets. Emergency spending must be only used for essential, sudden, and urgent matters that are unforeseen and not permanent. By my calculations, this amendment meets only one of those requirements, and none of the four other requirements. Because I think the overwhelming majority of the Senate will vote for this amendment, I will not raise the point of order against it.

I have been to every Republican convention since 1980. I want to make it clear I think security is as important for the Republican and Democratic conventions, but my objections to this amendment concern who should foot the bill for the security. I believe those States and cities hosting the conventions should provide that funding. That means those planning the conventions and those benefiting from the conventions in Denver and Minneapolis should pick up the security tab, not Federal taxpayers across the country.

For all these reasons, I oppose the Coleman amendment and urge my colleagues to do the same. This amendment will pass, but we need to reevaluate how we finance political conventions in the future. When cities make bids to host these conventions, they should also make preparations to pay for security and include this information in their bids.

This emergency funding method, using Federal taxpayers' dollars for political conventions, is not in the best interest or the best way to proceed, and that is why I oppose this amendment. If we think about this, this is the way the old Soviet Union used to fund their conventions, which were phony. But the state paid for the whole thing. I do not think we should have the same thing happening here in the United States of America.

Mr. President, I reserve the remainder of my time.

Will the Chair state how much time I have left?

The PRESIDING OFFICER. The Senator has 18 minutes.

Mr. BUNNING. Eighteen minutes. Mr. President, I will allow the Senator from Minnesota to use 5 of those minutes.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

Mr. COLEMAN. Mr. President, I thank my colleague, my friend from Kentucky.

I want to respond to a couple of concerns he raised.

First, I am in total accord with my friend that we need to reevaluate how we fund conventions in the future. There is absolutely no question about that. In a post-9/11 world, these conventions are targets for terrorism. These conventions, by the way, are designated as national special security events, which means the Federal Government actually has overall responsibility for the security, through the Department of Homeland Security, Secret Service. They then direct the folks at the local level. But we need to figure out, in the future when these conventions are bid for: How are we going to pay for security?

In this case, there are three things that should be responded to. First, there are appropriations in some other bills, but the total sought here is $100 million, and that anything else in any other bill will not be pursued, will be dropped. So the figure—and I think we should be in agreement on that—is $100 million, which is what it was in New York and Boston; but we are 4 years later, $50 million for each of the cities.

I should also note all funds will be audited. That has not been the case in the past. All funds will be audited. We will find out. I think we need to do that for the future to know what are the security needs, and, again, to make sure—I have been very insistent to ensure—we have an auditing mechanism which we have not had in place before.

Third, it is an emergency because the planning for security has to begin now. We have not dealt with it up to this point in time. I would note that the city of St. Paul—and I was the mayor of St. Paul—I believe their entire budget is $500 million. Their overall budget for police in the course of a year—law enforcement—I think is about $68 million.

Cities do not have the capacity to meet the security needs that are being imposed on them by the Federal Government, by the Federal authorities. Where I disagree with my friend is, I see this as an unfunded mandate. The Department of Homeland Security or the Secret Service tell local law enforcement: You have to do A, B, C, or D, and that is the Federal Government telling folks at the local level to do something without giving them the resources. Those are unfunded mandates.

We live in a world where conventions are natural targets for those who wish to do us harm. As we saw in Germany, the threats are very real. We have a situation where security is the first responsibility of Government. That is what this is about. It is about security. It is the primary responsibility of Government. National conventions are events that if we are going to continue to have them—and I think we should have them; we could do away with them, if that is what some are suggesting, and I don't think they are—but if we are, we have to have security at a level that ensures those who are there—the President will be there, elected officials, citizens, and they are targets.

They have been designated national special security events and, therefore,

we have to fund them. This will fund the conventions. I will work with my friend from Kentucky as we work forward in the future to make sure we address up front the cost of security. But it is not reasonable to argue the city of Denver or the cities of St. Paul-Minneapolis would have the capacity to institute the security they are required to do. So we stepped forward at the first post-9/11 convention in New York. We had security there. The Federal Government played a role. We will continue to play a role in the future. It is the right thing to do. I think it is the responsibility of Government.

Again, as a former local elected official, were I sitting in the mayor's office, there is no doubt I would be saying, yes, we have this opportunity, but we need to make sure, in the end, it can be funded. This is clearly a Federal responsibility. The States and cities will do their part, but we have a part to play also.

With that, Mr. President, I thank my colleague from Kentucky and yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BUNNING. Mr. President, I wish to respond to my friend from Minnesota.

First of all, it was only $25 million put in the New York security bill for the 2004 convention in New York, which I attended. My concern and my wonder is: Why did Minneapolis-St. Paul in Minnesota, bid at all for the convention, or Denver, CO? Why did they bid? Did they bid to lose money? Did they bid to attract people into their States so they could make money on the conventions?

I was on the Republican National Committee for 8 years and was involved in three national conventions. We went to Detroit, Dallas, and New Orleans. All of those cities were pre-9/11, but all of those cities were responsible for the security.

Now, after 9/11, the people who are bidding—and there were more than just those two cities bidding. In fact, there were five that were narrowed down to three, and, finally, Minneapolis-St. Paul was chosen by the Republicans. The same thing occurred on the Democratic side, where there were five, and then down to three, and then down to one in Denver, CO.

Now, they knew there was going to be a cost for security after 9/11. They had to build that security cost into their bid for the convention. If they did not do that, they were poor planners. The mandates that come from the Federal Government were known prior to the bids being made because we had already experienced a New York convention which was held in a much bigger city with many more ports and many more people and many more police than there are now in Minneapolis-St. Paul or Denver, CO.

So it does not wash, the fact that this is an unfunded mandate from the Federal Government, because all of these cities that bid knew there were going to be additional costs for security if they were successful in hosting the convention.

The way it is done with emergency spending is a farce. We do this when we cannot pay for it in the normal budgeted manner. It is a gimmick used in budgeting when you do not want to pay for something in the year that you spend the money. I am shocked this is going to pass by the margin it will pass. I sincerely believe we need our conventions and we need to nominate whomever we nominate for President and Vice President on both the Democratic and Republican side, but I almost am at a loss for words we would use emergency spending for the conventions and for something that should have been planned for by the cities and States that are going to host the current conventions in 2008.

Mr. President, I yield back the remainder of my time, and seeing no one seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2687

Mr. COLEMAN. I call up my amendment No. 2687. It should be at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. COLEMAN] proposes an amendment numbered 2687.

The amendment is as follows:

(Purpose: To provide funding for security associated with the national party conventions)

At the end of the bill, add the following:

SEC. ____. For an addtional 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).

Mrs. HUTCHISON. Mr. President, would the Senator yield for a unanimous consent request?

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

Mrs. HUTCHISON. Let me suggest the absence of a quorum before I do that, just to inform the other side, and then we can proceed.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. 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. HUTCHISON. Mr. President, I ask unanimous consent to withdraw amendment No. 2666 by Senator MCCONNELL.

The PRESIDING OFFICER. The amendment has not actually been proposed.

Mrs. HUTCHISON. The amendment was on the unanimous consent request list last night.

The PRESIDING OFFICER. Without objection, the order will be so modified.

Mrs. HUTCHISON. I do want to say in regard to amendment No. 2666, the McConnell amendment, which if it has not been formally proposed, I want to say it is regarding the Chemical Demilitarization Program that is in the Department of Defense. I just want to assure the Senator from Kentucky that this committee will work with the Armed Services Committee to ensure that the program stays on schedule. It is a very important program. The Department of Defense does want to continue the program, and we will work with the Armed Services Committee to assure that.

I would certainly ask the chairman of the committee if that is his wish as well.

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

Mr. REED. Mr. President, Senator MCCONNELL is proposing additional resources for the Bluegrass chemical demilitarization facility. It is a very important project. It is one we funded already in the bill. I can assure the Senator from Texas that I will work with my colleagues on the House Armed Services Committee to allow additional resources going forward, perhaps through reprogramming, so that we can achieve Senator MCCONNELL's goal, which is to as quickly as possible put this facility into operation to begin to eliminate some of these chemical weapons we have had in our inventory for many years.

Mrs. HUTCHISON. I thank the chairman of the subcommittee, and I appreciate very much his cooperation. I agree with him completely and with the Senator from Kentucky that we need to continue this program, and we will all work together to assure that the funding is there.

Mr. President, let me just ask a parliamentary inquiry now. We had told our colleagues we would start voting at 11 o'clock, and I was just going to ask the status of that information.

The PRESIDING OFFICER. Senator COLEMAN and Senator BUNNING will divide 2 minutes on the Coleman amendment prior to the vote. We then will begin the first vote.

Mrs. HUTCHISON. And have the yeas and nays been called for?

The PRESIDING OFFICER. They have not.

Mrs. HUTCHISON. Mr. President, I ask for the yeas and nays on amendment No. 2687.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote to be taken in relation to amendment No. 2687 offered by the Senator from Minnesota.

The senior Senator from Minnesota is recognized.

Mr. COLEMAN. Mr. President, parliamentary inquiry before my time begins: Has the amendment been called up and read?

The PRESIDING OFFICER. The amendment has been called up, and it has been read. The Senator may proceed.

Mr. COLEMAN. Mr. President, first, two points of clarification.

Both New York and Boston received $50 million each. There were apparently two separate appropriations, but they each received $50 million, and that is what Denver and St. Paul-Minneapolis are seeking here.

The second point I wish to tell my colleagues is that all funds in here will be ordered. There is a specific ordering provision in this amendment that has not been in previous amendments or previous funding of conventions.

Third, the Department of Homeland Security has designated these conventions as national special security events. As such, the Secret Service will be directing the local units of government regarding security needs. Without Federal assistance, the security costs associated with these events are essentially unfunded mandates.

I urge my colleagues to ask themselves what are the consequences of not providing this critical emergency funding. The planning has to start now. We all know security risks are real. Look at what happened in Germany yesterday. It is our responsibility as Senators to make sure local law enforcement offices that will be working tirelessly to protect these events have the resources they need. Security is the first responsibility of Government. This funding is for security. Frankly, I wouldn't want to be standing on the Senate floor a year from now saying I wish we had done more.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. COLEMAN. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 1 minute.

Mr. BUNNING. Mr. President, it is as though we didn't know 9/11 occurred, that the security risk for a convention in 2004 and 2008 would not be planned for in the bid by the hosting cities. Then for the Federal Government to step in and use emergency funding as a tool, a budget gimmick tool to fund this $50 million extra because Minneapolis-St. Paul and Denver didn't plan well for their conventions—I don't think it is the responsibility of the Federal Government to budget this as an emergency spending bill, so I urge the defeat of the Coleman amendment.

The PRESIDING OFFICER. The Senator's time has expired. All time has expired.

The yeas and nays have been ordered.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KERRY), the Senator from Arkansas (Mrs. LINCOLN), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

I also announce that the Senator from New Mexico (Mr. BINGAMAN) is absent attending a funeral.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''yea.''

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG), the Senator from New Mexico (Mr. DOMENICI), and the Senator from Virginia (Mr. WARNER).

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

The result was announced—yeas 76, nays 15, as follows:

[Rollcall Vote No. 313 Leg.]

YEAS—76

Akaka	Durbin	Murkowski
Alexander	Ensign	Murray
Allard	Feinstein	Nelson (FL)
Baucus	Graham	Nelson (NE)
Bayh	Gregg	Pryor
Bennett	Hatch	Reed
Bond	Hutchison	Reid
Boxer	Inouye	Roberts
Brown	Isakson	Rockefeller
Burr	Johnson	Salazar
Byrd	Kennedy	Sanders
Cantwell	Klobuchar	Schumer
Cardin	Kohl	Shelby
Carper	Kyl	Smith
Casey	Landrieu	Snowe
Chambliss	Lautenberg	Specter
Clinton	Leahy	Stabenow
Cochran	Levin	Stevens
Coleman	Lieberman	Sununu
Collins	Lott	Tester
Conrad	Lugar	Vitter
Corker	Martinez	Webb
Cornyn	McCain	Whitehouse
Crapo	McConnell	Wyden
Dole	Menendez	
Dorgan	Mikulski	

NAYS—15

Barrasso	Enzi	Inhofe
Brownback	Feingold	McCaskill
Bunning	Grassley	Sessions
Coburn	Hagel	Thune
DeMint	Harkin	Voinovich

NOT VOTING—9

Biden	Dodd	Lincoln
Bingaman	Domenici	Obama
Craig	Kerry	Warner

The amendment (No. 2687) was agreed to.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2664

The PRESIDING OFFICER. Under the previous order, the clerk will report the Sanders amendment.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS] proposes an amendment numbered 2664.

The amendment is as follows:

(Purpose: To prohibit the Secretary of Veterans Affairs, with respect to increases in dollar amounts for the payment of disability compensation and dependency and indemnity compensation, from rounding down such dollar amounts to the next lower whole dollar)

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.

The PRESIDING OFFICER. There is now 2 minutes of debate prior to the vote in relation to the amendment.

Who yields time?

The Senator from Vermont is recognized for 1 minute.

Mr. SANDERS. Mr. President, the amendment I am offering has the support of the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, the Paralyzed Veterans of America, and AMVETS, and it is cosponsored by Senator MENENDEZ.

In a $109 billion piece of legislation, this $20 million amendment is not significant from a monetary perspective. It is, however, very significant in terms of the message we send to veterans throughout our country, especially disabled veterans, the men and women who have lost arms and legs defending us, who move around in wheelchairs, who are blind and/or deaf.

In the 1990s, as a temporary measure, Congress initiated the so-called rounding down of veterans' disability benefits. Under this rounding-down process, a disabled veteran who is supposed to receive, for example, a check for $200.99 has that 99 cents taken away from him and only gets the $200.

A veteran in a wheelchair opens his envelope check every month and is reminded that the United States Government is saving 99 cents a month. What a message that sends to the veterans.

This is an important amendment. It should be adopted.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mrs. HUTCHISON. Mr. President, we yield back our time.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to amendment No. 2664.

The amendment (No. 2664) was agreed to.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2662

The PRESIDING OFFICER. Under the previous order, the next amendment is the Salazar amendment. There is now 2 minutes of debate prior to a vote in relation to the amendment.

Who yields time? The Senator from Colorado is recognized.

Mr. SALAZAR. Mr. President, I urge my colleagues in this Chamber, on the Republican side and the Democratic side, to vote yes on this amendment. In February of this year, the Army announced that it wanted to acquire an area the size of Rhode Island in the southeastern part of my State. I am not opposed to the possibility of expanding the Pinon Canyon Maneuver Site, but what we are asking for in our amendment is that we have a 1-year timeout for us to study the training capacity needs of the Army.

If my colleagues care about private property rights, vote for this amendment. If they care about the ranchers of America and the ranchers of southeastern Colorado, I ask for a ''yes'' vote. And if they care about national security and making sure we are fiscally responsible in how we invest our money, vote yes on this amendment. I ask for a ''yes'' vote.

Mrs. HUTCHISON. Mr. President, I yield 30 seconds to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 30 seconds.

Mr. ALLARD. Mr. President, this issue boils down to just a few important points. First and foremost, denying the Army the opportunity to explore expansion efforts at a time when the Army is facing a training land shortfall is not in our national security interests.

Second, this amendment will tie the hands of the Army. The language is so restrictive that it will prevent them from providing information, handouts, or holding community meetings to find common ground for conducting an environmental impact statement which will be important to the decision-making process.

Last, we do need to remember that property rights should be protected, and we are doing that through other amendments which the Army supports.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ALLARD. I ask for a ''no'' vote.

Mrs. HUTCHISON. Mr. President, the Secretary of the Army called me this morning and said if they cannot continue to plan for the expansion working with the community that it will hamper their efforts in training. It will require them to go to other places for training. It will cause the troops to have to train longer periods.

They absolutely are against this amendment, and they are against the precedent of having Congress say: You cannot continue with expansion plans that are on the books.

I urge a ''no'' vote.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. REED. Mr. President, I point out that a similar measure passed the House of Representatives by a vote of 383 to 35 on a bipartisan basis, strongly supported in the House.

Also, during the BRAC process, the Army determined the capacity of Fort Carson was adequate for the brigades stationed there.

I urge the adoption of the amendment.

The PRESIDING OFFICER. The clerk will report the Salazar amendment.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. SALAZAR] proposes an amendment numbered 2662.

The amendment is as follows:

(Purpose: To prohibit the use of funds to expand the boundaries or size of the Pinon Canyon Maneuver Site, Colorado)

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.

Mr. BUNNING. 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 amendment No. 2662. The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KERRY), the Senator from Arkansas (Mrs. LINCOLN), and the Senator from Illinois (Mr. OBAMA), are necessarily absent.

I also announce that the Senator from New Mexico (Mr. BINGAMAN) is absent attending a funeral.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''yea.''

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG) and the Senator from New Mexico (Mr. DOMENICI).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 45, as follows:

[Rollcall Vote No. 314 Leg.]

YEAS—47

Akaka	Feinstein	Nelson (FL)
Baucus	Harkin	Nelson (NE)
Bayh	Inouye	Pryor
Boxer	Johnson	Reed
Brown	Kennedy	Reid
Brownback	Klobuchar	Roberts
Byrd	Kohl	Rockefeller
Cantwell	Landrieu	Salazar
Cardin	Lautenberg	Sanders
Carper	Leahy	Schumer
Casey	Levin	Stabenow
Clinton	Lieberman	Tester
Conrad	McCaskill	Webb
Dorgan	Menendez	Whitehouse
Durbin	Mikulski	Wyden
Feingold	Murray	

NAYS—45

Alexander	DeMint	Martinez
Allard	Dole	McCain
Barrasso	Ensign	McConnell
Bennett	Enzi	Murkowski
Bond	Graham	Sessions
Bunning	Grassley	Shelby
Burr	Gregg	Smith
Chambliss	Hagel	Snowe
Coburn	Hatch	Specter
Cochran	Hutchison	Stevens
Coleman	Inhofe	Sununu
Collins	Isakson	Thune
Corker	Kyl	Vitter
Cornyn	Lott	Voinovich
Crapo	Lugar	Warner

NOT VOTING—8

Biden	Dodd	Lincoln
Bingaman	Domenici	Obama
Craig	Kerry	

The amendment (No. 2662) was agreed to.

Mr. SCHUMER. I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

AMENDMENT NO. 2673

Mr. BROWN. Mr. President, I call up amendment 2673, and I ask unanimous consent to add Senator WEBB as a cosponsor.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Ohio [Mr. BROWN] proposes an amendment numbered 2673.

The amendment is as follows:

(Purpose: To limit the cases in which funds appropriated or otherwise made available by this Act may be used to convert to contractor performance an activity or function of the Department of Veterans Affairs that is performed by more than 10 Federal employees)

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.

The ACTING PRESIDENT pro tempore. There are now 2 minutes of debate equally divided prior to the vote in relationship to the amendment.

The Senator from Ohio.

Mr. BROWN. Mr. President, Congress again and again has called on Federal agencies to ensure that before work is contracted out we first see if Federal employees can perform their jobs as well as their private-sector counterparts. That is only fair to taxpayers as well as to employees. The VA is trying to contract out the work of its blue-collar employees, some four-fifths of whom are veterans themselves, without bothering to see if they can perform as well as their private competition.

This amendment, cosponsored with Senator WEBB, simply reiterates the language we have adopted before that there must be a public-private competition before work is contracted out. I hope we can adopt the amendment overwhelmingly to send a message to the VA that this isn't a Democratic-Republican issue, this is simply good government. It is the right thing for American taxpayers and the right thing for veterans—those being given care and those workers who are veterans who support that mission.

I yield back my remaining time.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, this is an amendment that would tie the hands of the Veterans' Administration in trying to make the most and the best use of taxpayer dollars. It would prohibit contracting out if 10 Federal employees are doing a job.

We ought to be trying to promote the Veterans' Administration for being efficient. We should be promoting using taxpayer dollars wisely, not a protectionist amendment, where Congress would tie the hands of the Veterans Affairs Department. I hope we will defeat this amendment.

We already have the capability to affirm that it is in the best interest of the VA to contract out. The VA is required to come to Congress to say it is in the interest of the VA that the contracting out be done. But to say no contracting out if there are 10 Federal employees doing a job is absolutely wrong, and it is going in the wrong direction for efficiency of our taxpayer dollars.

I urge a ''no'' vote.

The ACTING PRESIDENT pro tempore. The question is on agreeing to amendment No. 2673.

Mr. BROWN. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Illinois (Mr. OBAMA), and the Senator from Virginia (Mr. WEBB), are necessarily absent.

I also announce that the Senator from New Mexico (Mr. BINGAMAN) is absent attending a funeral.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) and the Senator from Virginia (Mr. WEBB) would each vote ''yea.''

Mr. LOTT. The following Senator is necessarily absent: the Senator from Idaho (Mr. CRAIG).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 39, as follows:

[Rollcall Vote No. 315 Leg.]

YEAS—52

Akaka	Feingold	Nelson (NE)
Baucus	Feinstein	Pryor
Bayh	Harkin	Reed
Bond	Inouye	Reid
Boxer	Johnson	Rockefeller
Brown	Kennedy	Salazar
Byrd	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Snowe
Carper	Lautenberg	Specter
Casey	Leahy	Stabenow
Chambliss	Levin	Stevens
Clinton	McCaskill	Tester
Collins	Menendez	Voinovich
Conrad	Mikulski	Whitehouse
Domenici	Murkowski	Wyden
Dorgan	Murray	
Durbin	Nelson (FL)	

NAYS—39

Alexander	DeMint	Lott
Allard	Dole	Lugar
Barrasso	Ensign	Martinez
Bennett	Enzi	McCain
Brownback	Graham	McConnell
Bunning	Grassley	Roberts
Burr	Gregg	Sessions
Coburn	Hagel	Shelby
Cochran	Hatch	Smith
Coleman	Hutchison	Sununu
Corker	Inhofe	Thune
Cornyn	Isakson	Vitter
Crapo	Kyl	Warner

NOT VOTING—9

Biden	Dodd	Lincoln
Bingaman	Kerry	Obama
Craig	Lieberman	Webb

The amendment (No. 2673) 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.

Mr. CARDIN. Mr. President, I rise today to express my support for H.R. 2642, the fiscal year 2008 Military Construction and Veterans Affairs appropriations bill. This is an important bill, one that makes the necessary investments in caring for our veterans, in improving the quality of life for our military families, and in building and improving the facilities integral to our military's current and future mission and our national security. The legislation provides $64.7 billion in discretionary funding, which is $4 billion above the President's budget request. Frankly, the President's request was insufficient, so I support the Appropriations Committee's recommendation.

The bill offers substantial new investments in health care for America's veterans and takes into consideration the unique needs of our service men and women returning from Iraq and Afghanistan. By increasing critical investments in medical services, which include treatment of traumatic brain injury, TBI, and post traumatic stress disorder, PTSD, for Iraq and Afghanistan veterans, providing the funding necessary to hire new claims processors to address the VA's backlog, and investing in VA repair and maintenance necessary to prevent another Walter Reed-type situation, the bill addresses key shortcomings in our veterans health care system.

The bill also addresses key quality-of-life and mission-related needs for all U.S. troops and their families. I am grateful it includes $265 million for construction of facilities at Aberdeen Proving Ground, Patuxent River, Suitland, Fort Detrick, and Fort Meade in recognition of the growing and critical role these Maryland installations play in our national defense.

As stated in the Base Realignment and Closure, BRAC, Commission Report, the primary goal for the 2005 BRAC process was military transformation. While acknowledging the need to save money, the Commission went beyond a business model analysis, giving military value criteria priority consideration. Of critical importance to communities in Maryland and to citizens across the Nation, the bill provides $8.17 billion for BRAC 2005 to implement the base closures and realignments that the Commission determined are critical to our military's current and future mission. This includes over $700 million for the construction of crucial facilities at Aberdeen Proving Ground, Indian Head, Andrews Air Force Base, Fort Meade, and the Bethesda National Naval Medical Center.

Given the critical nature of these appropriations, you can imagine my concern when I read the Statement of Administration Policy on this bill. President Bush, it seems, thinks that such investments in our veterans and our military infrastructure are ''excessive.'' While he has indicated that he will not veto H.R. 2642, he has threatened to veto other appropriations bills unless we find ways to cut spending in those measures equal to the spending—$4 billion—in this bill that exceeds his request.

This administration, which has consistently underestimated the resources it would take to fund our military and care for our veterans, promises that it is ''closely tracking the ongoing cost of providing for our veterans.'' When it comes to bases, troops, and veterans, we shouldn't be cutting corners or scrambling later to make up for earlier mistakes. It is our duty to pass this bill and fully fund the veterans initiatives and military construction projects it contains.

I applaud Senators BYRD, COCHRAN, JOHNSON, HUTCHISON, and REED and my other colleagues on the Appropriations Committee for their excellent work and look forward to quick passage of this critical legislation.

Mr. LAUTENBERG. Mr. President, as a member of the Senate Appropriations Committee, I helped craft the 2008 Military Construction and Veterans Affairs Appropriations bill and I am proud of the priorities we set for our military.

There is no more important time than now to show our support for our troops. Nearly 200,000 American service men and women are fighting in Iraq and Afghanistan. More than 1.5 million have served valiantly since these wars began. Of these, more than 33,000 servicemembers have come from New Jersey.

This legislation will provide critical funding to ensure that those in our military who sacrifice in defense of our country now and those who did so in the past are given the best care.

Overall veterans funding will increase 18 percent over last year's levels, supporting physical and mental care, the administration of the Veterans' Administration, VA, health system, and VA medical facilities.

The Veterans Health Administration will receive an increase of $4.6 billion to help care for our wounded warriors, to treat both their physical injuries and increasingly common mental trauma, including post-traumatic stress disorder.

This appropriations bill also aims to strengthen our military bases, providing $21 billion for military construction efforts and infrastructure improvements at bases, including those in New Jersey, and to support projects related to the Defense Base Realignment and Closure Act, BRAC, of 2005.

We are all proud of the work being done at military bases in our home States and nationwide, and it is vital that we support their missions now and in the future.

But I must take a moment to alert my colleagues to troubling information that has come to light since the Appropriations Committee completed work on this bill.

Fort Monmouth, based in New Jersey, is the Army's primary intelligence, surveillance and reconnaissance facility. The Army's work at Fort Monmouth is critical to the safety of America's military men and women and to the success of their missions. The intelligence support it provides goes directly to our troops in the field, making them more effective fighters and protecting their lives and the lives of those around them.

Over the next 5 years, researchers at Fort Monmouth are slated to develop significant innovations for our Armed Forces, such as Warlock Jammers, which emit radio frequencies that interfere with the signals that set off improvised explosive devices—infamously known as IEDs.

The Jammer was engineered at Fort Monmouth and modified for use in Iraq. The military was able to deploy them within 60 days of their development, and they save American lives.

But despite the critical value of this and other innovations at the Fort, the BRAC Commission in 2005 voted to close Fort Monmouth.

It goes without saying that no Senator wants to see a base close in his or her State. And it is not only New Jersey that will suffer a loss of jobs and economic activity because of the 2005 BRAC process.

But the situation with Fort Monmouth is unique and casts a shadow on the entire base closure process.

As we learn more information about the closure of Fort Monmouth, it becomes increasingly clear that this was a flawed process based on faulty estimates that must be thoroughly investigated.

The first and most pressing question is how this closure will affect our troops in the field, given the crucial work Fort Monmouth does for ongoing missions overseas.

Simply put, Fort Monmouth is strategically vital to our military and to the wars in Iraq and Afghanistan.

Anticipating this alarming problem, the BRAC Commission specifically included a requirement for the Secretary of Defense to prove that closing Fort Monmouth will not harm troops in the field.

The caveat required the Pentagon to submit a report to Congress ensuring ''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.'' The GAO is then expected to review and audit the report.

Yet more than 2 years after the BRAC Commission vote, the administration has failed to produce this report.

Even worse, the Army is trying to move personnel out of Fort Monmouth before it has even considered the effect on our military.

This is unacceptable. No personnel should leave Fort Monmouth and be transferred to Aberdeen, MD, before the Department of Defense reports to Congress that the closure of Fort Monmouth will not hurt our troops in the field.

But that is only one of the reasons why the BRAC decision to close Fort Monmouth is so controversial and so flawed.

It is becoming increasingly clear that only about 20 percent of the highly trained and highly skilled workforce who work at the Fort—from engineers to scientists—appear willing to move to Maryland.

This is far fewer than the rosy forecast of 75 percent that was provided to the BRAC Commission in 2005.

Again, we must ask how this shortage of expertise will affect the critical operations and technology that Fort Monmouth currently provides to our military.

Furthermore, the costs of closing Fort Monmouth are skyrocketing and call into question the very cost-savings rationale upon which BRAC decisions are made.

This argument was made by many in 2005, but the warnings were ignored. And as more facts come to light, it becomes apparent that the BRAC Commission was not given all of the information that it should have had to make its decision.

The original cost estimate for closing the fort was $780 million.

But according to the Army's own budget request for the fiscal year 2008, that cost has now nearly doubled to $1.5 billion.

We all know that the cost overruns are not limited to the closure of Fort Monmouth.

In fact, the Congressional Research Service has calculated that overall BRAC costs have increased from initial estimates of $17 billion to a current projection of $32 billion.

There are also signs that the true costs of closing Fort Monmouth may have been ignored in 2005. There is mounting evidence that the Pentagon knew, or should have known, that the cost estimates it gave the BRAC Commission related to the closure of Fort Monmouth were not correct. A July 2005 memo from Fort Monmouth officials detailed significant cost errors in the Pentagon's estimates, but the information in that memo was never received by the BRAC Commission.

For these reasons I, joined by Senator MENENDEZ and our colleagues in the House of Representatives, have asked both the Government Accountability Office and Defense Department's inspector general to investigate the decision to close Fort Monmouth.

There is over $200 million in this bill for military construction at Aberdeen, MD.

While I understand this committee's desire to continue funding pursuant to the 2005 BRAC Commission decisions, I must caution that the closure of Fort Monmouth and the transfer of its critical operations needs to be reexamined in light of these facts and the investigations and reports that are underway.

I would also note that Senator MENENDEZ and I have introduced legislation to change the BRAC process by calling for a review of major base closures that result in excessive cost overruns of over 25 percent.

I hope my colleagues will see the wisdom of this legislation and support it in the coming months.

The ACTING PRESIDENT pro tempore. Under the previous order, the question is on the engrossment of the amendment and third reading of the bill.

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

The bill was read the third time.

The ACTING PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall the bill pass?

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

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KERRY), the Senator from Arkansas (Mrs. LINCOLN), and the Senator from Illinois (Mr. OBAMA), are necessarily absent.

I also announce that the Senator from New Mexico (Mr. BINGAMAN) is absent attending a funeral.

I further announce that if present and voting, the Senator from Delaware (Mr. BIDEN) and the Senator from Massachusetts (Mr. KERRY) would each vote ''yea.''

Mr. LOTT. The following Senator is necessarily absent: the Senator from Idaho (Mr. CRAIG).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 1, as follows:

[Rollcall Vote No. 316 Leg.]

YEAS—92

Akaka	Durbin	Menendez
Alexander	Ensign	Mikulski
Allard	Enzi	Murkowski
Barrasso	Feingold	Murray
Baucus	Feinstein	Nelson (FL)
Bayh	Graham	Nelson (NE)
Bennett	Grassley	Pryor
Bond	Gregg	Reed
Boxer	Hagel	Reid
Brown	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bunning	Hutchison	Salazar
Burr	Inhofe	Sanders
Byrd	Inouye	Schumer
Cantwell	Isakson	Sessions
Cardin	Johnson	Shelby
Carper	Kennedy	Smith
Casey	Klobuchar	Snowe
Chambliss	Kohl	Specter
Clinton	Kyl	Stabenow
Coburn	Landrieu	Stevens
Cochran	Lautenberg	Sununu
Coleman	Leahy	Tester
Collins	Levin	Thune
Conrad	Lieberman	Vitter
Corker	Lott	Voinovich
Cornyn	Lugar	Warner
Crapo	Martinez	Webb
Dole	McCain	Whitehouse
Domenici	McCaskill	Wyden
Dorgan	McConnell	

NAYS—1

DeMint

NOT VOTING—7

Biden	Dodd	Obama
Bingaman	Kerry	
Craig	Lincoln	

The bill (H.R. 2642), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

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.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate insists on its amendment, requests a conference with the House on the disagreeing votes of the two Houses, and the Chair appoints the following conferees on the part of the Senate.

The Acting President pro tempore appointed Mr. JOHNSON, Mr. INOUYE, Ms. LANDRIEU, Mr. BYRD, Mrs. MURRAY, Mr. REED, Mr. NELSON of Nebraska, Mr. LEAHY, Mrs. HUTCHISON, Mr. CRAIG, Mr. BROWNBACK, Mr. ALLARD, Mr. MCCONNELL, Mr. BENNETT, and Mr. COCHRAN conferees on the part of the Senate.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. Mr. President, I take this opportunity to thank so many people who were significant in the passage of this legislation. First, let me recognize Senator HUTCHISON, the ranking member, for her valuable contributions throughout. Also, and gladly, I not only welcome back Senator JOHNSON but recognize that as chairman of this committee, we communicated. He was very influential in the final outcome of the legislation. I not only welcome him back, but I gladly and joyfully give him the reins of the subcommittee so that the next time this bill comes to the floor, Senator TIM JOHNSON will be managing it, and I will be proud to be working with him.

I particularly want to thank staff members who made such a huge and critical contribution to this effort: Christina Evans, B.G. Wright, Chad Schulken, and Elizabeth King from my staff; and from the minority staff: Dennis Balkham, Chris Heggem, and Yvonne Stone.

I thank all my colleagues who cooperated so willingly and effectively.

I yield the floor.

DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2008

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of H.R. 2764, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2764) making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2008, and for other purposes, namely:

TITLE I

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed $700,000 of this appropriation), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948; representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress; arms control, nonproliferation and disarmament activities as authorized; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, $3,885,375,000: Provided, That of the amount made available under this heading, not to exceed $10,000,000 may be transferred to and merged with ''Emergencies in the Diplomatic and Consular Service'', to be available only for emergency evacuations and terrorism rewards: Provided further, That of the funds appropriated under this heading, $8,131,000 shall be available for the Office of the Director of United States Foreign Assistance and $1,000,000 shall not be obligated until consultations with the Congress, arising from the report submitted pursuant to section 653(a) of the Foreign Assistance Act of 1961, have been completed: Provided further, That of the amount made available under this heading, not less than $364,905,000 shall be available only for public diplomacy international information programs: Provided further, That of the funds made available under this heading, $5,000,000 shall be made available for a demonstration program to expand access to consular services: Provided further, That of the funds made available under this heading, $40,000,000 shall be made available for passport operations, facilities, and systems: Provided further, That the funds appropriated by the previous proviso shall be in addition to amounts otherwise made available for such purposes: Provided further, That of the funds made available under this heading in this Act and in prior Acts making appropriations for the Department of State, foreign operations, export financing and related programs, up to $200,000,000 may be transferred to, and merged with, funds appropriated under the heading ''Millennium Challenge Corporation'', subject to section 615 of this Act: Provided further, That of the funds appropriated under this heading, $6,000,000 shall be made available for the Ambassador's Fund for Cultural Preservation of which $1,500,000 shall be for grants of not less than $500,000 for significant historic preservation projects: Provided further, That there shall be one additional senior permanent position at United States Embassy Moscow whose sole responsibilities shall be to monitor human rights and the implementation of Russian laws relating to nongovernmental organizations, communicate United States support for human rights defenders and journalists who are harassed and arrested, and support the work of civil society groups: Provided further, That funds available under this heading may be made available for a United States Government interagency task force to examine, coordinate and oversee United States participation in the United Nations headquarters renovation project: Provided further, That funds appropriated under this heading are available, pursuant to 31 U.S.C. 1108(g), for the field examination of programs and activities in the United States funded from any account in this title.

In addition, not to exceed $1,558,390 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act; in addition, as authorized by section 5 of such Act, $490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; in addition, as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and, in addition, not to exceed

$15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

In addition, for the costs of worldwide security protection, $909,598,000, to remain available until expended.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $63,743,000, to remain available until expended, as authorized: Provided, That section 135(e) of Public Law 103–236 shall not apply to funds available under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $35,508,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (Public Law 96–465), as it relates to post inspections.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $509,482,000, to remain available until expended: Provided, That not to exceed $5,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, educational advising and counseling programs, and exchange visitor programs as authorized: Provided further, That of the funds available under this heading up to $2,000,000 may be made available to the Senator Paul Simon Study Abroad Foundation, subject to authorization: Provided further, That if a majority of the Board of Directors of such Foundation is not confirmed by the Senate by August 1, 2008, the Secretary shall provide $1,000,000 of such funds to the Benjamin A. Gilman International Scholarship Program and $1,000,000 shall be provided to the Fulbright Program to augment existing study abroad programs.

REPRESENTATION ALLOWANCES

For representation allowances as authorized, $8,175,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, $14,000,000, to remain available until September 30, 2009.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292–303), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, $792,534,000, to remain available until expended as authorized, of which not to exceed $25,000 may be used for domestic and overseas representation as authorized: Provided, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $649,278,000, to remain available until expended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, $9,000,000, only for emergency evacuations and terrorism rewards, to remain available until expended, of which not to exceed $1,000,000 may be transferred to and merged with the ''Repatriation Loans Program Account'', subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $678,000, as authorized: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses necessary to carry out the direct loan program, $607,000, which may be transferred to and merged with ''Diplomatic and Consular Programs''.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96–8), $16,351,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, $158,900,000.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $1,374,400,000, to remain available until September 30, 2009: Provided, That the Secretary of State shall, at the time of the submission of the President's budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations the most recent biennial budget prepared by the United Nations for the operations of the United Nations: Provided further, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget and cause the United Nations budget for the biennium 2008–2009 to exceed the revised United Nations budget level for the biennium 2006–2007 of $4,173,895,900: Provided further, That any payment of arrearages under this title shall be directed toward activities that are mutually agreed upon by the United States and the respective international organization: Provided further, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $1,352,000,000, of which 15 percent shall remain available until September 30, 2009: Provided, That at least 15 days in advance of voting in the United Nations Security Council (or in an emergency as far in advance as is practicable) for any new or expanded United Nations peacekeeping mission, the Secretary of State shall, with regard to any new or expanded mission, notify the Committees on Appropriations and other appropriate Committees of the Congress of its estimated cost and duration, the United States national interest that will be served, the planned exit strategy, the specific measures the United Nations is taking to prevent United Nations employees, contractor personnel, and peacekeeping forces serving in any such mission from trafficking in persons, exploiting victims of trafficking, or committing acts of illegal sexual exploitation, and to hold accountable individuals who engage in such acts while participating in the peacekeeping mission; and a notification of funds pursuant to section 615 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: Provided further, That funds shall be available for peacekeeping expenses only after a determination by the Secretary of State that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $30,430,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $88,425,000, to remain available until expended, as authorized.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103–182, $11,250,000, of which not to exceed $9,000 shall be available for representation expenses incurred by the International Joint Commission.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $27,054,000: Provided, That the United States' share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 3324: Provided further, That funds appropriated under this heading shall be available for programs in the amounts contained in the table included in the report accompanying this Act and no proposal for deviation from those amounts shall be considered.

OTHER

PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by the Asia Foundation Act (22 U.S.C. 4402), $16,000,000, to remain available until expended, as authorized.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

For necessary expenses of the Center for Middle Eastern-Western Dialogue Trust Fund, the total amount of the interest and earnings accruing to such Fund on or before September 30, 2008, to remain available until expended.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2008, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the

payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A–110 (Uniform Administrative Requirements) and A–122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2008, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $20,000,000: Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

RELATED AGENCIES

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the Broadcasting Board of Governors, as authorized, to carry out international communication activities, including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception and purchase, lease, and installation and operation of necessary equipment, including aircraft, for radio and television transmission and reception to Cuba, and to make and supervise grants for radio and television broadcasting to the Middle East, $662,727,000: Provided, That of the total amount in this heading, not to exceed $16,000 may be used for official receptions within the United States as authorized, not to exceed $35,000 may be used for representation abroad as authorized, and not to exceed $39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, notwithstanding any other provision of law, not to exceed $2,000,000 in receipts from advertising and revenue from business ventures, not to exceed $500,000 in receipts from cooperating international organizations, and not to exceed $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, and improvement of facilities for radio transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized, $10,748,000, to remain available until expended, as authorized.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For necessary expenses for the Commission for the Preservation of America's Heritage Abroad, $499,000, as authorized by section 1303 of Public Law 99–83.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (Public Law 105–292), $3,000,000, to remain available until September 30, 2009.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, $2,037,000, to remain available until September 30, 2009.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized, $2,000,000, including not more than $3,000 for the purpose of official representation, to remain available until September 30, 2009.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States-China Economic and Security Review Commission, $2,962,000, including not more than $3,000 for the purpose of official representation, to remain available until September 30, 2008: Provided, That funds appropriated under this heading shall only be available for obligation in accordance with a spending plan submitted to the Committees on Appropriations which effectively addresses the recommendations of the Government Accountability Office's audit of the Commission: Provided further, That the Commission shall provide to the Committees on Appropriations a quarterly accounting of the cumulative balances of any unobligated funds that were received by the Commission during any previous fiscal year.

UNITED STATES SENATE-CHINA INTERPARLIAMENTARY GROUP

SALARIES AND EXPENSES

For necessary expenses of the United States Senate-China Interparliamentary Group, as authorized under section 153 of the Consolidated Appropriations Act, 2004 (22 U.S.C. 276n; Public Law 108–99; 118 Stat. 448), $150,000, to remain available until September 30, 2009.

UNITED STATES INSTITUTE OF PEACE

OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, $25,000,000, to remain available until September 30, 2009.

GENERAL PROVISIONS—THIS TITLE

ALLOWANCES AND DIFFERENTIALS

SEC. 101. Funds appropriated under this Act shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and for hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

UNOBLIGATED BALANCES REPORT

SEC. 102. The Department of State and the Broadcasting Board of Governors shall provide to the Committees on Appropriations a quarterly accounting of the cumulative balances of any unobligated funds that were received by such agency during any previous fiscal year.

EMBASSY CONSTRUCTION

SEC. 103. (a) Except as provided in subsection (b), a project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by subsection (e) of section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–453), as amended by section 629 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005.

(b) Notwithstanding the prohibition in subsection (a), a project to construct a diplomatic facility of the United States may include office space or other accommodations for members of the Marine Corps.

PEACEKEEPING MISSIONS

SEC. 104. None of the funds made available under title I of this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds that: (1) the United Nations undertaking is a peacekeeping mission; (2) such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

DENIAL OF VISAS

SEC. 105. (a) None of the funds appropriated or otherwise made available under this Act shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2008.

UNITED STATES CITIZENS BORN IN JERUSALEM

SEC. 106. For the purposes of registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Jerusalem, the Secretary of State shall, upon request of the citizen, record the place of birth as Israel.

STATE DEPARTMENT AUTHORITIES

SEC. 107. Funds appropriated under this Act for the Broadcasting Board of Governors and the Department of State may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

RESTRICTION ON CONTRIBUTIONS TO THE UNITED NATIONS

SEC. 108. None of the funds appropriated or otherwise made available under any title of this Act may be made available to make any assessed contribution or voluntary payment of the United States to the United Nations if the United Nations implements or imposes any taxation on any United States persons.

PERSONNEL ACTIONS

SEC. 109. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 615 of title VI of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

RESTRICTIONS ON UNITED NATIONS DELEGATIONS

SEC. 110. None of the funds made available in this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations if such commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), has provided support for acts of international terrorism.

PALESTINIAN BROADCASTING CORPORATION

SEC. 111. None of the funds appropriated or otherwise made available in this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

ATTENDANCE AT INTERNATIONAL CONFERENCES

SEC. 112. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of agencies or departments of the United States Government who are stationed in the United States, at any single international conference occurring outside the United States, unless the Secretary of State determines that such attendance is in the national interest: Provided, That for purposes of this section the term ''international conference'' shall mean a conference attended by representatives of the United States Government and representatives of foreign governments, international organizations, or nongovernmental organizations.

PEACEKEEPING ASSESSMENT

SEC. 113. Section 404(b)(2)(B) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, as amended (22 U.S.C. 287e note) is further amended at the end by adding the following:

''(v) For assessments made during calendar year 2008, 27.1 percent.''

ALHURRA BROADCASTING

SEC. 114. Funds appropriated by this Act, and any subsequent emergency supplemental appropriations Act for fiscal year 2008, may be made available for the programs and activities of Alhurra only if the Secretary of State certifies and reports to the Committees on Appropriations that Alhurra does not advocate on behalf of any organization that the Secretary knows, or has reason to believe, engages in terrorist activities.

SEC. 115. COMMISSION FINANCIAL MANAGEMENT. (a) TERM LIMITS.—Section 1238(b)(3) of Public Law 106–398 is amended by striking subparagraph (G) and inserting the following:

''(G) a member of the Commission may not be reappointed for an additional term of service if that member has twice been appointed to the Commission; and''.

(b) REQUIREMENT FOR PERFORMANCE REVIEWS.—The United States-China Economic and Security Review Commission shall comply with chapter 43 of title 5, United States Code, regarding the establishment and regular review of employee performance appraisals.

(c) LIMITATION ON CASH AWARDS.—The United States-China Economic and Security Review Commission shall comply with section 4505a of title 5, United States Code, with respect to limitations on payment of performance-based cash awards.

(d) ANNUAL FINANCIAL AUDIT.—The Commission shall provide to Congress an annual comprehensive independent financial audit of all obligations and expenditures, not later than June 30 each year hereafter.

REFERENCES

SEC. 116. Except as otherwise provided in this title, any reference in this title to ''this Act'' shall be deemed to be a reference only to title I.

TITLE II

EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $1,000,000, to remain available until September 30, 2009.

LOANS PROGRAM ACCOUNT

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: Provided, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of the enactment of this Act: Provided further, That notwithstanding section 1(c) of Public Law 103–428, as amended, sections 1(a) and (b) of Public Law 103–428 shall remain in effect through October 1, 2008: Provided further, That 10 percent of the aggregate loan, guarantee, and insurance authority available to the Export-Import Bank under this or any prior Act should be used for renewable energy and environmentally beneficial products and services.

SUBSIDY APPROPRIATION

For the cost of direct loans, loan guarantees, insurance, and tied-aid grants as authorized by section 10 of the Export-Import Bank Act of 1945, as amended, $68,000,000, to remain available until September 30, 2011: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall remain available until September 30, 2026, for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in fiscal years 2008, 2009, 2010, and 2011: Provided further, That none of the funds appropriated by this Act or any prior Act appropriating funds for foreign operations, export financing, and related programs for tied-aid credits or grants may be used for any other purpose except through the regular notification procedures of the Committees on Appropriations: Provided further, That funds appropriated by this paragraph are made available notwithstanding section 2(b)(2) of the Export-Import Bank Act of 1945, in connection with the purchase or lease of any product by any Eastern European country, any Baltic State or any agency or national thereof.

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed $30,000 for official reception and representation expenses for members of the Board of Directors, $78,000,000: Provided, That the Export-Import Bank may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: Provided further, That notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) thereof shall remain in effect until October 1, 2008.

RECEIPTS COLLECTED

Receipts collected pursuant to the Export-Import Bank Act of 1945, as amended, and the Federal Credit Reform Act of 1990, as amended, in an amount not to exceed the amount appropriated herein, shall be credited as offsetting collections to this account: Provided, That the sums herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by such offsetting collections so as to result in a final fiscal year appropriation from the General Fund estimated at $0: Provided further, That amounts collected in fiscal year 2008 in excess of obligations, up to $50,000,000, shall become available October 1, 2008 and shall remain available until September 30, 2011.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: Provided, That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed $35,000) shall not exceed $47,500,000: Provided further, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, $21,000,000, as authorized by section 234 of the Foreign Assistance Act of 1961, to be derived by transfer from the Overseas Private Investment Corporation Non-Credit Account: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2008, 2009, and 2010: Provided further, That funds so obligated in fiscal year 2008 remain available for disbursement through 2016; funds obligated in fiscal year 2009 remain available for disbursement through 2017; funds obligated in fiscal year 2010 remain available for disbursement through 2018: Provided further, That notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of the Foreign Assistance Act of 1961 in Iraq: Provided further, That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.

In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account.

FUNDS APPROPRIATED TO THE PRESIDENT

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $50,400,000, to remain available until September 30, 2009.

TITLE III

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, to remain available until September 30, 2008, unless otherwise specified herein, as follows:

GLOBAL HEALTH PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for global health activities, in addition to funds otherwise available for such purposes, $6,531,425,000, to remain available until September 30, 2009: Provided, That this amount shall be made available for such activities as: (1) child survival programs; (2) immunization and oral rehydration programs; (3) other health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned by causes other than AIDS;

(5) programs for the prevention, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, and other infectious diseases, and for assistance to communities severely affected by HIV/AIDS, including children displaced or orphaned by AIDS; and (6) family planning/reproductive health: Provided further, That none of the funds appropriated under this heading may be made available for nonproject assistance, except that funds may be made available for such assistance for ongoing health activities: Provided further, That of the funds appropriated under this heading, not to exceed $350,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of child survival, maternal and family planning/reproductive health, and infectious disease programs: Provided further, That the following amounts should be allocated as follows: $450,000,000 for child survival and maternal health; $15,000,000 for vulnerable children; $634,675,000 for other infectious diseases; and $395,000,000 for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species: Provided further, That of the funds appropriated under this heading, $75,000,000 should be made available for a United States contribution to The GAVI Fund, and up to $6,000,000 may be transferred to and merged with funds appropriated by this Act under the heading ''Operating Expenses of the United States Agency for International Development'' for costs directly related to global health, but funds made available for such costs may not be derived from amounts made available for contribution under this and preceding provisos: Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which directly supports coercive abortion or involuntary sterilization: Provided further, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: Provided further, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: Provided further, That none of the funds made available under this Act may be used to lobby for or against abortion: Provided further, That in order to reduce reliance on abortion in developing nations, funds shall be available only for voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services with proven effectiveness, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the Administrator of the United States Agency for International Development determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: Provided further, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: Provided further, That for purposes of this or any other Act authorizing or appropriating funds for foreign operations, export financing, and related programs, the term ''motivate'', as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: Provided further, That to the maximum extent practicable, taking into consideration cost, timely availability, and best health practices, funds appropriated in this Act or prior appropriations Acts that are made available for condom procurement should be made available only for the procurement of condoms manufactured in the United States: Provided further, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

Of the funds appropriated under this heading, for necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, including for children displaced or orphaned by AIDS, $5,050,000,000, to remain available until expended, of which $550,000,000 shall be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public Law 108–25) for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria, and shall be expended at the minimum rate necessary to make timely payment for projects and activities: Provided, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2008 may be made available to the United States Agency for International Development for technical assistance related to the activities of the Global Fund: Provided further, That of the funds appropriated by this paragraph, up to $13,000,000 may be made available, in addition to amounts otherwise available for such purposes, for administrative expenses of the Office of the Global AIDS Coordinator: Provided further, That the Global AIDS Coordinator shall include in each country operational plan for fiscal year 2008 a health workforce strategy for meeting HIV/AIDS goals without reducing the capacity of the country to meet other health needs: Provided further, That of the funds appropriated by this paragraph, not less than $45,000,000 shall be made available to support the development of microbicides as a means for combating HIV/AIDS, and not less than $40,000,000 shall be made available for a United States contribution to UNAIDS: Provided further, That funds made available under this heading shall be made available notwithstanding the second sentence of section 403(a) of Public Law 108–25.

DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 103, 105, 106, and sections 251 through 255, and chapter 10 of part I of the Foreign Assistance Act of 1961, $1,455,000,000, to remain available until September 30, 2009: Provided, That of the funds appropriated under this heading that are made available for assistance programs for displaced and orphaned children and victims of war, not to exceed $43,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs: Provided further, That of the funds appropriated by this Act, not less than $250,000,000 shall be made available for microenterprise and microfinance development programs for the poor, especially women: Provided further, That of the funds appropriated under this heading, not less than $29,000,000 shall be made available for Collaborative Research Support Programs: Provided further, That of the funds appropriated under this heading, $750,000 shall be made available to implement 7 U.S.C. section 1736g–2(a)(2)(C) to improve food aid product quality and nutrient delivery: Provided further, That of the funds appropriated under this heading, not less than $22,000,000 should be made available for the American Schools and Hospitals Abroad program: Provided further, That of the funds appropriated under this heading, $12,000,000 may be made available for cooperative development programs within the Office of Private and Voluntary Cooperation: Provided further, That of the funds appropriated in this Act, not less than $300,000,000 shall be made available for safe drinking water and sanitation supply projects only to implement the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121), of which not less than $125,000,000 should be made available for such projects in Africa including drilling wells in northern Niger, Mali and elsewhere in the African Sahel region.

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses to carry out the provisions of section 491 of the Foreign Assistance Act of 1961 for international disaster relief, rehabilitation, and reconstruction assistance, $322,350,000, to remain available until expended, of which $20,000,000 should be for famine prevention and relief.

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, $50,000,000, to remain available until expended, to support transition to democracy and to long-term development of countries in crisis: Provided, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: Provided further, That the United States Agency for International Development shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: Provided further, That if the President determines that it is important to the national interests of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to $15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: Provided further, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

DEVELOPMENT CREDIT AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans and loan guarantees provided by the United States Agency for

International Development, as authorized by sections 256 and 635 of the Foreign Assistance Act of 1961, up to $21,000,000 may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading ''Assistance for Eastern Europe and the Baltic States'': Provided, That such funds shall be made available only for micro and small enterprise programs, urban programs, and other programs which further the purposes of part I of the Act: Provided further, That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts, and funds used for such costs shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading: Provided further, That these funds are available to subsidize total loan principal, any portion of which is to be guaranteed, of up to $700,000,000.

In addition, for administrative expenses to carry out credit programs administered by the United States Agency for International Development, $8,920,000, which may be transferred to and merged with the appropriation for Operating Expenses of the United States Agency for International Development: Provided, That funds made available under this heading shall remain available until September 30, 2010.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $645,700,000, of which up to $25,000,000 may remain available until September 30, 2009: Provided, That none of the funds appropriated under this heading and under the heading ''Capital Investment Fund'' may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development, unless the Administrator has identified such proposed construction (including architect and engineering services), purchase, or long-term lease of offices in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of these funds for such purposes: Provided further, That the previous proviso shall not apply where the total cost of construction (including architect and engineering services), purchase, or long-term lease of offices does not exceed $1,000,000: Provided further, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through fiscal year 2009: Provided further, That any decision to open a new overseas mission or office of the United States Agency for International Development or, except where there is a substantial security risk to mission personnel, to close or significantly reduce the number of personnel of any such mission or office, shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to ''Operating Expenses of the United States Agency for International Development'' in accordance with the provisions of those sections.

CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, $90,508,000, to remain available until expended: Provided, That this amount is in addition to funds otherwise available for such purposes: Provided further, That funds appropriated under this heading shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds appropriated under this heading, not to exceed $75,144,500 may be made available for the purposes of implementing the Capital Security Cost Sharing Program.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $38,000,000, to remain available until September 30, 2009, which sum shall be available for the Office of the Inspector General of the United States Agency for International Development.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $3,015,000,000, to remain available until September 30, 2009: Provided, That funds appropriated under this heading that are available for Egypt shall be provided with the understanding that Egypt will undertake significant economic and democratic reforms which are additional to those which were undertaken in previous fiscal years, including the benchmarks accompanying the ''Financial Sector Reform Memorandum of Understanding'' dated March 20, 2005: Provided further, That with respect to the provision of assistance for Egypt for democracy, human rights and governance activities, the organizations implementing such assistance and the specific nature of that assistance shall not be subject to the prior approval by the Government of Egypt: Provided further, That of the funds appropriated under this heading that are available for assistance for Egypt, not less than $15,000,000 should be made available for democracy, human rights and governance programs and not less than $50,000,000 should be used for education programs, of which not less than $10,000,000 should be made available for scholarships for Egyptian students with high financial need to attend United States accredited institutions of higher education in Egypt: Provided further, That funds appropriated under this heading that are available for assistance for Cyprus should be used only for scholarships, administrative support of the scholarship program, bicommunal projects, and measures aimed at reunification of the island and designed to reduce tensions and promote peace and cooperation between the two communities on Cyprus: Provided further, That of the funds appropriated under this heading, $363,547,000 shall be made available for assistance for Jordan: Provided further, That of the funds appropriated under this heading, $75,000,000 shall be made available for assistance for the West Bank and Gaza, of which not to exceed $2,000,000 may be used for administrative expenses of the United States Agency for International Development, in addition to funds otherwise available for such purposes, to carry out programs in the West Bank and Gaza: Provided further, That of the funds appropriated under this heading, not less than $30,000,000 shall be made available for assistance for the Philippines and not less than $10,700,000 shall be made available for assistance for Vietnam: Provided further, That $45,000,000 of the funds appropriated under this heading shall be made available for assistance for Lebanon, of which not less than $10,000,000 should be made available for scholarships and direct support of United States educational institutions in Lebanon, and of which not less than $500,000 shall be made available to the United States Forest Service for forest management and wildlife conservation programs in Lebanon: Provided further, That of the funds appropriated under this heading, not less than $5,000,000 shall be made available for the fund established by section 2108 of Public Law 109–13: Provided further, That of the funds appropriated under this heading, $3,000,000 shall be made available for programs to promote democracy and human rights in North Korea: Provided further, That of the funds appropriated under this heading for assistance for Cambodia, $15,000,000 shall be made available to support, democracy, the rule of law, and human rights in Cambodia, including assistance for democratic political parties: Provided further, That notwithstanding any other provision of law, funds appropriated under this heading may be made available for programs and activities in the Central Highlands of Vietnam: Provided further, That of the funds appropriated under this heading for the Middle East Partnership Initiative, not less than $5,000,000 shall be made available to rescue Iraqi scholars: Provided further, That of the funds appropriated under this heading that are available for assistance for the Democratic Republic of Timor-Leste, up to $1,000,000 may be available for administrative expenses of the United States Agency for International Development in addition to amounts otherwise made available for such purposes: Provided further, That of the funds appropriated under this heading, not less than $12,000,000 shall be made available for a United States contribution to the Special Court for Sierra Leone, not less than $3,000,000 shall be made available for a United States contribution to the Extractive Industries Transparency Initiative Trust Fund, not less than $3,000,000 shall be made available to support implementation of the Kimberley Process Certification Scheme with an emphasis on support for regional efforts to combat cross-border smuggling and for monitoring by civil society groups, not less than $2,500,000 shall be made available for East Asia and Pacific Environmental Initiatives, and not less than $5,000,000 shall be made available for programs to protect biodiversity in Colombia's national parks and indigenous reserves: Provided further, That funds appropriated under this heading that are made available for a Middle East Financing Facility, Middle East Enterprise Fund, or any other similar entity in the Middle East shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds appropriated under this heading, not less than $10,000,000 shall be made available for labor and environmental capacity building activities relating to the free trade agreements with the countries of Central America and the Dominican Republic.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989, $294,568,000, to remain available until September 30, 2009, which shall be available, notwithstanding any other provision of law, for assistance and for related programs for Eastern Europe and the Baltic States.

(b) Funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

(c) The provisions of section 628 of this Act shall apply to funds appropriated under this heading: Provided, That notwithstanding any

provision of this or any other Act, including provisions in this subsection regarding the application of section 628 of this Act, local currencies generated by, or converted from, funds appropriated by this Act and by previous appropriations Acts and made available for the economic revitalization program in Bosnia may be used in Eastern Europe and the Baltic States to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

For necessary expenses to carry out the provisions of chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 and the FREEDOM Support Act, for assistance for the Independent States of the former Soviet Union and for related programs, $401,885,000, to remain available until September 30, 2009: Provided, That the provisions of such chapters shall apply to funds appropriated by this paragraph: Provided further, That funds made available for the Southern Caucasus region may be used, notwithstanding any other provision of law, for confidence-building measures and other activities in furtherance of the peaceful resolution of regional conflicts, especially those in the vicinity of Abkhazia and Nagorno-Karabagh: Provided further, That of the funds appropriated under this heading, not less than $8,000,000 shall be made available for humanitarian, conflict mitigation, human rights, civil society, and relief and recovery assistance for Chechnya, Ingushetia, Dagestan, and North Ossetia-Alania in the North Caucasus: Provided further, That of the funds appropriated under this heading that are available for assistance for Russia, not less than $500,000 shall be made available to the United States Forest Service for forest management and wildlife conservation programs in the Russian Far East: Provided further, That notwithstanding any other provision of law, funds appropriated under this heading in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, that are made available pursuant to the provisions of section 807 of Public Law 102–511 shall be subject to a 6 percent ceiling on administrative expenses.

INDEPENDENT AGENCIES

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, $22,000,000, to remain available until September 30, 2009.

AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out title V of the International Security and Development Cooperation Act of 1980, Public Law 96–533, $30,000,000, to remain available until September 30, 2009: Provided, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the Board of Directors of the Foundation: Provided further, That interest earned shall be used only for the purposes for which the grant was made: Provided further, That notwithstanding section 505(a)(2) of the African Development Foundation Act, (1) in exceptional circumstances the Board of Directors of the Foundation may waive the $250,000 limitation contained in that section with respect to a project and (2) a project may exceed the limitation by up to $10,000 if the increase is due solely to foreign currency fluctuation: Provided further, That the Foundation shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Peace Corps Act (75 Stat. 612), including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States, $323,500,000, to remain available until September 30, 2009: Provided, That none of the funds appropriated under this heading shall be used to pay for abortions: Provided further, That the Director may transfer to the Foreign Currency Fluctuations Account, as authorized by 22 U.S.C. 2515, an amount not to exceed $2,000,000: Provided further, That funds transferred pursuant to the previous proviso may not be derived from amounts made available for Peace Corps overseas operations.

MILLENNIUM CHALLENGE CORPORATION

For necessary expenses to carry out the provisions of the Millennium Challenge Act of 2003, $1,200,000,000, to remain available until expended: Provided, That of the funds appropriated under this heading, up to $75,000,000 may be available for administrative expenses of the Millennium Challenge Corporation: Provided further, That up to 10 percent of the funds appropriated under this heading may be made available to carry out the purposes of section 616 of the Millennium Challenge Act of 2003 for candidate countries for fiscal year 2008: Provided further, That none of the funds available to carry out section 616 of such Act may be made available until the Chief Executive Officer of the Millennium Challenge Corporation provides a report to the Committees on Appropriations listing the candidate countries that will be receiving assistance under section 616 of such Act, the level of assistance proposed for each such country, a description of the proposed programs, projects and activities, and the implementing agency or agencies of the United States Government: Provided further, That section 605(e)(4) of the Millennium Challenge Act of 2003 shall apply to funds appropriated under this heading: Provided further, That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the Millennium Challenge Act of 2003 only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact.

DEPARTMENT OF STATE

DEMOCRACY FUND

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the promotion of democracy globally, $177,000,000, of which the following amounts shall be made available, subject to the regular notification procedures of the Committees on Appropriations, until September 30, 2010—

(1) $75,000,000 for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor, Department of State, of which $15,000,000 shall be for democracy and rule of law programs in the People's Republic of China, Hong Kong, and Taiwan: Provided, That assistance for Taiwan should be matched from sources other than the United States Government: Provided further, That $10,000,000 shall be made available for programs and activities for the promotion of democracy in countries located outside the Middle East region with a significant Muslim population, and where such programs and activities would be important to United States efforts to respond to, deter, or prevent acts of international terrorism: Provided further, That funds used for such purposes should support new initiatives and activities in those countries; and

(2) $102,000,000 for the National Endowment for Democracy: Provided, That of the funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', and ''Assistance for the Independent States of the Former Soviet Union'', an additional $18,000,000 shall be made available for the programs and activities of the National Endowment of Democracy.

(b) Funds appropriated by this Act that are made available for the promotion of democracy may be made available notwithstanding any other provision of this or any other Act and, with regard to the National Endowment for Democracy, any regulation. Funds appropriated under this heading are in addition to funds otherwise available for such purposes.

(c) The Assistant Secretary of State for Democracy, Human Rights and Labor shall be responsible for—

(1) all policy, funding, and programming decisions regarding funds made available in this Act and subsequent Acts making appropriations for the Department of State, foreign operations, export financing, and related programs for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor; and

(2) the development of strategies for the promotion of democracy globally and the coordination of democracy programs between the United States Department of State and the United States Agency for International Development.

(d) For the purposes of funds appropriated by this Act, the term ''promotion of democracy'' means programs that support good governance, human rights, independent media, and the rule of law, and otherwise strengthen the capacity of democratic political parties, governments, nongovernmental institutions, and citizens to support the development of democratic states, institutions, and practices that are responsive and accountable to citizens.

(e) Any contract, grant or cooperative agreement (or any amendment to any contract, grant, or cooperative agreement) in excess of $2,500,000 for the promotion of democracy under this Act shall be subject to the regular notification procedures of the Committees on Appropriations.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $558,449,000, to remain available until September 30, 2010: Provided, That during fiscal year 2008, the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the Secretary of State shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: Provided further, That of the funds appropriated under this heading, not less than $19,000,000 shall be made available for training programs and activities of the International Law Enforcement Academies: Provided further, That funds appropriated under this heading shall be made available for training of foreign law enforcement and judicial personnel in the prevention of violence and discrimination on account of sexual orientation or gender identity: Provided further, That of the funds appropriated under this heading, not less than $10,500,000 should be made available for programs to combat trafficking in persons and migrant smuggling: Provided further, That of the funds appropriated under this heading, not more than $38,000,000 may be available for administrative expenses.

ANDEAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

(a) For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961 to support counterdrug, economic and social development, rule of law, and other activities in the Andean region of South America, $415,050,000, to remain available until September 30, 2010.

(b) In fiscal year 2008, funds available to the Department of State for assistance to the Government of Colombia may be made available to support a unified campaign against drug trafficking, against activities by organizations designated as Foreign Terrorist Organizations, and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations: Provided, That this authority shall cease to be effective if the Secretary of State has credible evidence that the Colombian Armed Forces are not conducting vigorous operations to restore civilian government authority and respect for human rights in areas under the effective control of paramilitary organizations or successor armed groups: Provided further, That the President shall ensure that if any helicopter procured with funds under this heading is used to aid or abet the operations of any such organization, the helicopter shall be immediately returned to the United States: Provided further, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: Provided further, That assistance provided with funds appropriated under this heading that is made available notwithstanding section 482(b) of the Foreign Assistance Act of 1961 shall be made available subject to the regular notification procedures of the Committees on Appropriations.

(c) Of the funds appropriated under this heading that are available for assistance for Colombia, not less than $22,000,000 shall be made available for the Office of the Attorney General, of which $5,000,000 shall be for the Human Rights Unit, $5,000,000 shall be for the Justice and Peace Unit, $9,000,000 shall be used to develop a witness protection program for victims of armed groups, and $3,000,000 shall be for investigations of mass graves and identification of remains: Provided further, That of the funds appropriated under this heading that are available for assistance for Colombia, $5,000,000 shall be for the Office of the Procuraduria General de la Nacion, $3,000,000 shall be for the Office of the Defensoria del Pueblo, and $750,000 shall be made available for a United States contribution to the Office of the United Nations High Commissioner for Human Rights in Colombia to support monitoring and public reporting of human rights conditions in the field.

(d) Funds appropriated by this Act that are available for aerial eradication of coca in Colombia may be made available only for targeted eradication in specific areas and only if the Secretary of State certifies to the Committees on Appropriations that manual eradication in such areas is not feasible: Provided, That not more than 20 percent of such funds may be made available unless the Secretary of State certifies to the Committees on Appropriations that: (1) the herbicide is being used in accordance with EPA label requirements for comparable use in the United States and with Colombian laws; and (2) the herbicide, in the manner it is being used, does not pose unreasonable risks or adverse effects to humans or the environment including endemic species: Provided further, That such funds may not be made available unless the Secretary of State certifies to the Committees on Appropriations that complaints of harm to health or licit crops caused by such aerial eradication are thoroughly evaluated and fair compensation is being paid in a timely manner for meritorious claims, and the Secretary submits a report to the Committees on Appropriations detailing all claims, evaluations, and compensation paid during the twelve month period prior to the date of enactment of this Act: Provided further, That such funds may not be made available for such purposes unless programs are being implemented by the United States Agency for International Development, the Government of Colombia, or other organizations, in consultation and coordination with local communities, to provide alternative sources of income in municipalities where security permits for small-acreage growers whose illicit crops are targeted for aerial eradication: Provided further, That funds appropriated by this Act may be used for aerial eradication in Colombia's national parks or reserves only if the Secretary of State determines on a case-by-case basis that there are no feasible alternatives and the eradication is conducted in accordance with Colombian laws: Provided further, That of the funds appropriated under this heading that are available for Colombia, $10,000,000 shall be transferred to, and merged with, funds appropriated under the heading ''Foreign Military Financing Program'' and shall be made available only for assistance for the Colombian military to provide security for manual eradication programs, including in national parks: Provided further, That none of the funds appropriated by this Act shall be made available for the cultivation or processing of African oil palm, if doing so would contribute to significant loss of native species or the forced displacement of local people.

(e) No United States Armed Forces personnel or United States civilian contractor employed by the United States will participate in any combat operation in connection with assistance made available by this Act for Colombia.

(f) Funds appropriated under this heading that are made available for assistance for the Bolivian military may be made available for such purposes only if the Secretary of State certifies that the Bolivian military is respecting human rights, and civilian judicial authorities are investigating and prosecuting, with the military's full cooperation, military personnel who have been implicated in gross violations of human rights.

(g) Of the funds appropriated under this heading, not more than $16,000,000 may be available for administrative expenses of the Department of State, and not more than $8,000,000 may be available, in addition to amounts otherwise available for such purposes, for administrative expenses of the United States Agency for International Development.

(h) The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity.

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration and the United Nations High Commissioner for Refugees, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $889,000,000, to remain available until expended: Provided, That not more than $23,000,000 may be available for administrative expenses: Provided further, That $40,000,000 of the funds made available under this heading shall be made available for refugees resettling in Israel: Provided further, That funds made available under this heading shall be made available for assistance for refugees from North Korea.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), $45,000,000, to remain available until expended: Provided, That funds made available under this heading are appropriated notwithstanding the provisions contained in section 2(c)(2) of such Act which would limit the amount of funds which could be appropriated for this purpose.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, $499,000,000, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a voluntary contribution to the International Atomic Energy Agency (IAEA), and for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: Provided, That of this amount not to exceed $32,000,000, to remain available until expended, may be made available for the Nonproliferation and Disarmament Fund, notwithstanding any other provision of law, to promote bilateral and multilateral activities relating to nonproliferation and disarmament: Provided further, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: Provided further, That of the funds appropriated under this heading, not less than $30,000,000 shall be made available for the Biosecurity Engagement Program: Provided further, That funds appropriated under this heading may be made available for the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency: Provided further, That of the funds made available for demining and related activities, not to exceed $700,000, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of the demining program: Provided further, That funds appropriated under this heading that are available for ''Anti-terrorism Assistance'' and ''Export Control and Border Security'' shall remain available until September 30, 2009.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, $22,800,000, to remain available until September 30, 2010, which shall be available notwithstanding any other provision of law.

DEBT RESTRUCTURING

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to parts IV and V of the Foreign Assistance Act of 1961, of modifying concessional credit agreements with least developed countries, as authorized under section 411 of the Agricultural Trade Development and Assistance Act of 1954, as amended, of concessional loans, guarantees and credit agreements, as authorized under section 572 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100–461), and of canceling amounts owed,

as a result of loans or guarantees made pursuant to the Export-Import Bank Act of 1945, by countries that are eligible for debt reduction pursuant to title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public Law 106–113, $200,300,000, to remain available until September 30, 2010: Provided, That not less than $20,000,000 of the funds appropriated under this heading shall be made available to carry out the provisions of part V of the Foreign Assistance Act of 1961: Provided further, That amounts paid to the HIPC Trust Fund may be used only to fund debt reduction under the enhanced HIPC initiative by—

(1) the Inter-American Development Bank;

(2) the African Development Fund;

(3) the African Development Bank; and

(4) the Central American Bank for Economic Integration:

Provided further, That funds may not be paid to the HIPC Trust Fund for the benefit of any country if the Secretary of State has credible evidence that the government of such country is engaged in a consistent pattern of gross violations of internationally recognized human rights or in military or civil conflict that undermines its ability to develop and implement measures to alleviate poverty and to devote adequate human and financial resources to that end: Provided further, That on the basis of final appropriations, the Secretary of the Treasury shall consult with the Committees on Appropriations concerning which countries and international financial institutions are expected to benefit from a United States contribution to the HIPC Trust Fund during the fiscal year: Provided further, That the Secretary of the Treasury shall inform the Committees on Appropriations not less than 15 days in advance of the signature of an agreement by the United States to make payments to the HIPC Trust Fund of amounts for such countries and institutions: Provided further, That the Secretary of the Treasury may disburse funds designated for debt reduction through the HIPC Trust Fund only for the benefit of countries that—

(1) have committed, for a period of 24 months, not to accept new market-rate loans from the international financial institution receiving debt repayment as a result of such disbursement, other than loans made by such institutions to export-oriented commercial projects that generate foreign exchange which are generally referred to as ''enclave'' loans; and

(2) have documented and demonstrated their commitment to redirect their budgetary resources from international debt repayments to programs to alleviate poverty and promote economic growth that are additional to or expand upon those previously available for such purposes:

Provided further, That any limitation of subsection (e) of section 411 of the Agricultural Trade Development and Assistance Act of 1954 shall not apply to funds appropriated under this heading: Provided further, That none of the funds made available under this heading in this or any other appropriations Act shall be made available for Sudan or Burma unless the Secretary of the Treasury determines and notifies the Committees on Appropriations that a democratically elected government has taken office.

TITLE IV

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $85,877,000, of which up to $3,000,000 may remain available until expended: Provided, That funds appropriated under this heading shall not be available for Equatorial Guinea: Provided further, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: Provided further, That funds appropriated under this heading that are made available for assistance for Angola, Cameroon, Central African Republic, Chad, Cote d'Ivoire, Guinea, Libya, and Nepal may be made available only for expanded international military education and training: Provided further, That expanded international military education and training may include English language training for purposes of funds appropriated under this heading: Provided further, That funds made available under this heading for assistance for Haiti, Guatemala, the Democratic Republic of the Congo, Sri Lanka, Ethiopia, Bangladesh, Libya, Angola, and Nigeria may only be provided through the regular notification procedures of the Committees on Appropriations.

FOREIGN MILITARY FINANCING PROGRAM

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, $4,579,000,000: Provided, That of the funds appropriated under this heading, not less than $2,400,000,000 shall be available for grants only for Israel: Provided further, That the funds appropriated by this paragraph for Israel shall be disbursed within 30 days of the enactment of this Act or by October 31, 2007, whichever is later: Provided further, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not less than $631,200,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: Provided further, That of the funds appropriated by this paragraph, $300,000,000 shall be made available for assistance for Jordan: Provided further, That of the funds appropriated under this heading, not less than $8,413,000 shall be made available for assistance for Tunisia: Provided further, That of the funds appropriated under this heading, not less than $1,300,000,000 shall be made available for grants only for Egypt: Provided further, That funds made available under this heading for assistance for Egypt should be made available for counterterrorism and border security programs in the Sinai: Provided further, That of the funds appropriated under this heading that are available for Colombia, $10,000,000 shall be made available for medical and rehabilitation assistance, removal of landmines, and to enhance communications capabilities: Provided further, That funds appropriated or otherwise made available by this paragraph shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: Provided further, That funds made available under this paragraph shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a): Provided further, That 0.1 percent of the funds appropriated under this heading shall be transferred to and merged with funds appropriated under the heading ''Economic Support Fund'' to be made available to the Bureau of Democracy, Human Rights and Labor, Department of State, to ensure adequate monitoring of the use of assistance made available under this heading in countries where such monitoring is most needed, in addition to amounts otherwise available for such purposes.

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: Provided, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: Provided further, That none of the funds appropriated under this heading shall be available for assistance for Sudan: Provided further, That none of the funds appropriated under this heading may be made available for assistance for Haiti, Guatemala, Nepal, Sri Lanka, Pakistan, Bangladesh, Philippines, Indonesia, Bosnia and Herzegovina, Ethiopia, and Democratic Republic of the Congo except pursuant to the regular notification procedures of the Committees on Appropriations: Provided further, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: Provided further, That only those countries for which assistance was justified for the ''Foreign Military Sales Financing Program'' in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: Provided further, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: Provided further, That not more than $41,900,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: Provided further, That not more than $395,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2008 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: Provided further, That foreign military financing program funds estimated to be outlayed for Egypt during fiscal year 2008 may be transferred to an interest bearing account for Egypt in the Federal Reserve Bank of New York.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $273,200,000: Provided, That of the funds made available under this heading, not less than $25,000,000 shall be made available for a United States contribution to the Multinational Force and Observers mission in the Sinai: Provided further, That none of the funds appropriated under this heading shall be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

TITLE V

MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For the United States contribution for the Global Environment Facility, $106,763,000 to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility (GEF), by the Secretary of the Treasury, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $1,000,000,000, to remain available until expended: Provided, That funds appropriated

under this heading should not be obligated until the Secretary of the Treasury reports to the Committees on Appropriations that he has received written assurance from the President of the World Bank that the bank's management will not recommend or support any loan, grant, credit or other financing for any infrastructure project which would contribute to significant loss of tropical forest or biodiversity.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

For payment to the Enterprise for the Americas Multilateral Investment Fund by the Secretary of the Treasury, for the United States contribution to the fund, $25,000,000, to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended, $90,000,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury, $2,037,000, for the United States paid-in share of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed $31,918,770.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the African Development Fund, $105,000,000, to remain available until expended.

CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the European Bank for Reconstruction and Development by the Secretary of the Treasury, $10,159 for the United States share of the paid-in portion of the increase in capital stock, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For the United States contribution by the Secretary of the Treasury to increase the resources of the International Fund for Agricultural Development, $18,072,000, to remain available until expended.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, $313,925,000: Provided, That of the funds appropriated under this heading that are available for the Organization of American States Fund for Strengthening Democracy, $500,000 shall be subject to the regular notification procedures of the Committees on Appropriations.

TITLE VI

GENERAL PROVISIONS

COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 601. (a) No funds appropriated by this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) For purposes of this section ''international financial institutions'' are: the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the International Monetary Fund, the North American Development Bank, and the European Bank for Reconstruction and Development.

ALLOCATIONS

SEC. 602. (a) Funds provided in this Act for the following accounts shall be made available for programs and countries in the amounts contained in the respective tables included in the report accompanying this Act:

''Educational and Cultural Exchange Programs''.

''Embassy Security, Construction, and Maintenance''.

''International Fisheries Commissions''.

''International Broadcasting Operations''.

''Global Health Programs''.

''Economic Support Fund''.

''Assistance for Eastern Europe and the Baltic States''.

''Assistance for the Independent States of the Former Soviet Union''.

''Democracy Fund''.

''Andean Programs''.

''Nonproliferation, Anti-Terrorism, Demining and Related Programs''.

''Foreign Military Financing Program''.

''International Organizations and Programs''.

(b) Any proposed increases or decreases to the amounts contained in such tables in the accompanying report shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961.

LIMITATION ON RESIDENCE EXPENSES

SEC. 603. Of the funds appropriated or made available pursuant to title III of this Act, not to exceed $100,500 shall be for official residence expenses of the United States Agency for International Development during the current fiscal year: Provided, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

UNOBLIGATED BALANCES REPORT

SEC. 604. Any Department or Agency to which funds are appropriated or otherwise made available by this Act shall provide, upon request of the Committees on Appropriations, an accurate accounting by program, project, and activity of the funds received by such Department or Agency in this fiscal year or any previous fiscal year that remain unobligated and unexpended.

LIMITATION ON REPRESENTATIONAL ALLOWANCES

SEC. 605. Of the funds appropriated or made available pursuant to this Act, not to exceed $250,000 shall be available for representation and entertainment allowances, of which not to exceed $5,000 shall be available for entertainment allowances, for the United States Agency for International Development during the current fiscal year: Provided, That no such entertainment funds may be used for the purposes listed in section 648 of this Act: Provided further, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: Provided further, That of the funds made available by this Act for general costs of administering military assistance and sales under the heading ''Foreign Military Financing Program'', not to exceed $4,000 shall be available for entertainment expenses and not to exceed $130,000 shall be available for representation allowances: Provided further, That of the funds made available by this Act under the heading ''International Military Education and Training'', not to exceed $55,000 shall be available for entertainment allowances: Provided further, That of the funds made available by this Act for the Inter-American Foundation, not to exceed $2,000 shall be available for entertainment and representation allowances: Provided further, That of the funds made available by this Act under the heading ''United States-China Economic and Security Review Commission'', not to exceed $3,000 shall be available for official reception, representation, and entertainment allowances: Provided further, That of the funds made available by this Act for the Peace Corps, not to exceed a total of $4,000 shall be available for entertainment expenses: Provided further, That of the funds made available by this Act under the heading ''Trade and Development Agency'', not to exceed $4,000 shall be available for representation and entertainment allowances: Provided further, That of the funds made available by this Act under the heading ''Millennium Challenge Corporation'', not to exceed $115,000 shall be available for representation and entertainment allowances.

PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE

SEC. 606. (a) PROHIBITION ON TAXATION.—None of the funds appropriated by this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2008 on funds appropriated by this Act by a foreign government or entity against commodities financed under United States assistance programs for which funds are appropriated by this Act, either directly or through grantees, contractors and subcontractors shall be withheld from obligation from funds appropriated for assistance for fiscal year 2009 and allocated for the central government of such country and for the West Bank and Gaza Program to the extent that the Secretary of State certifies and reports in writing to the Committees on Appropriations that such taxes have not been reimbursed to the Government of the United States.

(c) DE MINIMIS EXCEPTION.—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) REPROGRAMMING OF FUNDS.—Funds withheld from obligation for each country or entity pursuant to subsection (b) shall be reprogrammed for assistance to countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes.

(e) DETERMINATIONS.—

(1) The provisions of this section shall not apply to any country or entity the Secretary of State determines—

(A) does not assess taxes on United States assistance or which has an effective arrangement that is providing substantial reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the policy of this section to ensure that United States assistance is not subject to taxation.

(2) The Secretary of State shall consult with the Committees on Appropriations at least 15 days prior to exercising the authority of this subsection with regard to any country or entity.

(f) IMPLEMENTATION.—The Secretary of State shall issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(g) DEFINITIONS.—As used in this section—

(1) the terms ''taxes'' and ''taxation'' refer to value added taxes and customs duties imposed on commodities financed with United States assistance for programs for which funds are appropriated by this Act; and

(2) the term ''bilateral agreement'' refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 607. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, North Korea, Iran, or Syria: Provided, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

MILITARY COUPS

SEC. 608. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup or decree: Provided, That assistance may be resumed to such government if the President determines and certifies to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office: Provided further, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: Provided further, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

TRANSFERS

SEC. 609. (a) DEPARTMENT OF STATE AND BROADCASTING BOARD OF GOVERNORS.—Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided further, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 104 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

(b)(1) LIMITATION ON TRANSFERS BETWEEN AGENCIES.—None of the funds made available by this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

(2) Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(c) TRANSFERS BETWEEN ACCOUNTS.—None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated, except for transfers specifically provided for in this Act, unless the President provides notification in accordance with the regular notification procedures of the Committees on Appropriations.

(d) AUDIT OF INTER-AGENCY TRANSFERS.—Any agreement for the transfer or allocation of funds appropriated by this Act, or prior Acts, entered into between the United States Agency for International Development and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Office of the Inspector General for the agency receiving the transfer or allocation of such funds shall perform periodic program and financial audits of the use of such funds: Provided, That funds transferred under such authority may be made available for the cost of such audits.

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 610. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

AVAILABILITY OF FUNDS

SEC. 611. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: Provided, That funds appropriated for the purposes of chapters 1, 8, 11, and 12 of part I, section 661, section 667, chapters 4, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act, and funds provided under the heading ''Assistance for Eastern Europe and the Baltic States'', shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: Provided further, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended: Provided further, That the Director of the Trade and Development Agency shall notify the Committees on Appropriations not later than 15 days prior to any reobligation of funds appropriated for the purposes of section 661 of part II of the Foreign Assistance Act of 1961.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 612. No part of any appropriation contained in this Act shall be used to furnish assistance to the government of any country which is in default during a period in excess of 1 calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultations with the Committees on Appropriations, that assistance to such country is in the national interest of the United States.

COMMERCE AND TRADE

SEC. 613. (a) None of the funds appropriated or made available pursuant to this Act for direct assistance and none of the funds otherwise made available pursuant to this Act to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: Provided, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: Provided, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States; or

(2) research activities intended primarily to benefit American producers.

SURPLUS COMMODITIES

SEC. 614. The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

REPROGRAMMING NOTIFICATION REQUIREMENTS

SEC. 615. (a) None of the funds made available in all titles of this Act, or in prior appropriations Acts to the agencies and departments funded by this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury of the United States derived by the collection of fees or of currency reflows or other offsetting collections, or made available by transfer, to the agencies and departments funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates new programs; (2) eliminates a program,

project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) closes or opens a mission or post; (6) reorganizes or renames offices; (7) reorganizes programs or activities; or (8) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(b) For the purposes of providing the executive branch with the necessary administrative flexibility, none of the funds provided under title I of this Act, or provided under previous appropriations Acts to the agencies or department funded under title I of this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies or department funded by title I of this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $750,000 or ten percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by ten percent as approved by Congress; or (3) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(c) For the purposes of providing the executive branch with the necessary administrative flexibility, none of the funds made available under titles II through V of this Act for ''Global Health Programs'', ''Development Assistance'', ''International Organizations and Programs'', ''Trade and Development Agency'', ''International Narcotics Control and Law Enforcement'', ''Andean Programs'', ''Assistance for Eastern Europe and the Baltic States'', ''Assistance for the Independent States of the Former Soviet Union'', ''Economic Support Fund'', ''Democracy Fund'', ''Peacekeeping Operations'', ''Capital Investment Fund'', ''Operating Expenses of the United States Agency for International Development'', ''Operating Expenses of the United States Agency for International Development Office of Inspector General'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''Millennium Challenge Corporation'' (by country only), ''Foreign Military Financing Program'', ''International Military Education and Training'', ''Peace Corps'', and ''Migration and Refugee Assistance'', shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations of both Houses of Congress are previously notified 15 days in advance: Provided, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: Provided further, That this subsection shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under titles III or IV of this Act of less than 10 percent of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year.

(d) The requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: Provided, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: Provided further, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 616. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2009: Provided, That section 307(a) of the Foreign Assistance Act of 1961 is amended by striking ''Libya,''.

INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 617. (a) None of the funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' shall be made available for assistance for a government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: Provided, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States.

(b) None of the funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' shall be made available for any state to enhance its military capability: Provided, That this restriction does not apply to demilitarization, demining or nonproliferation programs.

(c) Funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' for the Russian Federation, Armenia, Kazakhstan, and Uzbekistan shall be subject to the regular notification procedures of the Committees on Appropriations.

(d)(1) Of the funds appropriated under this heading that are allocated for assistance for the Government of the Russian Federation, 60 percent shall be withheld from obligation until the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation—

(A) has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability; and

(B) is providing full access to international non-government organizations providing humanitarian relief to refugees and internally displaced persons in Chechnya.

(2) Paragraph (1) shall not apply to—

(A) assistance to combat infectious diseases, child survival activities, or assistance for victims of trafficking in persons; and

(B) activities authorized under title V (Nonproliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(e) Section 907 of the FREEDOM Support Act shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of Public Law 104–201 or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 618. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

EXPORT FINANCING TRANSFER AUTHORITIES

SEC. 619. Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2008, for programs under title II of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: Provided, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

SPECIAL NOTIFICATION REQUIREMENTS

SEC. 620. None of the funds appropriated by this Act shall be obligated or expended for assistance for Serbia, Sudan, Zimbabwe, Pakistan, Cuba, the Dominican Republic, Iran, Haiti, Mexico or Cambodia except as provided through the regular notification procedures of the Committees on Appropriations.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 621. For the purpose of titles II through V of this Act ''program, project, and activity'' shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts earmarks, ceilings, and limitations with the exception that for the following accounts: ''Economic Support Fund'' and ''Foreign Military Financing Program'', ''program, project, and activity'' shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the United States Agency for International Development ''program, project, and activity'' shall also be considered to include central, country, regional, and program level funding, either as: (1) justified to the Congress; or (2)

allocated by the executive branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

GLOBAL HEALTH ACTIVITIES

SEC. 622. Up to $13,500,000 of the funds made available by this Act for assistance under the heading ''Global Health Programs'', may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the United States Agency for International Development for the purpose of carrying out activities under that heading: Provided, That up to $3,500,000 of the funds made available by this Act for assistance under the heading ''Development Assistance'' may be used to reimburse such agencies, institutions, and organizations for such costs of such individuals carrying out other development assistance activities: Provided further, That funds appropriated by titles III and IV of this Act that are made available for bilateral assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for the provisions under the heading ''Global Health Programs'' and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: Provided further, That of the funds appropriated under title III of this Act, not less than $461,060,000 shall be made available for family planning/reproductive health: Provided further, That in order to prevent unintended pregnancies, abortions, and the transmission of sexually transmitted infections, including HIV/AIDS, no contract or grant for the exclusive purpose of providing donated contraceptives in developing countries shall be denied to any nongovernmental organization solely on the basis of the policy contained in the President's March 28, 2001, Memorandum to the Administrator of the United States Agency for International Development with respect to providing contraceptives in developing countries, or any comparable administration policy regarding the provision of contraceptives.

AFGHANISTAN

SEC. 623. Of the funds appropriated by titles III and IV of this Act, up to $1,057,050,000 may be made available for assistance for Afghanistan, of which not less than $75,000,000 should be made available to support programs that directly address the needs of Afghan women and girls, of which not less than $12,000,000 shall be made available for grants to support training and equipment to improve the capacity of women-led Afghan nongovernmental organizations and to support the activities of such organizations, and not less than $3,000,000 should be made available for reforestation activities: Provided, That funds made available pursuant to the previous proviso for reforestation activities should be matched, to the maximum extent possible, with contributions from American and Afghan businesses: Provided further, That of the funds appropriated by this Act that are available for Afghanistan, $20,000,000 should be made available through United States universities to develop agriculture extension services for Afghan farmers, and not less than $10,000,000 shall be made available for continued support of the United States Agency for International Development's Afghan Civilian Assistance Program.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 624. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (f) of that section: Provided, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at $7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: Provided further, That such Committees shall also be informed of the original acquisition cost of such defense articles.

GLOBAL FUND MANAGEMENT

SEC. 625. Notwithstanding any other provision of this Act, 20 percent of the funds that are appropriated by this Act for a contribution to support the Global Fund to Fight AIDS, Tuberculosis and Malaria (the ''Global Fund'') shall be withheld from obligation to the Global Fund until the Secretary of State certifies to the Committees on Appropriations that the Global Fund—

(1) is releasing incremental disbursements only if grantees demonstrate progress against clearly defined performance indicators;

(2) is providing support and oversight to country-level entities, such as country coordinating mechanisms, principal recipients, and local Fund agents, to enable them to fulfill their mandates;

(3) has a full-time, professional, independent Office of Inspector General that is fully operational;

(4) requires local Fund agents to assess whether a principal recipient has the capacity to oversee the activities of sub-recipients;

(5) is making progress toward implementing a reporting system that breaks down grantee budget allocations by programmatic activity;

(6) has adopted and is implementing an appropriate policy on the public release of documents produced by the Office of the Inspector General; and

(7) is tracking and encouraging the involvement of civil society in country coordinating mechanisms and program implementation.

PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 626. (a) Funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to the enactment of this Act, shall not be made available for assistance to the government of any country which the President determines—

(1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism; or

(2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to such government if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

DEBT-FOR-DEVELOPMENT

SEC. 627. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title III of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

SEPARATE ACCOUNTS

SEC. 628. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—

(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of the United States Agency for International Development and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—The United States Agency for International Development shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORTING REQUIREMENT.—The Administrator of the United States Agency for International Development shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used and/or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

(1) If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this

assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

ENTERPRISE FUND RESTRICTIONS

SEC. 629. (a) Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Enterprise Fund.

(b) Funds made available by this Act for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

INTERNATIONAL FAMILY PLANNING AND REPRODUCTIVE HEALTH

SEC. 630. (a) Funds appropriated by this Act may be made available for a United States contribution to the United Nations Population Fund (UNFPA).

(b) None of the funds appropriated by this Act may be made available to UNFPA for a country program in the People's Republic of China.

(c) Funds appropriated by this Act may not be made available to UNFPA unless—

(1) UNFPA maintains amounts made available under this section in an account separate from other accounts of UNFPA;

(2) UNFPA does not commingle amounts made available to UNFPA under this section with other sums; and

(3) UNFPA does not fund abortions.

AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

SEC. 631. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act. The agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 632. None of the funds appropriated by this Act may be obligated or expended to provide—

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States; or

(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: Provided, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

COMPREHENSIVE EXPENDITURES REPORT

SEC. 633. Not later than 180 days after the date of enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the total amount of United States Government expenditures in fiscal year 2006, by Federal agency, for programs and activities in each foreign country, identifying the line item as presented in the President's Budget Appendix and the purpose for which the funds were provided: Provided, That, if required, information may be submitted in classified form.

SPECIAL AUTHORITIES

SEC. 634. (a) AFGHANISTAN, IRAQ, PAKISTAN, LEBANON, MONTENEGRO, VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated by this Act that are made available for assistance for Afghanistan may be made available notwithstanding section 612 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961, and funds appropriated in titles II and III of this Act that are made available for Iraq, Lebanon, Montenegro, Pakistan, and for victims of war, displaced children, and displaced Burmese, and to assist victims of trafficking in persons and, subject to the regular notification procedures of the Committees on Appropriations, to combat such trafficking, may be made available notwithstanding any other provision of law.

(b) TROPICAL FORESTRY AND BIODIVERSITY CONSERVATION ACTIVITIES.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and biodiversity conservation activities and energy programs aimed at reducing greenhouse gas emissions: Provided, That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Agricultural Trade Development and Assistance Act of 1954, may be used by the United States Agency for International Development to employ up to 25 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: Provided, That not more than 10 of such contractors shall be assigned to any bureau or office: Provided further, That such funds appropriated to carry out title II of the Agricultural Trade Development and Assistance Act of 1954, may be made available only for personal services contractors assigned to the Office of Food for Peace.

(d)(1) WAIVER.—The President may waive the provisions of section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that it is important to the national security interests of the United States.

(2) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to paragraph (1) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(e) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, the United States Agency for International Development may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(f) VIETNAMESE REFUGEES.—Section 594(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (enacted as division D of Public Law 108–447; 118 Stat. 3038) is amended by striking ''and 2007'' and inserting ''through 2009''.

(g) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.

(h) CHINA PROGRAMS.—Notwithstanding any other provision of law, of the funds appropriated under the heading ''Development Assistance'' in this Act, not less than $10,000,000 shall be made available to United States educational institutions and nongovernmental organizations for programs and activities in the People's Republic of China relating to the environment, democracy, and the rule of law: Provided, That funds made available pursuant to this authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(i) EXTENSION OF AUTHORITY.—

(1) With respect to funds appropriated by this Act that are available for assistance for Pakistan, the President may waive the prohibition on assistance contained in section 608 of this Act subject to the requirements contained in section 1(b) of Public Law 107–57, as amended, for a determination and certification, and consultation, by the President prior to the exercise of such waiver authority.

(2) Notwithstanding the date contained in section 6 of Public Law 107–57, as amended, the provisions of sections 2 and 4 of that Act shall remain in effect through the current fiscal year.

(j) MIDDLE EAST FOUNDATION.—Funds appropriated by this Act and prior Acts under the heading ''Economic Support Fund'' that are available for the Middle East Partnership Initiative may be made available, including as an endowment, notwithstanding any other provision of law and following consultations with the Committees on Appropriations, to establish and operate a Middle East Foundation, or any other similar entity, whose purpose is to support democracy, governance, human rights, and the rule of law in the Middle East region: Provided, That such funds may be made available to the Foundation only to the extent that the Foundation has commitments from sources other than the United States Government to at least match the funds provided under the authority of this subsection: Provided further, That provisions contained in section 201 of the Support for East European Democracy (SEED) Act of 1989 (excluding the authorizations of appropriations provided in subsection (b) of that section and the requirement that a majority of the members of the board of directors be citizens of the United States provided in subsection (d)(3)(B) of that section) shall be deemed to apply to any such foundation or similar entity referred to under this subsection, and to funds made available to such entity, in order to enable it to provide assistance for purposes of this section: Provided further, That prior to the initial obligation of funds for any such foundation or similar entity pursuant to the authorities of this subsection, other than for administrative support, the Secretary of State shall take steps to ensure, on an ongoing basis, that any such funds made available pursuant to such authorities are not provided to or through any individual or group

that the management of the foundation or similar entity knows or has reason to believe, advocates, plans, sponsors, or otherwise engages in terrorist activities: Provided further, That section 629 of this Act shall apply to any such foundation or similar entity established pursuant to this subsection: Provided further, That the authority of the Foundation, or any similar entity, to provide assistance shall cease to be effective on September 30, 2010.

(k) EXTENSION OF AUTHORITY.—Section 1365(c) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 22 U.S.C. 2778 note) is amended by striking ''During the 16 year period beginning on October 23, 1992'' and inserting ''During the 22 year period beginning on October 23, 1992'' before the period at the end.

(l) EXTENSION OF AUTHORITY.—The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b)(3), by striking ''and 2007'' and inserting ''2007, and 2008''; and

(B) in subsection (e), by striking ''2007'' each place it appears and inserting ''2008''; and

(2) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking ''2007'' and inserting ''2008''.

(m) WORLD FOOD PROGRAM.—Of the funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance of the United States Agency for International Development, from this or any other Act, not less than $10,000,000 shall be made available as a general contribution to the World Food Program, notwithstanding any other provision of law.

(n) CAPITAL SECURITY COST-SHARING.—Notwithstanding any other provision of law, of the funds appropriated under the heading ''Embassy Security, Construction, and Maintenance'', not less than $2,000,000 shall be made available for the Capital Security Cost-Sharing fees of the Library of Congress for fiscal year 2008.

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 635. It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) all Arab League states should normalize relations with their neighbor Israel;

(4) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and

(5) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

ELIGIBILITY FOR ASSISTANCE

SEC. 636. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and from funds appropriated under the heading ''Assistance for Eastern Europe and the Baltic States'': Provided, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: Provided further, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2008, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Agricultural Trade Development and Assistance Act of 1954: Provided, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

RESERVATIONS OF FUNDS

SEC. 637. (a) Funds appropriated under titles II through V of this Act which are earmarked may be reprogrammed for other programs within the same account notwithstanding the earmark if compliance with the earmark is made impossible by operation of any provision of this or any other Act: Provided, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the United States Agency for International Development that are earmarked for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such designated funds can be obligated during the original period of availability: Provided, That such earmarked funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such designation.

(c) Ceilings and earmarks levels contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs. Earmarks or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

ASIA

SEC. 638. (a) FUNDING LEVELS.—Of the funds appropriated by this Act under the headings ''Global Health Programs'' and ''Development Assistance'', not less than the amount of funds initially allocated for each such account pursuant to subsection 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2006 shall be made available for Cambodia, Philippines, Vietnam, Asia and Near East Regional, and Regional Development Mission/Asia: Provided, That for the purposes of this subsection, ''Global Health Programs'' shall mean ''Child Survival and Health Programs Fund''.

(b) BURMA.—

(1) The Secretary of the Treasury shall instruct the United States executive director to each appropriate international financial institution in which the United States participates, to oppose and vote against the extension by such institution any loan or financial or technical assistance or any other utilization of funds of the respective bank to and for Burma.

(2) Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $11,000,000 shall be made available to support democracy activities in Burma, along the Burma-Thailand border, for activities of Burmese student groups and other organizations located outside Burma, and for the purpose of supporting the provision of humanitarian assistance to displaced Burmese along Burma's borders: Provided, That funds made available under this heading may be made available notwithstanding any other provision of law: Provided further, That in addition to assistance for Burmese refugees provided under the heading ''Migration and Refugee Assistance'' in this Act, not less than $3,000,000 shall be made available for community-based organizations operating in Thailand to provide food, medical and other humanitarian assistance to internally displaced persons in eastern Burma: Provided further, That funds made available under this heading shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) TIBET.—

(1) The Secretary of the Treasury should instruct the United States executive director to each international financial institution to use the voice and vote of the United States to support projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans; are based on a thorough needs-assessment; foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions; and are subject to effective monitoring.

(2) Notwithstanding any other provision of law, not less than $5,000,000 of the funds appropriated by this Act under the heading ''Economic Support Fund'' should be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in other Tibetan communities in China, and not less than $250,000 should be made available to the National Endowment for Democracy for human rights and democracy programs relating to Tibet.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 639. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by the Congress.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 640. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

REQUESTS FOR DOCUMENTS

SEC. 641. (a) None of the funds appropriated or made available pursuant to this Act shall be

available to a nongovernmental organization, including any contractor, which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the United States Agency for International Development.

(b) Notwithstanding any other provision of law or regulation, the Administrator of the United States Agency for International Development shall provide to the Committees on Appropriations, on a timely basis, such information on the obligation and expenditure of funds appropriated by this Act and prior Acts, pursuant to grants, cooperative agreements, and contracts entered into or financed by the agency, as may be requested by the Committee on Appropriations to satisfy oversight responsibilities of those Committees.

PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM

SEC. 642. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 6(j) of the Export Administration Act of 1979. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished if the President determines that furnishing such assistance is important to the national interests of the United States.

(c) Whenever the waiver authority of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

WITHHOLDING OF ASSISTANCE FOR PARKING FINES AND REAL PROPERTY TAXES OWED BY FOREIGN COUNTRIES

SEC. 643. (a) Subject to subsection (c), of the funds appropriated under titles II through V by this Act that are made available for assistance for a foreign country, an amount equal to 110 percent of the total amount of the unpaid fully adjudicated parking fines and penalties and unpaid property taxes owed by the central government of such country shall be withheld from obligation for assistance for the central government of such country until the Secretary of State submits a certification to the Committees on Appropriations stating that such parking fines and penalties and unpaid property taxes are fully paid.

(b) Funds withheld from obligation pursuant to subsection (a) may be made available for other programs or activities funded by this Act, after consultation with and subject to the regular notification procedures of the Committees on Appropriations, provided that no such funds shall be made available for assistance for the central government of a foreign country that has not paid the total amount of the fully adjudicated parking fines and penalties and unpaid property taxes owed by such country.

(c) Subsection (a) shall not include amounts that have been withheld under any other provision of law.

(d)(1) The Secretary of State may waive the requirements set forth in subsection (a) with respect to parking fines and penalties no sooner than 60 days from the date of enactment of this Act, or at any time with respect to a particular country, if the Secretary determines that it is in the national interests of the United States to do so.

(2) The Secretary of State may waive the requirements set forth in subsection (a) with respect to the unpaid property taxes if the Secretary of State determines that it is in the national interests of the United States to do so.

(e) Not later than 6 months after the initial exercise of the waiver authority in subsection (d), the Secretary of State, after consultations with the City of New York, shall submit a report to the Committees on Appropriations describing a strategy, including a timetable and steps currently being taken, to collect the parking fines and penalties and unpaid property taxes and interest owed by nations receiving foreign assistance under this Act.

(f) In this section:

(1) The term ''fully adjudicated'' includes circumstances in which the person to whom the vehicle is registered—

(A)(i) has not responded to the parking violation summons; or

(ii) has not followed the appropriate adjudication procedure to challenge the summons; and

(B) the period of time for payment of or challenge to the summons has lapsed.

(2) The term ''parking fines and penalties'' means parking fines and penalties—

(A) owed to—

(i) the District of Columbia; or

(ii) New York, New York; and

(B) incurred during the period April 1, 1997, through September 30, 2007.

(3) The term ''unpaid property taxes'' means the amount of unpaid taxes and interest determined to be owed by a foreign country on real property in the District of Columbia or New York, New York in a court order or judgment entered against such country by a court of the United States or any State or subdivision thereof.

LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST BANK AND GAZA

SEC. 644. None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104–107) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: Provided, That if the President fails to make the certification under section 604(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.

WAR CRIMES TRIBUNALS DRAWDOWN

SEC. 645. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to $30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: Provided, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): Provided further, That funds made available for tribunals other than Yugoslavia, Rwanda, or the Special Court for Sierra Leone shall be made available subject to the regular notification procedures of the Committees on Appropriations.

LANDMINES

SEC. 646. Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the President may prescribe.

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 647. None of the funds appropriated by this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: Provided, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem.

PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

SEC. 648. None of the funds appropriated or otherwise made available by this Act under the heading ''International Military Education and Training'' or ''Foreign Military Financing Program'' for Informational Program activities or under the headings ''Global Health Programs'', ''Development Assistance'', and ''Economic Support Fund'' may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including but not limited to entrance fees at sporting events, theatrical and musical productions, and amusement parks.

WESTERN HEMISPHERE

SEC. 649. (a) CENTRAL AMERICA.—Of the funds appropriated by this Act under the headings ''Global Health Programs'' and ''Development Assistance'', not less than the amount of funds initially allocated for each such account pursuant to section 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2006 shall be made available for El Salvador, Guatemala, Nicaragua, Honduras, Ecuador, Peru, Bolivia, and Brazil: Provided, That for the purposes of this subsection, ''Global Health Programs'' shall mean ''Child Survival and Health Programs Fund''.

(b)(1) HAITI.—Of the funds appropriated by this Act under the headings ''Development Assistance'' and ''Economic Support Fund'', not less than $106,200,000 shall be made available for assistance for Haiti, of which not less than $5,000,000 shall be for programs to improve court administration and reduce pre-trial detention and of which not less than $5,000,000 shall be made available for watershed remediation and reforestation activities.

(2) The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the Coast Guard.

(3) None of the funds made available in this Act under the heading ''International Narcotics Control and Law Enforcement'' may be used to transfer excess weapons, ammunition or other lethal property of an agency of the United States Government to the Government of Haiti for use by the Haitian National Police until the Secretary of State certifies to the Committees on Appropriations that the United Nations Mission in Haiti has ensured that any members of the Haitian National Police who have been credibly alleged to have committed serious crimes, including drug trafficking and human rights violations, have been suspended.

(c) DOMINICAN REPUBLIC.—Of the funds appropriated by this Act under the headings ''Global Health Programs'' and ''Development Assistance'', not less than $23,600,000 shall be made available for assistance for the Dominican Republic, of which not less than $5,000,000 shall

be made available for basic health care, nutrition, sanitation, education, and shelter for migrant sugar cane workers and other residents of batey communities.

LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

SEC. 650. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Committees on Appropriations that waiving such prohibition is important to the national security interests of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the justification for the waiver, the purposes for which the funds will be spent, and the accounting procedures in place to ensure that the funds are properly disbursed.

LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 651. Chapter 1 of part III of the Foreign Assistance Act of 1961 is amended by adding the following section:

"SEC. 620J. LIMITATION ON ASSISTANCE TO SECURITY FORCES.

''(a) IN GENERAL.—No assistance shall be furnished under this Act or the Arms Export Control Act to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights.

''(b) EXCEPTION.—The prohibition in subsection (a) shall not apply if the Secretary determines and reports to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice.

''(c) DUTY TO INFORM.—In the event that funds are withheld from any unit pursuant to this section, the Secretary of State shall promptly inform the foreign government of the basis for such action and shall, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.''.

FOREIGN MILITARY TRAINING REPORT

SEC. 652. The annual foreign military training report required by section 656 of the Foreign Assistance Act of 1961 shall be submitted by the Secretary of Defense and the Secretary of State to the Committees on Appropriations by the date specified in that section.

AUTHORIZATION REQUIREMENT

SEC. 653. Funds appropriated by this Act, except funds appropriated under the headings ''Trade and Development Agency'' and ''Overseas Private Investment Corporation'', may be obligated and expended notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956.

AVIAN INFLUENZA PREPAREDNESS

SEC. 654. Notwithstanding any other provision of law except section 551 of Public Law 109–102, of the funds appropriated by this Act under the heading ''Foreign Military Financing Program'', $12,500,000 shall be made available to enhance the preparedness of militaries in Asia and Africa to respond to an avian influenza pandemic, and of the funds appropriated by this Act under the heading ''Peacekeeping Operations'', $12,500,000 shall be transferred to, and merged with, funds made available under the heading ''Foreign Military Financing Program'' to be used for this purpose.

PALESTINIAN STATEHOOD

SEC. 655. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated by this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) the governing entity of a new Palestinian state—

(A) has demonstrated a commitment to peaceful co-existence with the State of Israel;

(B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures, and is cooperating with appropriate Israeli and other appropriate security organizations; and

(2) the Palestinian Authority (or the governing entity of a new Palestinian state) is working with other countries in the region to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgement of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) WAIVER.—The President may waive subsection (a) if he determines that it is important to the national security interests of the United States to do so.

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or the governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 650 of this Act (''Limitation on Assistance to the Palestinian Authority'').

COLOMBIA

SEC. 656. (a) FUNDING.—Funds appropriated by this Act that are available for assistance for Colombia shall be made available in the amounts indicated in the table in the accompanying report.

(b) DETERMINATION AND CERTIFICATION REQUIRED.—Funds appropriated by this Act that are available for assistance for the Colombian Armed Forces, may be made available as follows:

(1) Up to 70 percent of such funds may be obligated prior to the certification and report by the Secretary of State pursuant to paragraph (2).

(2) Up to 15 percent of such funds may be obligated only after the Secretary of State consults with, and submits a written certification and report to, the Committees on Appropriations that:

(A) The Commander General of the Colombian Armed Forces is suspending from the Armed Forces those members, of whatever rank who, according to the Minister of Defense or the Procuraduria General de la Nacion, have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations or successor armed groups.

(B) The Colombian Government is vigorously investigating and prosecuting, in the civilian justice system, those members of the Colombian Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations or successor armed groups, and is promptly punishing those members of the Colombian Armed Forces found to have committed such violations of human rights or to have aided or abetted such organizations or successor groups.

(C) The Colombian Armed Forces are cooperating fully with civilian prosecutors and judicial authorities in such cases (including providing requested information, such as the identity of persons suspended from the Armed Forces and the nature and cause of the suspension, and access to witnesses, relevant military documents, and other requested information).

(D) The Colombian Armed Forces have taken all necessary steps to sever links (including denying access to military intelligence, vehicles, and other equipment or supplies, and ceasing other forms of active or tacit cooperation) at the command, battalion, and brigade levels, with paramilitary organizations and successor armed groups, especially in regions where such organizations or successor groups have a significant presence.

(E) The Colombian Government is dismantling paramilitary leadership and financial networks by arresting and prosecuting under civilian criminal law individuals who have provided financial, planning, or logistical support, or have otherwise aided or abetted paramilitary organizations or successor armed groups, by identifying and confiscating land and other assets illegally acquired by such organizations or their associates and returning such land or assets to their rightful owners, by revoking reduced sentences for demobilized paramilitaries who engage in new criminal activity, and by arresting, prosecuting under civilian criminal law, and when requested, promptly extraditing to the United States members of successor armed groups.

(F) The Colombian Government is ensuring that the Colombian Armed Forces are not violating the land and property rights of Colombia's indigenous and Afro-Colombian communities, and the Colombian Armed Forces are distinguishing between civilians, including displaced persons, and combatants in their operations.

(3) The balance of such funds may be obligated after July 31, 2008, if, before such date, the Secretary of State consults with, and submits a written certification and report to, the Committees on Appropriations, that the Colombian Armed Forces are continuing to meet the conditions contained in paragraph (2) and are conducting vigorous operations to restore civilian government authority and respect for human rights in areas under the effective control of paramilitary organizations or successor armed groups and guerrilla organizations.

(c) REPORT.—The reports required by subsections (a)(2) and (a)(3) of this section shall contain, with respect to each such subsection, a detailed description of the actions taken by the Colombian Government or Armed Forces which support each requirement of the certification, and the cases or issues brought to the attention of the Secretary for which the actions taken by the Colombian Government or Armed Forces have been inadequate.

(d) CONGRESSIONAL NOTIFICATION.—Funds made available by this Act for the Colombian Armed Forces shall be subject to the regular notification procedures of the Committees on Appropriations.

(e) CONSULTATIVE PROCESS.—Not later than 60 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2008, the Secretary of State shall consult with Colombian and internationally recognized

human rights organizations regarding progress in meeting the conditions contained in subsection (a).

(f) DEFINITIONS.—In this section:

(1) AIDED OR ABETTED.—The term ''aided or abetted'' means to provide any support to paramilitary or successor armed groups, including taking actions which allow, facilitate, or otherwise foster the activities of such groups.

(2) PARAMILITARY GROUPS.—The term ''paramilitary groups'' means illegal self-defense groups and illegal security cooperatives, including those groups and cooperatives that have formerly demobilized but continue illegal operations, as well as parts thereof.

ILLEGAL ARMED GROUPS

SEC. 657. (a) DENIAL OF VISAS.—Subject to subsection (b), the Secretary of State shall not issue a visa to any alien who the Secretary determines, based on credible evidence—

(1) has willfully provided any support to the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), or the United Self-Defense Forces of Colombia (AUC), or successor armed groups, including taking actions or failing to take actions which allow, facilitate, or otherwise foster the activities of such groups; or

(2) has committed, ordered, incited, assisted, or otherwise participated in the commission of gross violations of human rights, including extra-judicial killings, in Colombia.

(b) WAIVER.—Subsection (a) shall not apply if the Secretary of State determines and certifies to the appropriate congressional committees, on a case-by-case basis, that the issuance of a visa to the alien is necessary to support the peace process in Colombia or for humanitarian reasons.

WEST BANK AND GAZA ASSISTANCE

SEC. 658. (a) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading ''Economic Support Fund'' for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity. The Secretary of State shall terminate assistance to any individual, entity, or educational institution which the Secretary has determined to be involved in or advocating terrorist activity.

(b) PROHIBITION.—None of the funds appropriated by this Act for assistance under the West Bank and Gaza program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed, acts of terrorism.

(c) AUDITS.—

(1) The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grantees, and significant subcontractors and subgrantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act under the heading ''Economic Support Fund'' that are made available for assistance for the West Bank and Gaza, up to $500,000 may be used by the Office of the Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of this subsection. Such funds are in addition to funds otherwise available for such purposes.

WAR CRIMINALS

SEC. 659. (a)(1) None of the funds appropriated or otherwise made available pursuant to this Act may be made available for assistance, and the Secretary of the Treasury shall instruct the United States executive directors to the international financial institutions to vote against any new project involving the extension by such institutions of any financial or technical assistance, to any country, entity, or municipality whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to implement its international legal obligations to apprehend and transfer to the International Criminal Tribunal for the former Yugoslavia (the ''Tribunal'') all persons in their territory who have been indicted by the Tribunal and to otherwise cooperate with the Tribunal.

(2) The provisions of this subsection shall not apply to humanitarian assistance or assistance for democratization.

(b) The provisions of subsection (a) shall apply unless the Secretary of State determines and reports to the appropriate congressional committees that the competent authorities of such country, entity, or municipality are—

(1) cooperating with the Tribunal, including access for investigators to archives and witnesses, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension; and

(2) are acting consistently with the Dayton Accords.

(c) Not less than 10 days before any vote in an international financial institution regarding the extension of any new project involving financial or technical assistance or grants to any country or entity described in subsection (a), the Secretary of the Treasury, in consultation with the Secretary of State, shall provide to the Committees on Appropriations a written justification for the proposed assistance, including an explanation of the United States position regarding any such vote, as well as a description of the location of the proposed assistance by municipality, its purpose, and its intended beneficiaries.

(d) In carrying out this section, the Secretary of State, the Administrator of the United States Agency for International Development, and the Secretary of the Treasury shall consult with representatives of human rights organizations and all government agencies with relevant information to help prevent indicted war criminals from benefiting from any financial or technical assistance or grants provided to any country or entity described in subsection (a).

(e) The Secretary of State may waive the application of subsection (a) with respect to projects within a country, entity, or municipality upon a written determination to the Committees on Appropriations that such assistance directly supports the implementation of the Dayton Accords.

(f) DEFINITIONS.—As used in this section:

(1) COUNTRY.—The term ''country'' means Bosnia and Herzegovina, Croatia and Serbia.

(2) ENTITY.—The term ''entity'' refers to the Federation of Bosnia and Herzegovina, Kosovo, Montenegro and the Republika Srpska.

(3) MUNICIPALITY.—The term ''municipality'' means a city, town or other subdivision within a country or entity as defined herein.

(4) DAYTON ACCORDS.—The term ''Dayton Accords'' means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

USER FEES

SEC. 660. The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) and the International Monetary Fund to oppose any loan, grant, strategy or policy of these institutions that would require user fees or service charges on poor people for primary education or primary healthcare, including prevention and treatment for HIV/AIDS, malaria, tuberculosis, and infant, child, and maternal well-being, in connection with the institutions' financing programs.

FUNDING FOR SERBIA

SEC. 661. (a) Funds appropriated by this Act may be made available for assistance for the central Government of Serbia after May 31, 2008, if the President has made the determination and certification contained in subsection (c).

(b) After May 31, 2008, the Secretary of the Treasury should instruct the United States executive directors to the international financial institutions to support loans and assistance to the Government of Serbia subject to the conditions in subsection (c).

(c) The determination and certification referred to in subsection (a) is a determination by the President and a certification to the Committees on Appropriations that the Government of Serbia is—

(1) cooperating with the International Criminal Tribunal for the former Yugoslavia including access for investigators, the provision of documents, timely information on the location, movement, and sources of financial support of indictees, and the surrender and transfer of indictees or assistance in their apprehension, including Ratko Mladic and Radovan Karadzic;

(2) taking steps that are consistent with the Dayton Accords to end Serbian financial, political, security and other support which has served to maintain separate Republika Srpska institutions; and

(3) taking steps to implement policies which reflect a respect for minority rights and the rule of law.

(d) This section shall not apply to Kosovo, humanitarian assistance or assistance to promote democracy.

COMMUNITY-BASED POLICE ASSISTANCE

SEC. 662. (a) AUTHORITY.—Funds made available by this Act to carry out the provisions of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, strategic planning, and through assistance to foster civilian police roles that support democratic governance including assistance for programs to prevent conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

(b) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

SPECIAL DEBT RELIEF FOR THE POOREST

SEC. 663. (a) AUTHORITY TO REDUCE DEBT.—The President may reduce amounts owed to the United States (or any agency of the United States) by an eligible country as a result of—

(1) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961;

(2) credits extended or guarantees issued under the Arms Export Control Act; or

(3) any obligation or portion of such obligation, to pay for purchases of United States agricultural commodities guaranteed by the Commodity Credit Corporation under export credit guarantee programs authorized pursuant to section 5(f) of the Commodity Credit Corporation Charter Act of June 29, 1948, as amended, section 4(b) of the Food for Peace Act of 1966, as amended (Public Law 89–808), or section 202 of the Agricultural Trade Act of 1978, as amended (Public Law 95–501).

(b) LIMITATIONS.—

(1) The authority provided by subsection (a) may be exercised only to implement multilateral official debt relief and referendum agreements, commonly referred to as ''Paris Club Agreed Minutes''.

(2) The authority provided by subsection (a) may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.

(3) The authority provided by subsection (a) may be exercised only with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association, but not from the International Bank for

Reconstruction and Development, commonly referred to as ''IDA-only'' countries.

(c) CONDITIONS.—The authority provided by subsection (a) may be exercised only with respect to a country whose government—

(1) does not have an excessive level of military expenditures;

(2) has not repeatedly provided support for acts of international terrorism;

(3) is not failing to cooperate on international narcotics control matters;

(4) (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights; and

(5) is not ineligible for assistance because of the application of section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

(d) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to the funds appropriated by this Act under the heading ''Debt Restructuring''.

(e) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduction of debt pursuant to subsection (a) shall not be considered assistance for the purposes of any provision of law limiting assistance to a country. The authority provided by subsection (a) may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961 or section 321 of the International Development and Food Assistance Act of 1975.

AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

SEC. 664. (a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

(1) AUTHORITY TO SELL, REDUCE, OR CANCEL CERTAIN LOANS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser any concessional loan or portion thereof made before January 1, 1995, pursuant to the Foreign Assistance Act of 1961, to the government of any eligible country as defined in section 702(6) of that Act or on receipt of payment from an eligible purchaser, reduce or cancel such loan or portion thereof, only for the purpose of facilitating—

(A) debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps; or

(B) a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support activities that link conservation and sustainable use of natural resources with local community development, and child survival and other child development, in a manner consistent with sections 707 through 710 of the Foreign Assistance Act of 1961, if the sale, reduction, or cancellation would not contravene any term or condition of any prior agreement relating to such loan.

(2) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans may be sold, reduced, or canceled pursuant to this section.

(3) ADMINISTRATION.—The Facility, as defined in section 702(8) of the Foreign Assistance Act of 1961, shall notify the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 of purchasers that the President has determined to be eligible, and shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to this section. Such agency shall make adjustment in its accounts to reflect the sale, reduction, or cancellation.

(4) LIMITATION.—The authorities of this subsection shall be available only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in the United States Government account or accounts established for the repayment of such loan.

(c) ELIGIBLE PURCHASERS.—A loan may be sold pursuant to subsection (a)(1)(A) only to a purchaser who presents plans satisfactory to the President for using the loan for the purpose of engaging in debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(d) DEBTOR CONSULTATIONS.—Before the sale to any eligible purchaser, or any reduction or cancellation pursuant to this section, of any loan made to an eligible country, the President should consult with the country concerning the amount of loans to be sold, reduced, or canceled and their uses for debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(e) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading ''Debt Restructuring''.

RECONCILIATION PROGRAMS

SEC. 665. Of the funds appropriated under the heading ''Economic Support Fund'', not less than $20,000,000 shall be made available to support reconciliation programs and activities which bring together individuals of different ethnic, religious, and political backgrounds from areas of civil conflict and war.

SUDAN

SEC. 666. (a) LIMITATION ON ASSISTANCE.—Subject to subsection (b):

(1) Notwithstanding section 501(a) of the International Malaria Control Act of 2000 (Public Law 106–570) or any other provision of law, none of the funds appropriated by this Act may be made available for assistance for the Government of Sudan.

(2) None of the funds appropriated by this Act may be made available for the cost, as defined in section 502, of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(b) Subsection (a) shall not apply if the Secretary of State determines and certifies to the Committees on Appropriations that—

(1) the Government of Sudan is honoring its pledges to cease attacks upon civilians and has disarmed and demobilized the Janjaweed and other government-supported militias;

(2) the Government of Sudan and all government-supported militia groups are honoring their commitments made in all previous cease-fire agreements; and

(3) the Government of Sudan is allowing unimpeded access to Darfur to humanitarian aid organizations, the human rights investigation and humanitarian teams of the United Nations, including protection officers, and an international monitoring team that is based in Darfur and that has the support of the United States.

(c) EXCEPTIONS.—The provisions of subsection (a) shall not apply to—

(1) humanitarian assistance;

(2) assistance for Darfur and for areas outside the control of the Government of Sudan; and

(3) assistance to support implementation of the Comprehensive Peace Agreement and the Darfur Peace Agreement or any other internationally-recognized peace agreement in Sudan.

(d) DEFINITIONS.—For the purposes of this Act, the term ''Government of Sudan'' shall not include the Government of Southern Sudan.

TRANSPARENCY AND ACCOUNTABILITY

SEC. 667. (a) UNITED NATIONS DEVELOPMENT PROGRAM.—Prior to the initial obligation of funds appropriated in this Act under the heading ''International Organizations and Programs'' for a United States contribution to the United Nations Development Program (UNDP), the Secretary of State shall certify and report to the Committees on Appropriations that UNDP is—

(1) giving adequate and appropriate access to information to the United States Mission to the United Nations regarding UNDP's programs and activities, as requested, including in North Korea and Burma; and

(2) conducting appropriate oversight of UNDP programs and activities globally.

(b) WORLD BANK.—Twenty percent of the funds appropriated by this Act under the heading ''International Development Association'' shall be withheld from disbursement until the Secretary of the Treasury reports to the Committees on Appropriations that—

(1) the World Bank has made publicly available, in an appropriate manner, financial disclosure forms of senior World Bank personnel, including those at the level of managing director, vice president, and above;

(2) the World Bank has established a plan and maintains a schedule for conducting regular, independent audits of internal management controls and procedures for meeting operational objectives, and is making reports describing the scope and findings of such audits available to the public;

(3) the World Bank is adequately staffing and sufficiently funding the Department of Institutional Integrity; and

(4) the World Bank has made publicly available the ''Volker Panel'' report regarding the review and evaluation of the mandate and authorities, policies, procedures, practices, independence, reporting lines, and oversight mechanisms of the World Bank's Department of Institutional Integrity.

(c) REPORT.—The Comptroller General of the United States shall conduct an assessment of the financial management and oversight of programs and activities funded under the headings ''Millennium Challenge Corporation'', ''Global Health Programs'' (for HIV/AIDS programs), and ''Global HIV/AIDS Initiative'' in this Act and prior Acts making appropriations for foreign operations, export financing, and related programs. The assessment shall include an examination of donor coordination efforts, and recommendations for improving financial oversight of such programs and activities.

EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTH EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES

SEC. 668. Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during fiscal year 2008, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of such Act to Albania, Afghanistan, Bulgaria, Croatia, Estonia, Former Yugoslavian Republic of Macedonia, Georgia, India, Iraq, Latvia, Lithuania, Moldova, Mongolia, Pakistan, Romania, Slovakia, and Ukraine.

ZIMBABWE

SEC. 669. The Secretary of the Treasury shall instruct the United States executive director to each international financial institution to vote against any extension by the respective institution of any loans to the Government of Zimbabwe, except to meet basic human needs or to promote democracy, unless the Secretary of State determines and certifies to the Committees on Appropriations that the rule of law has been restored in Zimbabwe, including respect for ownership and title to property, freedom of speech and association.

DEVELOPMENT GRANTS PROGRAM

SEC. 670. (a) ESTABLISHMENT OF THE PROGRAM.—There is established within the United States Agency for International Development (USAID) a Development Grants Program (DGP)

to provide small grants to United States and indigenous nongovernmental organizations for the purpose of carrying out the provisions of chapters 1 and 10 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961.

(b) ELIGIBILITY FOR GRANTS.—Grants from the DGP shall be made only for proposals of nongovernmental organizations identified in the report accompanying this Act that are recommended for consideration for funding by that report, and for proposals of other nongovernmental organizations that apply.

(c) COMPETITION.—To the maximum extent practicable, grants made pursuant to the authority of this section shall be open, transparent and competitive.

(d) SIZE OF PROGRAM AND INDIVIDUAL GRANTS.—

(1) Of the funds appropriated by this Act to carry out chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, not less than $50,000,000 shall be made available for purposes of this section: Provided, That not more than 50 percent of this amount shall be derived from funds appropriated to carry out chapter 1 of part I of such Act.

(2) No individual grant, or grant amendment, made pursuant to this section shall exceed $2,000,000.

(e) AVAILABILITY OF OTHER FUNDS.—Funds made available under this section are in addition to other funds available for such purposes including funds designated by this Act by section 665, Reconciliation Programs.

(f) DEFINITION.—For purposes of this section, the term ''nongovernmental organization'' means a private and voluntary organization or for-profit entity, and shall not include entities owned in whole or in part by a government or governmental entity.

(g) REPORT.—Within 90 days from the date of enactment of this Act, and after consultation with the Committees on Appropriations, the Administrator of USAID shall submit a report to those Committees describing the procedures and mechanisms USAID will use to implement this section.

MONITORING OF MILITARY ASSISTANCE

SEC. 671. Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations describing the procedures being applied, on a country-by-country basis, to monitor whether funds appropriated by this Act under the heading ''Foreign Military Financing Program'' for assistance for Bangladesh, Democratic Republic of the Congo, Ethiopia, Pakistan, Philippines, and Sri Lanka, are misused by units of the security forces of such countries against civilians, including civilians who are members of political opposition parties and human rights groups.

DISASTER ASSISTANCE AND RECOVERY

SEC. 672. (a) Funds made available to the Comptroller General under chapter 4 of title I of the Emergency Supplemental Appropriations Act (Public Law 106–31; 113 Stat. 69) and section 593 of the Foreign Operations, Export Financing, and Programs Agencies Appropriations Act, 2001 (Public Law 106–429; 114 Stat. 1900A–59) to monitor the provisions of assistance to address the effects of hurricanes in Central America and the Caribbean and the earthquake in Colombia, and to monitor the earthquake relief and reconstruction efforts in El Salvador under section 561 of the Foreign Operations, Export Financing, and Programs Agencies Appropriations Act, 2002 (Public Law 107–115; 115 Stat. 2162) shall also be available to the Comptroller General to monitor any other disaster assistance and recovery effort.

(b) This section shall apply with respect to fiscal year 2008 and each year thereafter.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

SEC. 673. (a) AUTHORITY.—Up to $81,000,000 of the funds made available in this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Eastern Europe and the Baltic States'', may be used by the United States Agency for International Development (USAID) to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980.

(b) RESTRICTIONS.—

(1) The number of individuals hired in any fiscal year pursuant to the authority contained in subsection (a) may not exceed 175.

(2) The authority to hire individuals contained in subsection (a) shall expire on September 30, 2009.

(c) CONDITIONS.—The authority of subsection (a) may only be used to the extent that an equivalent number of positions that are filled by personal services contractors or other nondirect-hire employees of USAID, who are compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Eastern Europe and the Baltic States'', are eliminated.

(d) PRIORITY SECTORS.—In exercising the authority of this section, primary emphasis shall be placed on enabling USAID to meet personnel positions in technical skill areas currently encumbered by contractor or other nondirect-hire personnel.

(e) CONSULTATIONS.—The USAID Administrator shall consult with the Committees on Appropriations at least on a quarterly basis concerning the implementation of this section.

(f) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which such individual's responsibilities primarily relate. Funds made available to carry out this section may be transferred to and merged and consolidated with funds appropriated for ''Operating Expenses of the United States Agency for International Development''.

(g) MANAGEMENT REFORM PILOT.—Of the funds made available in subsection (a), USAID may use, in addition to funds otherwise available for such purposes, up to $15,000,000 to fund overseas support costs of members of the Foreign Service with a Foreign Service rank of four or below: Provided, That such authority is only used to reduce USAID's reliance on overseas personal services contractors or other nondirect-hire employees compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Eastern Europe and the Baltic States''.

(h) DISASTER SURGE CAPACITY.—Funds appropriated by this Act to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Eastern Europe and the Baltic States'', may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by the United States Agency for International Development whose primary responsibility is to carry out programs in response to natural disasters.

OPIC TRANSFER AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

SEC. 674. Whenever the President determines that it is in furtherance of the purposes of the Foreign Assistance Act of 1961, up to a total of $20,000,000 of the funds appropriated under title II of this Act may be transferred to and merged with funds appropriated by this Act for the Overseas Private Investment Corporation Program Account, to be subject to the terms and conditions of that account: Provided, That such funds shall not be available for administrative expenses of the Overseas Private Investment Corporation: Provided further, That funds earmarked by this Act shall not be transferred pursuant to this section: Provided further, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

REPORTING REQUIREMENT

SEC. 675. The Secretary of State shall provide the Committees on Appropriations, not later than April 1, 2008, and for each fiscal quarter, a report in writing on the uses of funds made available under the headings ''Foreign Military Financing Program'', ''International Military Education and Training'', and ''Peacekeeping Operations'': Provided, That such report shall include a description of the obligation and expenditure of funds, and the specific country in receipt of, and the use or purpose of the assistance provided by such funds.

ENVIRONMENT AND ENERGY CONSERVATION PROGRAMS

SEC. 676. (a) BIODIVERSITY.—Of the funds appropriated under the heading ''Development Assistance'', not less than $195,000,000 shall be made available for programs and activities which directly protect biodiversity, including forests, in developing countries, of which not less than the amount of funds initially allocated pursuant to section 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2006 shall be made available for such activities in Brazil, Colombia, Ecuador, Peru and Bolivia, and that in addition to such amounts for such countries not less than $15,000,000 shall be made available for the United States Agency for International Development's Amazon Basin Conservation Initiative: Provided, That of the funds appropriated by this Act, not less than $17,500,000 shall be made available for the Congo Basin Forest Partnership of which not less than $2,500,000 shall be made available to the United States Fish and Wildlife Service for wildlife conservation programs in Central Africa.

(b) ENERGY.—

(1) Of the funds appropriated by this Act, not less than $195,000,000 shall be made available to support clean energy and other climate change programs in developing countries, of which not less than $125,000,000 should be made available to directly promote and deploy energy conservation, energy efficiency, and renewable and clean energy technologies with an emphasis on small hydro, solar and wind energy, and of which the balance should be made available to directly: (1) reduce greenhouse gas emissions; (2) increase carbon sequestration activities; and (3) support climate change mitigation and adaptation programs.

(2) The Secretary of State shall convene an interagency committee, including appropriate officials of the Department of State, the United States Agency for International Development, and the Environmental Protection Agency, to evaluate the specific needs of developing countries in adapting to climate change impacts: Provided, That the Secretary shall submit a report to the Committees on Appropriations not later than September 1, 2008, describing such needs, on a country-by-country and regional basis, and the actions planned and being taken by the United States, including funding provided to developing countries specifically for adaptation to climate change impacts.

(c) EXTRACTION OF NATURAL RESOURCES.—

(1) The Secretary of the Treasury shall inform the managements of the international financial institutions and the public that it is the policy of the United States that any assistance by such institutions (including but not limited to any loan, credit, grant, or guarantee) for the extraction and export of oil, gas, coal, timber, or other natural resource should not be provided unless the government of the country has in place functioning systems for: (A) accurately accounting for revenues and expenditures in connection with the extraction and export of the type of natural resource to be extracted or exported; (B) the independent auditing of such accounts and

the widespread public dissemination of the audits; and (C) verifying government receipts against company payments including widespread dissemination of such payment information, and disclosing such documents as Host Government Agreements, Concession Agreements, and bidding documents, allowing in any such dissemination or disclosure for the redaction of, or exceptions for, information that is commercially proprietary or that would create competitive disadvantage.

(2) Not later than 180 days after the enactment of this Act, the Secretary of the Treasury shall submit a report to the Committees on Appropriations describing, for each international financial institution, the amount and type of assistance provided, by country, for the extraction and export of oil, gas, coal, timber, or other national resource since September 30, 2007, and whether each institution considered, in its proposal for such assistance, the extent to which the country has functioning systems described in paragraph (c)(1).

(d) Funds appropriated under titles II, III and IV of this Act shall to the maximum extent practicable, be subject to the provisions of section 117 (relating to environment and natural resources) of the Foreign Assistance Act of 1961.

UZBEKISTAN

SEC. 677. (a) LIMITATION ON ASSISTANCE.—Funds appropriated by this Act may be made available for assistance for the central Government of Uzbekistan only if the Secretary of State determines and reports to the Committees on Appropriations that—

(1) the Government of Uzbekistan is making substantial and continuing progress in meeting its commitments under the ''Declaration on the Strategic Partnership and Cooperation Framework Between the Republic of Uzbekistan and the United States of America'', including respect for human rights, establishing a genuine multiparty system, and ensuring free and fair elections, freedom of expression, and the independence of the media; and

(2) a credible international investigation of the May 13, 2005, shootings in Andijan is underway with the support of the Government of Uzbekistan.

(b) SANCTIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary of State shall send to the appropriate congressional committees a list of officials of the Government of Uzbekistan and their immediate family members who have been credibly alleged to have been involved in the Andijan massacre or in other gross violations of human rights in Uzbekistan;

(c) IMPOSITION OF SANCTIONS.—Not later than 10 days after the list described in subsection (b) is submitted to the appropriate congressional committees, the following sanctions shall apply:

(1) Any individual on the list submitted under subsection (b) shall be ineligible for a visa to enter the United States.

(2) No property or interest in property belonging to an individual on the list submitted under subsection (b), or to a member of the immediate family of such individual if the property is effectively under the control of such individual, may be transferred, paid, exported, withdrawn, or otherwise dealt with, if the property is within the United States or within the possession or control of a United States person, including the overseas branch of such person, or after the date of the enactment of this Act comes within the control of such person.

(3) No United States person may engage in financial transactions with an individual on the list submitted under subsection (b), or with a member of the immediate family of such individual if the transaction will benefit an individual on the list submitted under subsection (b).

(c) FREEZING OF ASSETS.—

(1) IN GENERAL.—The Secretary of the Treasury shall immediately block any assets, property, transactions in foreign exchange, currency, or securities, and transfers of credit or payments between, by, through, or to any banking institution under the jurisdiction of the United States of an individual identified under subsection (b) of this section.

(2) REPORTING REQUIREMENT.—Not later than 15 days after a decision to freeze the assets identified in this subsection of any individual identified under subsection (b), the Secretary of the Treasury shall—

(A) report the name of such individual to the Committees on Appropriations; and

(B) require any United States financial institution holding such funds or assets to promptly report those funds and assets to the Office of Foreign Assets Control.

CENTRAL ASIA

SEC. 678. (a) Funds appropriated by this Act may be made available for assistance for the Government of Kazakhstan only if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Kazakhstan has made significant improvements in the protection of human rights during the preceding 6 month period.

(b) The Secretary of State may waive subsection (a) if he determines and reports to the Committees on Appropriations that such a waiver is important to the national security of the United States.

(c) Not later than October 1, 2008, the Secretary of State shall submit a report to the Committees on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives describing the following:

(1) The defense articles, defense services, and financial assistance provided by the United States to the countries of Central Asia during the 6-month period ending 30 days prior to submission of such report.

(2) The use during such period of defense articles, defense services, and financial assistance provided by the United States by units of the armed forces, border guards, or other security forces of such countries.

(d) For purposes of this section, the term ''countries of Central Asia'' means Uzbekistan, Kazakhstan, Kyrgyz Republic, Tajikistan, and Turkmenistan.

DISABILITY PROGRAMS

SEC. 679. (a) Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $4,000,000 shall be made available for programs and activities administered by the United States Agency for International Development (USAID) to address the needs and protect the rights of people with disabilities in developing countries, of which $1,500,000 should be made available to disability advocacy organizations that have expertise in working to protect the rights and increasing the independence and full participation of people with disabilities: Provided, That funds for disability advocacy organizations should be used for training and technical assistance for foreign disabled persons organizations in such areas as advocacy, education, independent living, and transportation, with the goal of promoting equal participation of people with disabilities in developing countries: Provided further, That USAID should seek to disburse at lease 25 percent of the funds made available pursuant to this subsection in the form of small grants.

(b) Funds appropriated under the heading ''Operating Expenses of the United States Agency for International Development'' shall be made available to develop and implement training for staff in overseas USAID missions to promote the full inclusion and equal participation of people with disabilities in developing countries.

(c) The Secretary of State, the Secretary of the Treasury, and the Administrator of USAID shall seek to ensure that, where appropriate, construction projects funded by this Act are accessible to people with disabilities and in compliance with the USAID Policy on Standards for Accessibility for the Disabled, or other similar accessibility standards.

(d) Of the funds made available pursuant to subsection (a), not more than 7 percent may be for management, oversight and technical support.

(e) Not later than 180 days after the date of enactment of this Act, and 180 days thereafter, the Administrator of USAID shall submit a report describing the programs, activities, and organizations funded pursuant to this section.

NEGLECTED TROPICAL DISEASES

SEC. 680. Of the funds appropriated under the heading ''Global Health Programs'', not less than $15,000,000 shall be made available for continued support of the United States Agency for International Development's cooperative agreement to implement an integrated response to the control of neglected diseases including intestinal parasites, schistosomiasis, lymphatic filariasis, onchocerciasis, trachoma and leprosy: Provided, That the Administrator of the United States Agency for International Development shall work with relevant technical organizations addressing the specific diseases, recipient countries, donor countries, the private sector, UNICEF and the World Health Organization to develop a multilateral, integrated initiative to control these diseases that will enhance coordination and effectiveness and maximize the leverage of United States contributions with those of other donors: Provided further, That funds made available pursuant to this section shall be subject to the regular notification procedures of the Committees on Appropriations.

ORPHANS, DISPLACED AND ABANDONED CHILDREN

SEC. 681. Of the funds appropriated under title III of this Act, $3,000,000 should be made available for activities to improve the capacity of foreign government agencies and nongovernmental organizations to prevent child abandonment, address the needs of orphans, displaced and abandoned children and provide permanent homes through family reunification, guardianship and domestic adoptions: Provided, That funds made available under title III of this Act should be made available, as appropriate, consistent with—

(1) the goal of enabling children to remain in the care of their family of origin, but when not possible, placing children in permanent homes through adoption;

(2) the principle that such placements should be based on informed consent which has not been induced by payment or compensation;

(3) the view that long-term foster care or institutionalization are not permanent options and should be used when no other suitable permanent options are available; and

(4) the recognition that programs that protect and support families can reduce the abandonment and exploitation of children.

COORDINATOR OF ACTIVITIES RELATING TO INDIGENOUS PEOPLES INTERNATIONALLY

SEC. 682. (a) COORDINATOR.—After consultation with the Committees on Appropriations and not later than 90 days after the enactment of this Act, there shall be established within the Department of State in the immediate office of the Director of United States Foreign Assistance a Coordinator of Activities Relating to Indigenous Peoples Internationally (hereinafter in this section referred to as the ''Coordinator''), who shall be appointed by the Director. The Coordinator shall report directly to the Director.

(b) RESPONSIBILITIES.—The Coordinator shall:

(1) Serve as a principal advisor to the Director of United States Foreign Assistance and the Administrator of the United States Agency for International Development on matters relating to the rights and needs of indigenous peoples internationally and should represent the United States Government on such matters in meetings with foreign governments and multilateral institutions.

(2) Provide for the oversight and coordination of all resources, programs, projects, and activities of the United States Government to protect the rights and address the needs of indigenous peoples internationally; and

(3) Develop and coordinate assistance strategies with specific goals, benchmarks, guidelines, and impact assessments (including support for local indigenous peoples' organizations).

(c) FUNDS.—Of the funds appropriated by this Act under the heading ''Diplomatic and Consular Programs'', not less than $250,000 shall be made available for executing the provisions of this section.

(d) REPORT.—Not later than one year after the enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations describing progress made in implementing this section.

OVERSIGHT OF IRAQ RECONSTRUCTION

SEC. 683. Subsection (o) of section 3001 of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108–106; 117 Stat. 1234; 5 U.S.C. App. 3 section 8G note), as amended by section 1054(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 129 Stat. 2397), section 2 of the Iraq Reconstruction Accountability Act of 2006 (Public Law 109–440), and section 3801 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28) is amended—

(1) in subsection (o)(1)(B) by striking ''fiscal year 2006 or fiscal year 2007'' and inserting ''fiscal years 2006 through 2008''. Section 1054 of Public Law 109–364 is amended by striking ''fiscal year 2006'' and inserting ''fiscal years 2006 through 2008''; and

(2) by adding at the end of such section the following subsection:

''(p) RULE OF CONSTRUCTION.—For the purposes of carrying out the duties of the Inspector General, any United States funds appropriated or otherwise made available for fiscal years 2006 through 2008 for the reconstruction of Iraq, irrespective of the designation of such funds, shall be deemed to be amounts appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund.''.

DEMOBILIZATION AND DISARMAMENT IN COLOMBIA

SEC. 684. (a) AVAILABILITY OF FUNDS.—Of the funds appropriated in this Act, up to $12,000,000 may be made available in fiscal year 2008 for assistance for the demobilization and reintegration of former members of foreign terrorist organizations (FTOs) in Colombia, if the Secretary of State consults with and makes a certification described in subsection (b) to the Committees on Appropriations prior to the initial obligation of amounts for such assistance for the fiscal year involved.

(b) CERTIFICATION.—A certification described in this subsection is a certification that—

(1) assistance for the fiscal year will be provided only for individuals who have: (A) verifiably renounced and terminated any affiliation or involvement with FTOs or other illegal armed groups; (B) are meeting all the requirements of the Colombia Demobilization Program, including having disclosed their involvement in past crimes and their knowledge of the FTO's structure, financing sources, illegal assets, and the location of kidnapping victims and bodies of the disappeared; and (C) are not involved in acts of intimidation or violence against human rights defenders;

(2) the Government of Colombia is providing full cooperation to the Government of the United States to extradite the leaders and members of the FTOs who have been indicted in the United States for murder, kidnapping, narcotics trafficking, or other violations of United States law, and is immediately extraditing to the United States those commanders, leaders and members indicted in the United States who have breached the terms of the Colombia Demobilization Program, including by failing to fully confess their crimes, failing to disclose their illegal assets, or committing new crimes since the approval of the Justice and Peace Law;

(3) the Government of Colombia is not taking any steps to legalize the titles of land or other assets illegally obtained and held by FTOs, their associates, or successors, has established effective procedures to identify such land and other assets, and is confiscating and returning such land and other assets to their rightful owners;

(4) the Government of Colombia is implementing a concrete and workable framework for dismantling the organizational structures of foreign terrorist organizations; and

(5) funds shall not be made available as cash payments to individuals and are available only for activities under the following categories: verification, reintegration (including training and education), vetting, recovery of assets for reparations for victims, and investigations and prosecutions.

(c) NOTIFICATION.—Funds made available by this Act for demobilization and reintegration of members of FTOs shall be subject to the regular notification procedures of the Committees on Appropriations.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Appropriations and the Committee on Foreign Relations of the Senate.

(2) FOREIGN TERRORIST ORGANIZATION.—The term ''foreign terrorist organization'' means an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.

INDONESIA

SEC. 685. Of the funds appropriated under the heading ''Foreign Military Financing Program'', $15,700,000 may be made available for assistance for Indonesia, and an additional $2,000,000 may be made available when the Secretary of State reports to the Committees on Appropriations that the Government of Indonesia has provided a copy of its written plans to effectively address the following, and a copy of each plan has been provided with the report—

(1) accountability for past violations of human rights by members of the Indonesian military;

(2) to allow public access to Papua and West Irian Jaya; and

(3) to pursue the criminal investigation, and provide the projected timeframe for completing the investigation, of the murder of Munir Said Thalib.

ASSISTANCE FOR GUATEMALA

SEC. 686. (a) Funds appropriated by this Act under the heading ''International Military Education and Training'' that are available for assistance for Guatemala, other than for expanded international military education and training, may be made available only for the Guatemalan Air Force and Navy and may be made available for the Guatemalan Army Corps of Engineers only for training to improve disaster response capabilities and to participate in international peacekeeping operations: Provided, That such funds may be made available only if the Secretary of State certifies that the Guatemalan Air Force, Navy and Army Corps of Engineers are respecting human rights, and civilian judicial authorities are investigating and prosecuting, with the military's full cooperation, military personnel who have been credibly alleged to have committed gross violations of human rights.

(b) Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' that are available for assistance for Guatemala may be made available only for the Guatemalan Air Force, Navy and Army Corps of Engineers if the Secretary of State certifies that the Guatemalan Air Force, Navy and Army Corps of Engineers are respecting human rights, civilian judicial authorities are investigating and prosecuting, with the military's full cooperation, military personnel who have been credibly alleged to have committed gross violations of human rights, and the Guatemalan Government has enacted into law the International Commission Against Impunity in Guatemala.

(c) Funds made available for assistance for Guatemala under the headings referred to in this section shall be subject to the regular notification procedures of the Committees on Appropriations.

CHILD SOLDIERS

SEC. 687. (a) No military assistance shall be furnished with funds appropriated by this Act and, during the current fiscal year, no military equipment or technology shall be sold or transferred pursuant to the authorities contained in this Act or any other Act, to the government of a country that is identified by the Department of State's 2006 Country Reports on Human Rights Practices as having security forces that recruit or use child soldiers.

(b) The Secretary of State may provide assistance or defense articles otherwise prohibited under subsection (a) to a country upon certifying to the Committees on Appropriations that the government of such country has implemented effective measures to prohibit and prevent the future recruitment or use of child soldiers.

(c) The Secretary of State may waive the application to a country of the prohibition in subsection (a) if the Secretary determines and reports to the Committees on Appropriations that such waiver is important to the national interest of the United States.

PHILIPPINES

SEC. 688. Of the funds appropriated by this Act under the heading ''Foreign Military Financing Program'', not to exceed $30,000,000 may be made available for assistance for the Philippines, and an additional $2,000,000 may be made available when the Secretary of State reports to the Committees on Appropriations that—

(1) the Philippine Government is implementing the recommendations of the United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions; and

(2) the Philippine military is not engaging in acts of intimidation or violence against members of legal organizations who advocate for human rights.

PAKISTAN

SEC. 689. (a) Of the funds appropriated by this Act under the heading ''Foreign Military Financing Program'', $300,000,000 may be made available for assistance for Pakistan, unless the Secretary of State reports to the Committees on Appropriations that the Government of Pakistan is not—

(1) making effective and consistent efforts to prevent Al Qaeda and associated terrorist groups from operating in the territory of Pakistan, including by eliminating terrorist training camps or facilities, arresting members of Al Qaeda and associated terrorist groups, and countering recruitment efforts;

(2) making effective and consistent efforts to prevent the Taliban from using the territory of Pakistan as a sanctuary from which to launch attacks within Afghanistan, including by arresting Taliban leaders, stopping cross-border incursions, and countering recruitment efforts; and

(3) implementing democratic reforms, including by—

(A) allowing free, fair and inclusive elections in accordance with internationally recognized democratic norms;

(B) ensuring freedom of expression and ending harassment of journalists and government critics by security and intelligence forces; and

(C) respecting the independence of the judiciary and implementing judicial decisions.

(b) If the Secretary reports pursuant to subsection (a), funds that are available for assistance for Pakistan pursuant to this section which have not been made available may be transferred to and merged with funds appropriated by this Act under the heading ''Economic Support Fund'' and used for basic education, health, micro-enterprise development, and democracy programs in Pakistan.

SRI LANKA

SEC. 690. None of the funds appropriated by this Act under the heading ''Foreign Military Financing Program'' may be made available for assistance for Sri Lanka, no defense export license may be issued, and no military equipment or technology shall be sold or transferred to Sri Lanka pursuant to the authorities contained in this Act or any other Act, unless the Secretary of State certifies and reports to the Committees on Appropriations that the Sri Lankan military is suspending and the Sri Lankan Government is bringing to justice members of the military who have been credibly alleged to have committed gross violations of human rights, including extrajudicial executions and the recruitment of child soldiers.

PEACE CORPS SEPARATION PAY

SEC. 691. (a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund for the Peace Corps to provide separation pay for host country resident personal services contractors of the Peace Corps.

(b) FUNDING.—The Director of the Peace Corps may deposit in such fund—

(1) amounts previously obligated and not canceled for separation pay of host country resident personal services contractors of the Peace Corps; and

(2) amounts obligated for fiscal years after 2006 for the current and future costs of separation pay for host country resident personal services contractors of the Peace Corps.

(c) AVAILABILITY.—Beginning in fiscal year 2007 and thereafter, amounts in the fund are available without fiscal year limitation for severance, retirement, or other separation payments to host country resident personal services contractors of the Peace Corps in countries where such pay is legally authorized.

MULTILATERAL DEVELOPMENT BANKS

SEC. 692. (a) INDEPENDENT AUDITING AND INSPECTOR GENERAL.—The Secretary of the Treasury shall instruct the United States Executive Director to each multilateral development bank to inform the bank of, and use the voice and vote of the United States to achieve at the bank, the following United States policy goals:

(1) Each multilateral development bank should—

(A) establish an independent Office of Inspector General, establish or strengthen an independent auditing function at the bank, and require that the Inspector General and the auditing function report directly to the board of directors of the bank; and

(B) adopt and implement an internationally recognized internal controls framework, allocate adequate staffing to auditing and supervision, require external audits of internal controls, and external audits of loans where fraud is suspected.

(2) Each multilateral development bank should establish effective procedures for the receipt, retention, and treatment of—

(A) complaints received by the bank regarding fraud, accounting, mismanagement, internal accounting controls, or auditing matters; and

(B) the confidential, anonymous submission, particularly by employees of the bank, of concerns regarding fraud, accounting, mismanagement, internal accounting controls, or auditing matters.

(b) WORLD BANK INSPECTION PANEL.—The Secretary of the Treasury shall instruct the United States Executive Director to the World Bank to inform the Bank of, and use the voice and vote of the United States to achieve transparency reforms of the selection process for members of the World Bank Inspection Panel, including—

(1) Widely circulating Inspection Panel position vacancy announcements on the Inspection Panel's website and in appropriate publications;

(2) Notifying civil society organizations on the Inspection Panel's website and on other appropriate World Bank websites and inviting nominations from such groups;

(3) Making public the schedule of the selection process;

(4) Posting the list of nominees and applicants on the Inspection Panel's website; and

(5) Including a civil society representative on the World Bank selection committee for the Inspection Panel member.

(c) ANTI-CORRUPTION TRUST PILOT PROGRAM.—

(1) AUTHORITY.—The Secretary of the Treasury shall seek the creation of a pilot program that establishes an Anti-Corruption Trust at the World Bank, the purposes of which should include—

(A) to assist poor countries in investigations and prosecutions of fraud and corruption related to loans, grants, or credits of the World Bank; and

(B) to determine whether such a program should be carried out at other multilateral development banks.

(2) POOR COUNTRIES DEFINED.—In this subsection, the term ''poor countries'' means countries eligible to borrow from the International Development Association.

(3) REPORT.—Not later than 180 days after enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report detailing the actions taken to establish the Anti-Corruption Trust.

(c) AUTHORIZATIONS.—

(1) Section 501(i) of title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public law 106–113, as amended by section 591(b) of Division D of Public Law 108–447, is further amended by striking ''fiscal'' and all that follows through ''which'' and inserting in lieu thereof ''fiscal years 2000–2010, which''.

(2) Section 801(b)(1)(ii) of Public Law 106–429, as amended by section 591(a)(2) of Division D of Public law 108–447, is further amended by striking ''fiscal years 2004–2006'' and by inserting in lieu thereof ''fiscal years 2004–2010.''.

MILLENNIUM CHALLENGE CORPORATION

SEC. 693. Section 607(b) of the Millennium Challenge Act of 2003 (22 U.S.C. 7706) is amended—

(1) in paragraph (2)(B) by striking ''and the sustainable management of natural resources'';

(2) in paragraph (3)—

(A) in subparagraph (A), by striking ''and'';

(B) in subparagraph (B), by striking the period and inserting ''; and''; and

(C) by adding the following subparagraph:

''(C) promote the protection of biodiversity and the sustainable management and use of natural resources.''.

MATERIAL SUPPORT

RELIEF FOR IRAQI, MONTAGNARDS, HMONG AND OTHER REFUGEES WHO DO NOT POSE A THREAT TO THE UNITED STATES

SEC. 694. (a) AMENDMENT TO AUTHORITY TO DETERMINE THE BAR TO ADMISSION INAPPLICABLE.—Section 212(d)(3)(B)(i) of the Immigration Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)) is amended to read as follows: ''The Secretary of State, after consultation with the Attorney General and the Secretary of Homeland Security, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may determine in such Secretary's sole unreviewable discretion that subsection (a)(3)(B) shall not apply with respect to an alien, within the scope of that subsection, unless that alien is described in subsection (a)(3)(B)(i)(V), or that subsection (a)(3)(B)(vi)(III) shall not apply to a group. Such a determination shall neither prejudice the ability of the United States Government to commence criminal or civil proceedings involving a beneficiary of such a determination or any other person, nor create any substantive or procedural right or benefit for a beneficiary of such a determination or any other person. Notwithstanding any other provision of law (statutory or nonstatutory), including but not limited to section 2241 of title 28, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review such a determination or revocation except in a proceeding for review of a final order of removal pursuant to section 242 and only to the extent provided in section 242(a)(2)(D). The Secretary of State may not exercise the discretion provided in this clause with respect to an alien at any time during which the alien is the subject of pending removal proceedings under section 1229a of title 8.''.

(b) AUTOMATIC RELIEF FOR THE MONTAGNARDS AND OTHER GROUPS THAT DO NOT POSE A THREAT TO THE UNITED STATES.—Section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)) is amended—

(1) in clause (vi) in the matter preceding section (I), by striking ''As'' and inserting ''Except as provided in clause (vii), as''; and

(2) by adding at the end the following new clause:

''(vii) Notwithstanding clause (vi), for purposes of this section the Hmong, the Montagnards, the Karen National Union/Karen Liberation Army (KNU/KNLA), the Chin National Front/Chin National Army (CNF/CNA), the Chin National League for Democracy (CNLD), the Kayan New Land Party (KNLP), the Arakan Liberation Party (ALP), the Mustangs, the Alzados, and the Karenni National Progressive Party shall not be considered to be a terrorist organization on the basis of any act or event occurring before the date of enactment of this section. Nothing in this subsection may be construed to alter or limit the authority of the Secretary of State and Secretary of Homeland Security to exercise their discretionary authority pursuant to 212(d)(3)(B)(i) (8 U.S.C. 1182(d)(3)(B)(i)).''.

(c) DURESS EXCEPTION.—Section 212(a)(3)(B)(iv)(VI) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iv)(VI)) is amended by adding at the end: ''It shall be an affirmative defense to inadmissibility under this subsection that the actor provided material support under duress.''.

(d) TECHNICAL CORRECTION. IN GENERAL.—Section 212(a)(3)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(ii)) is amended by striking ''Subclause (VII)'' and replacing it with ''Subclause (IX)''.

(e) REGULATIONS.—Section 212(d)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)) is amended by adding the following subsection:

''(iii) Not later than 180 days after the date of enactment of this Act, the Secretary of the Department of Homeland Security and Secretary of State shall each publish in the Federal Register regulations establishing the process by which the eligibility of a refugee, asylum seeker, or individual seeking to adjust his or her immigration status is considered eligible for any of the exceptions authorized by clause (i), including a timeline for issuing a determination.''

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this section, and these amendments and sections 212(a)(3)(B) and 212(d)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B) and 1182(d)(3)(B)), as amended by these sections, shall apply to—

(1) removal proceedings instituted before, on, or after the date of enactment of this section; and

(2) acts and conditions constituting a ground for inadmissibility, excludability, deportation, or

removal occurring or existing before, on, or after such date.

CLUSTER MUNITIONS

SEC. 695. During the current fiscal year, no military assistance shall be furnished for cluster munitions, no defense export license for cluster munitions may be issued, and no cluster munitions or cluster munitions technology shall be sold or transferred, unless—

(1) the submunitions of the cluster munitions have a 99 percent or higher tested rate; and

(2) the agreement applicable to the assistance, transfer, or sale of the cluster munitions or cluster munitions technology specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present.

CUBA

SEC. 696. (a) Subject to subsection (b), of the funds appropriated by this Act under the heading ''International Narcotics Control and Law Enforcement'', $1,000,000 shall be made available for preliminary work by the Department of State, or such other entity as the Secretary of State may designate, to establish cooperation with appropriate agencies of the Government of Cuba on counter-narcotics matters, including matters relating to cooperation, coordination, and mutual assistance in the interdiction of illicit drugs being transported through Cuba airspace or over Cuba waters.

(b) The amount in subsection (a) shall not be available if the Secretary certifies to the Committees on Appropriations that—

(1) Cuba does not have in place appropriate procedures to protect against the loss of innocent life in the air and on the ground in connection with the interdiction of illegal drugs; and

(2) there is credible evidence of involvement of the Government of Cuba in drug trafficking during the preceeding 10 years.

LIBYA

SEC. 697. (a) None of the funds appropriated by this Act may be made available for—

(1) construction of a new United States embassy in Libya;

(2) activities in Libya related to energy development; or

(3) activities in Libya which support investment in Libya's hydrocarbon sector, including the processing of applications for dual-use export licenses.

(b) The prohibitions in subsection (a) shall no longer apply if the Secretary of State certifies to the Committees on Appropriations that the Government of Libya has made the final settlement payments to the Pan Am 103 victims' families, paid to the LaBelle Disco bombing victims their agreed upon settlement amounts, and is engaging in good faith settlement discussions regarding other relevant terrorism cases.

(c) Not later than 90 days after enactment of this Act and 90 days thereafter, the Secretary shall submit a report to the Committees on Appropriations describing (1) actions taken by the Department of State to facilitate a resolution of these cases; and (2) United States commercial activities in Libya's energy sector.

CARRY FORWARD OF UNUSED SPECIAL IMMIGRANT VISAS

SEC. 698. Section 1059(c) of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note) is amended by adding at the end the following:

''(3) CARRY FORWARD.—If the numerical limitation described in paragraph (1) is not reached during a given fiscal year, the numerical limitation for the following fiscal year shall be increased by a number equal to the difference between the number of visas authorized for the given fiscal year and the number of aliens provided special immigrant status during the given fiscal year.''.

GLOBAL FUND CONTRIBUTION

(INCLUDING RESCISSION OF FUNDS)

SEC. 699. (a) The amount appropriated or otherwise made available by title III for bilateral assistance for Global Health Programs is hereby increased by $40,000,000.

(b) The amount appropriated or otherwise made available for such purpose and available for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis, and Malaria is hereby increased by $40,000,000.

(c) Of the unobligated balances of amounts appropriated or otherwise made available in prior appropriations Acts under the heading ''Economic Support Fund'', $40,000,000 is rescinded.

REFERENCES

SEC. 699A. Except as otherwise provided, any reference in titles II through V, including the general provisions for such titles, to ''this Act'' shall be deemed to be a reference to titles II through V of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, I compliment my colleagues for moving so rapidly through the Military Construction legislation. It brings us to the State-Foreign Operations appropriations bill, which Senator GREGG, my friend and neighbor from New Hampshire, and I will be handling. I want to make a couple comments.

If there are Senators who have amendments, I urge that they bring them to the floor. I understand because of the policy luncheons, it will probably be about an hour before we get to an amendment. But if there aren't any amendments pending, it would be my intent, if the Senator from New Hampshire has none, to go to final passage. We would like to wrap up this bill, if we can, today. I thank both Senator REID and Senator MCCONNELL for calling up this bill. I also thank Chairman BYRD and Ranking Member COCHRAN for the allocation we have.

I do want to say, at the risk of causing political problems for him back in my neighboring State of New Hampshire, how appreciative I am to Senator GREGG and his staff for the bipartisan way they worked with me and my staff. Senator MCCONNELL and I had established this way of doing things for a number of years, when he was chairman and I was chairman. We realized that, almost like the Vandenberg rule, bipartisanship has to begin at the water's edge. We have tried to do that with this bill.

We have a balanced bill. When it was reported out of the Appropriations Committee, 28 of the 29 members of the committee voted for it.

As a housekeeping matter, I remind Senators that on August 2, 2007, by a vote of 83 to 14, the Senate approved S. 1, the Honest Leadership and Open Government Act, clearing the measure for the President. This act will significantly improve transparency and accountability in the legislative process.

The President has not yet signed it, but I want to inform Senators that we intend to abide by the requirements of that legislation during the consideration of this bill. The legislation requires that the chairman of the committee of jurisdiction certify that certain information related to congressionally directed spending be identified and that the required information be available on a publicly accessible congressional Web site in a searchable format at least 48 hours before a vote. The information required includes the identification of the congressionally directed spending and the name of the Senator who requested it.

With regard to this legislation, I notify my colleagues that the committee bill and report do not include any congressionally directed spending as defined by S. 1. A description of how the committee addresses this issue is contained in the committee report numbered 110–128, dated July 10 of this year. It has been on the Internet for a couple months.

I ask unanimous consent to print in the RECORD the certification by the chairman of the Committee on Appropriations.

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

Senator BYRD: I certify that the information that will be required by S. 1, when it becomes law, related to congressionally directed spending, has been identified in the Committee report numbered 110–128, filed on July 10, 2007, and that the required information has been available on a publicly accessible congressional website in a searchable format at least 48 hours before a vote on the pending bill.

Mr. LEAHY. Senator GREGG and I did, of course, do our best to address the many requests we received. We have made some difficult choices. The bill contains a total of $34.4 billion in budget authority. The President has threatened to veto all appropriations bills that are above his budget request. This bill is $700 million below the President's budget request. In case anybody did not hear that, it is $700 million below the President's budget request.

We have a significant increase for State Department and U.S. Embassy operations and security costs. We provide $1.35 billion for assessed contributions to international peacekeeping missions. These are peacekeeping missions the U.S. Government has voted for in Sudan, Liberia, the Democratic Republic of Congo, Haiti, Lebanon, and other nations.

We provide $5.09 billion to combat HIV/AIDS. That is $940 million above the President's request but within the overall budget limits. This includes $590 million for the Global Fund to Fight AIDS, Tuberculosis, and Malaria. Added to the $300 million in the Labor, Health and Human Services bill, it is a total of $890 million for the Global Fund, an increase of $166 above last year's budget.

The bill contains $476.5 million for Child Survival and Maternal Health. These programs address the most basic public health needs in the world's poorest countries.

In our country, we are blessed with so many riches. For a child born here, almost always maternal health care and child health care is available. They

can believe the water they are going to drink will be clean water. They can be given a schedule where the child will be given certain shots, inoculations, and so on, at certain times. In all likelihood—barring an accident or rare disease—that child is going to grow up.

In so many of these other countries, they do not even list a child's birth until they are 2 years old because of the enormous number who die either in childbirth, where the mother can die also, or die of diseases easily controlled—dysentery, malaria, things such as that—before the child is even old enough to walk.

I would say it is not an economic issue with us. We are blessed with the wealthiest, most powerful nation on Earth. We are so blessed. I think it is a moral responsibility for us to help in these areas.

We provide $509 million for educational and cultural exchange programs, particularly to build bridges with predominantly Muslim countries. We should have these exchanges. We should have as many students coming to America as possible, and as many of our students going over to these other countries as possible. Maybe they will learn some languages. Maybe they will learn different cultures. Maybe our own students will come back having learned there is a world outside our borders, but those who come here will learn something about the United States.

We provide lifesaving programs for millions of destitute refugees and displaced persons in Darfur, Iraq, the Middle East, and Colombia. More than 4 million Iraqis have fled their homes. Many of these people have worked for the U.S. Government or U.S. contractors or the U.S. news media and are being targeted because of those affiliations. They cannot even get help in getting out of there. They supported us. Now—whether one was for or opposed to the war in Iraq, these people helped us—it is time for us to help them. Other Iraqis are being killed simply because they are academic scholars or officials of Iraq's Ministry of Education. We have a moral responsibility to help these people.

There is up to $1 billion in the bill for humanitarian and reconstruction programs in Afghanistan to help counter the resurgence of the Taliban and al-Qaida.

The bill provides $1.2 billion for the Millennium Challenge Corporation. We support the Millennium Challenge Corporation, but they have had $6 billion appropriated since 2004, and they have only disbursed about $100 million. I felt they ought to use some of the undisbursed money they already have, to give us some of the other money for much greater needs.

There are provisions in the bill considering international family planning the President said he would veto. That is no surprise. We have had these provisions in past bills. These are the same provisions that have been in the State, Foreign Operations appropriations bill year after year. Every year, the President says he will veto it because of it. We will have time for that debate later on.

But I recall what Senator Mark Hatfield, the then-chairman of the Senate Appropriations Committee, said. Mark Hatfield—a strong right-to-lifer, as strongly opposed to abortion as anybody else I have ever met—pointed out those family planning moneys actually cut down on abortions around the world. When they have been cut off, abortions have gone up. Sometimes we should get beyond the sloganeering.

President Reagan, God rest his soul, used to give some speeches about how we needed a Constitutional amendment to ban abortions. Of course, he never supported one here and never asked to have one introduced. But it was a great speech. Many objected to President Clinton because he was pro-choice. Now we are back to somebody who is a right-to-lifer. But do you know what. As a matter of curiosity, abortions went up under President Reagan. They went down under President Clinton. Now they are going back up again. I wish we would never have abortions, but let us give alternatives to abortion in family planning. Sometimes the reality shames the rhetoric. The fact is, abortions went up during President Reagan's time, and they went down during President Clinton's time, and they are going back up now.

The same thing can happen here. Give people family planning money and abortions will go down. We saw this in Russia. We have seen it categorically in other parts of the world. But that will be a debate for later on.

My main point coming here was to say we would not have gotten the bill out with this kind of huge bipartisan support without the strong help of the former Governor, now Senator, JUDD GREGG.

Mr. President, I yield the floor.

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

Mr. GREGG. Mr. President, let me join and participate in expressing my appreciation to Senator LEAHY and his staff for bringing forward a bill that is a reasonable bill. It is within the budget requested by the President. In fact, it is a little bit underneath it. It has a very strong commitment to the right priorities, and Senator LEAHY deserves great credit. He has been instrumental on the issue of how we proceed in foreign policy for many years. Prior to my assuming this ranking position, Senator MCCONNELL and he worked together hand in hand to address these issues, which cover the globe, are complicated but have a huge impact on an awful lot of lives.

I appreciate his exceptional work in this area, and I appreciate the fact he has brought forward a piece of legislation which I am happy to support with enthusiasm. There are some issues, obviously, on policy which hopefully will be straightened out and which have been alluded to. They are primarily the issues of Mexico City and the Kemp-Kasten language. But the bill itself is basically a very strong bill, and it is within the budget as requested by the President. Therefore, hopefully, we can get the Mexico City language straightened out and move on to passing the bill.

His staff—Tim Rieser and the Democratic staff—have been extraordinarily fair to our staff—Paul Grove and our people on this side—and we appreciate their courtesy. When we raised issues, they tried to address them and resolve them.

I wish to point out a few highlights in this bill. The chairman has mentioned a number of them. I think it is important to recognize we are a compassionate Nation, committed to trying to help people who we see in need. This bill reflects that innate quality of the American people. It is one of our great characteristics as Americans that we as a nation and as a people try to reach out to those who have not been dealt quite as good a hand as we have been dealt and try to help them across the globe.

We use a lot of American taxpayers' dollars to do that. People work hard for those dollars. When we spend them in other countries, people want to be sure, of course, they are spent well, and they want to be sure they are getting results. They expect them to be spent to benefit regions of the world that have not been quite as lucky as we have been.

That is why the commitment in this bill to AIDS, which is huge—$5 billion—is important. It is something that has been bipartisan. The President has clearly taken the lead on this issue. This committee has strongly supported those initiatives.

We also have made a very significant effort in the area of humanitarian aid dealing with migration and refugee assistance and with international disaster assistance. That is what these dollars are used for. When you go out and you meet folks, as all of us do—that is one of the fun parts of doing this job, representing our constituents and hearing from them—sometimes—actually, not that often in New Hampshire and I suspect not that often in Vermont, but sometimes you hear people say: What are we sending all this money overseas for? Those are dollars we worked hard for and could spend here in America.

Well, we spend them overseas, first, because we are a nation which is blessed—and we understand others are not—and when we see things we can try to help with, such as the AIDS epidemic in Africa. We also send these dollars overseas because, quite honestly, it benefits us. It is that simple: It benefits us. It benefits us on two levels.

First, it benefits us on a national security level. Most or many of these dollars which we spend under this bill essentially go to countries which undertake actions which assist us in our national security and pick up burdens which we might otherwise have to pick up, not only with dollars but also with American troops being at risk. So it is a good investment from that standpoint.

Also, we basically are a trading nation. Our great success as an economy is the fact we are engaged, we are the international economy. Participating in that economy is critical to creating jobs and economic benefit here. Thus, we use these dollars, to a significant degree, to stabilize regions and give them economic viability. Quite simply, we can then participate in that economic viability by selling them goods—products or services—which we manufacture or make in the United States.

Again, it benefits us. So these dollars which we spend—and they are significant; $34 billion is a lot of money—are dollars which we spend well, I believe, on behalf of the American people in most instances.

In this bill, for example, we significantly assist the military efforts of the nations of Egypt, Israel, Pakistan, Indonesia, and other allies around the globe. We have increased the funding, for example, rather significantly to the country of Jordan. Let's take that as an example.

Here is a country right in the middle of the Middle East, which is a linchpin in the Middle East which represents stability, represents a forward-thinking Government, that cares for its people and wants its people to succeed but does not have the resources of many of those nations in the Middle East that have the good fortune to have oil or gas. Yet they take on responsibility that we would have to otherwise take on. They take on massive numbers of refugees from Iraq, which has strained significantly their infrastructure and their educational system and the culture.

We have some obligation, I believe, to support a country which is willing to take these types of steps to assist its neighbors but also has duress to some degree because of our efforts in that region. So that is why I think increasing the funding for Jordan is very appropriate. I certainly hope we will be able to maintain that as we move through the entire process.

There are no earmarks in this bill. We obviously have had quite a battle in this Congress over how many earmarks people should have, what types of earmarks people should have. This bill is pretty much earmark free. In fact, unless you consider funds going to a foreign government requested by the President as an earmark, there are virtually no earmarks in this bill, for which, again, I congratulate the chairman for that sort of leadership. As he said, he is complying with S. 1, which passed this body back in July. It has not been signed yet, but we presume it will be, or at least the language relative to how earmarks in appropriations bills are handled will certainly go into force. So I congratulate the chairman for pulling this bill together in that form.

I wish to speak briefly, though, about one area which I am concerned about and which I find to be a bit of an affront—more than a bit—a real affront, and that is dollars which we are allocating to certain activities in this international arena which are being wasted, they are being fraudulently handled, they are being used for patronage or there is simple corruption, which is stealing. We have three examples of that which are rather severe. We are missing $8 billion, minimum—remember, the number, I suspect, is significantly higher—in Iraq in reconstruction. A lot of the reconstruction money which we are supposed to be spending in Iraq doesn't appear to be getting out into the field, the rubber doesn't seem to be hitting the road. The money seems to be somewhere; we are not sure where. We hear representations that it may be buying buildings in Switzerland rather than building buildings in Iraq, but we know, because the money is not moving out, that the dollars are not there and not doing what they are supposed to be doing.

This concerns many of us on both sides of the aisle. The GAO has been giving us report after report. The special Inspector General has been giving us report after report highlighting this concern, which is that there is and appears to be significant corruption, and that corruption is misallocating funds—American tax dollars—in Iraq.

In addition, another example of concern is the World Bank. The World Bank has just taken on a new leader, Secretary Zoellick, Ambassador Zoellick, who is one of the strongest individuals I have met in my experience in public life. I think he is one of the best public servants I have come across. He is totally committed to doing things the right way and has no problem making a decision and shaking a place up, that is for sure. I think he is going to be good for the World Bank. But he comes into a situation which has very big issues relative to the dollars that are being spent there. Reports are coming out that literally hundreds of millions—if not billions—of dollars are being siphoned off from these grants, that there is inadequate oversight, that there is a lack of transparency, that there is shoddy accounting, and that there is just plain theft going on of some of these dollars. We have examples of corruption which appear to be fairly significant in Kenya, in Guyana, in India, in Bolivia, and in various other regions. The biggest concern, independent of the loss of dollars and the dollars not being used to benefit these nations which need the assistance, is the fact that there seems to be a real resistance within the structured bureaucracy of the World Bank to telling anybody what is going on, and there appears to be more of a commitment to hiding the facts than to disclosing the facts when it comes to corruption, mismanagement, poor accounting, and that is not right.

These are American tax dollars. We are going to put $1.1 billion into the World Bank with this bill, and the American taxpayer, at least the people from New Hampshire and, I am sure, the people from Vermont, don't expect those dollars to be spent to line the pockets of some corrupt official in one of these nations. They expect them to be spent to assist the people in those nations who haven't been as fortunate as we have. The World Bank has to get its act cleaned up, and that begins with transparency.

So in this bill we have put in significant language—I believe it is significant—which will essentially fence 20 percent of the appropriations until we hear from the World Bank that they have made public the available financial disclosure forms, that the bank has established a plan and a schedule for conducting regular independent audits, that the bank is adequately staffing and sufficiently funding the Department of Institutional Integrity, and that the bank has made publicly available the bulk of the panel report which we wish to see. We may add another thing to that. We want to make it unalterably clear that we are tired of the obfuscation that is coming out of the World Bank and that the World Bank makes public the Department of Institutional Integrity November 23 report relative to the India issue, which has received a fair amount of attention recently.

So we are fencing these funds. They are not going to get this money until we get some accounting rules that work over there. I think with Secretary Zoellick now in charge, he will be equally aggressive in making sure that this sort of action occurs.

In addition, of course, there is the United Nations. I have always supported funding the United Nations. I strongly support the United Nations as an institution, as a concept, and as a key player in world events in order to try to give the world a place where it can come together and resolve disputes, especially.

But once again, we have a track record of mismanagement and shoddy accounting, and sometimes no accounting, and patronage and misuse of tax dollars that are rather staggering. Article after article has been reported in this area. It is—the U.S. taxpayer picks up about a quarter of the cost of the United Nations—a disproportionate amount quite honestly, in my opinion—but we do it because we believe in that institution. But it is very hard to tell an American taxpayer that the dollars they are sending to the United Nations, if it goes into certain accounts is going to disappear, or it is going to be used to give a job to somebody's cousin

who is coming in from some country where they couldn't get him a job.

So again, I say this is an issue we are going to focus on in order to try to get some fair and honest accounting, transparency, and a system that uses at least American tax dollars efficiently to benefit the world rather than uses them to benefit individuals who happen to be in high places or have found themselves in positions to take advantage of the situation.

So those are issues I think are critical. The corruption issue is very high, at least on my agenda, as to how we handle these dollars. But that doesn't undercut the basic need here, which is to have a strong and vibrant commitment to foreign aid assistance and to international assistance which addresses priorities that we have as a nation in dealing with other countries and also addresses the needs of other people around this globe where we see we can make a difference, such as in the AIDS area.

Again I congratulate the chairman who has done a good job on this bill, his staff has done a good job on this bill, our staff has done a good job on this bill, and I hope we can pass it promptly.

There are a number of amendments from our side. I have been made aware of a number of amendments, and we are ready to start the amendment process, and whenever people want to start offering amendments—I see the Senator from Florida is here and I know he has two very good amendments that I will certainly be supportive of, I suspect, and I will be happy to proceed if he wants to offer them, and I will be happy to hear them. I presume there will be no votes until about 2:30.

Madam President, I make a point of order that a quorum is not present.

Madam President, I would like to reserve that request and I ask unanimous consent that the committee amendment be agreed to, that the bill as thus amended be considered as original text for the purpose of further amendment, and that no points of order be waived by virtue of this agreement.

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

The Committee amendment in the nature of a substitute was agreed to.

Mr. GREGG. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MARTINEZ. 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. MARTINEZ. Are we not in a posture where amendments would be appropriate?

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 2694

Mr. MARTINEZ. I wish to offer an amendment to H.R. 2764 and send it to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Florida Mr. [MARTINEZ] proposes an amendment numbered 2694.

The amendment is as follows:

(Purpose: To promote democracy in Cuba)

On page 410, between lines 15 and 16, insert the following:

CUBA DEMOCRACY ASSISTANCE PROGRAM

SEC. 699B. (a) The amount appropriated or otherwise made available by title III under the subheading ''ECONOMIC SUPPORT FUND'' under the heading ''OTHER BILATERAL ECONOMIC ASSISTANCE'' is hereby increased by $30,700,000 and such amount shall be available for the Cuba democracy assistance program to assist the pro-democracy movement in Cuba and shall be in addition to any other amounts appropriated or made available for such purposes.

(b) The amount appropriated or otherwise made available by title I for the Department of State and Related Agency under the subheading ''DIPLOMATIC AND CONSULAR PROGRAMS'' under the heading ''ADMINISTRATION OF FOREIGN AFFAIRS'' for expenses of general administration is hereby decreased by $30,700,000.

Mr. MARTINEZ. This amendment essentially restores $30.7 million for the Cuba Democracy Assistance Program by offsetting it from the Department of State's $3.8 billion in the general administrative budget. In conjunction with the committee's recommendation, $15 million funding for the Cuban Democracy Assistance, this amendment would now equal the administration's request. These funds are used to provide needed humanitarian assistance to Cuban civil society and pro-democracy movement.

Let me say that Cuba at the current time is living through a transitional moment, an historic moment. After the dictatorship of Fidel Castro of almost half a century, it appears that he no longer is in a position to govern. His brother Raul Castro has assumed power in Cuba in a way frankly that belies legitimacy or anything close to Democratic rule. It is my hope, it is the hope of those of us who support this amendment, that by restoring these funds to the amounts necessary, we will be able to help the Cuban people create the conditions within the country similar to those that were created in Eastern Europe through our assistance to the forces of democracy and freedom. We now see the flourish in democracies of Eastern Europe and we relish the opportunity that they have brought to those people. We want to see the same take place in Cuba.

A few days ago, I had the unusual opportunity and privilege to talk on a teleconference with members of the Civil Society—the opposition in Cuba—who hope and dream of a day when they will have the opportunity to freely speak, where human rights will be observed, and where they will have the opportunity to elect their own leaders. These folks pleaded with us to please assist them, not with high tech, if that would come, but with even the simple things such as pencils, paper, ballpoint pens, so that they can communicate with each other and so they can create the atmosphere and the condition of a civil society that would permit the flourishing of a democracy in Cuba at this critical time and at this juncture.

I think it would be a good idea to not reduce the funding that is going to the civil society and democracy movement in Cuba. It is humanitarian assistance. It is civil society assistance. This isn't military. This is about creating peaceful conditions of change and by allowing the Cuban people those opportunities that they otherwise would not have through the current totalitarian system that currently rules in Cuba.

I could talk on and on about this, but I hope that with this bill we would restore the funding to the administration recommended levels, which are not in keeping even with what was done for Eastern Europe, which are essential and which will make a big difference to the people of Cuba.

AMENDMENT NO. 2695

Madam President, I have another amendment I wish to offer at this time.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The bill clerk read as follows:

The Senator from Florida [Mr. MARTINEZ] proposes an amendment numbered 2695.

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

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

The amendment is as follows:

(Purpose: To increase the funding for broadcasts to Cuba and to provide an offset)

On page 410, between lines 15 and 16, insert the following:

INTERNATIONAL BROADCASTING OPERATIONS TO CUBA

SEC. 699B. (a) The amount appropriated or otherwise made available by title I under the subheading ''INTERNATIONAL BROADCASTING OPERATIONS'' under the heading ''BROADCASTING BOARD OF GOVERNORS'' is hereby increased by $5,019,000 and such amount shall be available for the international broadcasting operations to Cuba and is in addition to any other amounts available for broadcasting operations to Cuba under title I.

(b) The amount appropriated or otherwise made available by title I for the Department of State and Related Agency under the subheading ''DIPLOMATIC AND CONSULAR PROGRAMS'' under the heading ''ADMINISTRATION OF FOREIGN AFFAIRS'' for expenses of general administration is hereby decreased by $5,019,000.

Mr. MARTINEZ. Madam President, this amendment again deals with the budding hopes of democracy in Cuba and it deals with Radio and TV Marti. Radio and TV Marti for years has been the source of information and the source of hope, much like Radio Free Europe was for the enslaved people of Europe.

The people of Cuba today have no opportunity for anything close to a free press. All they get handed daily are the diatribes of the Communist regime as

they control every source of media available to the Cuban people. This amendment would restore funding to Radio and TV Marti by increasing the funding by $5 million to allow the continuation of this very important tool of democracy, which is information to the Cuban people.

Again, I would point out this is a critical time in the history of this country. We are only 90 miles from the shores of Cuba. What happens in Cuba is important to the United States. It is important to our national security. At a time when we fear the potential for mass migration, at a time when we see the opportunity perhaps for political change, this would be the wrong time to cut back and to diminish our commitment to the voice of democracy, the voice of freedom, and, frankly, simply to the voice of unfettered information.

If there was a condition in Cuba that created unrest or a governmental change, our defense forces, the Department of Homeland Security is greatly concerned that there would be a mass migration. It has happened in the past. Radio and TV Marti would be the tools that people such as myself, speaking in Spanish to the Cuban people, could use to urge them not to go to the high seas, not to seek to migrate but simply remain calm in Cuba. That is why TV and Radio Marti, at this critical juncture, ought not to be cut in funding. The amendment doesn't restore it to current funding; it increases it by $5 million, which I think would be a great step in the right direction.

I ask unanimous consent that the current amendment be set aside.

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

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

Mr. MARTINEZ. Yes.

Mr. GREGG. I understand all of the Senator's amendments are paid for, is that correct?

Mr. MARTINEZ. That is correct. And the Senator is correct that there were going to be two amendments—it is actually four, dealing with two subjects, two in Cuba and two in Colombia. They are the same fundamental issues and they are offset within the State Department budget.

AMENDMENT NO. 2696

Mr. MARTINEZ. Madam President, I call up the next amendment.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Florida (Mr. MARTINEZ) proposes an amendment numbered 2696.

Mr. MARTINEZ. 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 modify the conditions on the availability of funds for the aerial eradication of coca in Colombia to address circumstances where manual eradication is too impractical or risky and to limit the requirement to implement programs to provide alternative sources of income to areas where conditions exist for successful alternative development)

Beginning on page 266, line 13, strike ''manual eradication'' and all that follows through ''municipalities where security permits'' on page 267, line 12, and insert the following: ''manual eradication in such areas is not practical or poses an unacceptable risk to government security forces, as determined based on consultations with appropriate authorities of the Government of Colombia: *Provided,* That not more than 20 percent of such funds may be made available unless the Secretary of State certifies to the Committees on Appropriations that: (1) the herbicide is being used in accordance with EPA label requirements for comparable use in the United States and with Colombian laws; and (2) the herbicide, in the manner it is being used, does not pose unreasonable risks or adverse effects to humans or the environment including endemic species: *Provided further,* That such funds may not be made available unless the Secretary of State certifies to the Committees on Appropriations that complaints of harm to health or licit crops caused by such aerial eradication are thoroughly evaluated and fair compensation is being paid in a timely manner for meritorious claims, and the Secretary submits a report to the Committees on Appropriations detailing all claims, evaluations, and compensation paid during the twelve month period prior to the date of enactment of this Act: *Provided further,* That such funds may not be made available for such purposes unless programs are being implemented by the United States Agency for International Development, the Government of Colombia, or other organizations, in consultation and coordination with local communities, to provide alternative sources of income in areas where conditions exist for successful alternative development and security permits''.

Mr. MARTINEZ. Madam President, this amendment deals with the situation in Colombia. This was a congressional effort started in the Clinton administration, which has been a dramatic help—and it has been continued by the Bush administration—to the people of Colombia as they fight the narcotraffickers who essentially took over that country for more than a decade.

The number of deaths and the destruction due to the drug trafficking out of Colombia that has occurred on our streets and in our neighborhoods and schools has been known for decades now. Under the presidency of President Uribe, whom the Colombian people elected in an unprecedented fashion a year ago, the Colombian Government, in partnership with us in Plan Colombia, has made a turnaround in that country relating to drug interdiction and eradication, and in the fight against these narcoterrorists who have threatened life in Colombia as we know it. Today, life there is returning to normal. Business and trade are increasing dramatically. They are becoming the kind of neighbor we want and need. There is no closer ally in Latin America than Colombia today. Their successes have been undeniable.

My amendment seeks to change language in the current Foreign Relations appropriations bill that would dictate that air eradication not take place. We seek to restore language that would allow for air eradication of drugs to take place when it is reasonable to do so, and when to do otherwise would endanger the Colombian security forces. Rather than hamstring and tie down the Colombian forces and eliminate eradication, we are changing the language to permit it where necessary, when to do otherwise would endanger the life of Colombians.

Drug eradication is vitally important. To allow the current language in the bill would diminish these important efforts so that we can eradicate drugs in the Colombian fields and not have to deal with them in our neighborhoods.

At this time, I ask unanimous consent that this amendment be set aside.

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

AMENDMENT NO. 2697

Mr. MARTINEZ. I call up amendment No. 2697.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Florida (Mr. MARTINEZ) proposes an amendment numbered 2697.

The amendment is as follows:

(Purpose: To increase by $30,000,000 the amount appropriated or otherwise made available for ''Andean Programs'' and available for aerial eradication of coca in Colombia, and to provide an offset)

On page 410, between lines 15 and 16, insert the following:

AERIAL ERADICATION OF COCA IN COLOMBIA

SEC. 699B. (a) The amount appropriated or otherwise made available by title III under the heading ''ANDEAN PROGRAMS'' for the Department of State and available for aerial eradication of coca in Colombia is hereby increased by $30,000,000.

(b) The amount appropriated or otherwise made available by title I for the Department of State under the heading ''DIPLOMATIC AND CONSULAR PROGRAMS'' and available for expenses of general administration is hereby reduced by $30,000,000.

Mr. MARTINEZ. Madam President, this amendment restores $30 million of the amount requested by the administration to continue a drug eradication program. It doesn't go as high as the administration requested, but it is higher than what came out of committee. It is vitally important to continue our commitment to drug eradication in Colombia not only by air but with other means as well. This would permit the continuation of this very important program, which we think is vital to our hemisphere's security and to our drug eradication and interdiction efforts to keep our streets safe in America. It is also a very important component of Plan Columbia, this partnership where we have enjoyed such a positive and fruitful relationship during the presidency of President Uribe.

Mr. GREGG. Madam President, first, I thank the Senator from Florida for his cooperation with the committee

and for bringing these amendments forward so promptly so we can address these important issues he raised.

The Senator from Florida obviously is the leading expert in this Congress on the issue of Cuba for a variety of reasons, not the least of which is that he was a refugee from Cuba. His success story is an American success story since his arrival in the United States. I am sure the Cuban people take great pride in seeing him in the Senate as a person who came to this country with nothing. We admire him for that fact. He has maintained, obviously, close ties to the issue of Cuba and how we can best address it. His suggestions here are that we bring the funding levels for supporting initiatives relative to democracy in Cuba up by $10 million and supporting Radio Marti so it is fully funded by adding $5 million. Those are reasonable suggestions that I support. I hope we can move them forward.

The Senator is also the leading expert in Congress on the issue of South America and how we deal with that. South America—the issues of Colombia, Venezuela, Peru, Ecuador, and Bolivia—is a very important issue to us as a nation. This region of the world is very close to us. What happens there has a direct and immediate impact on us both in terms of people leaving those countries and illegally coming to the United States and in terms of drugs being exported to the United States.

In the case of Venezuela, they have a government that has a clear antipathy toward the United States and is trying to undermine American interests throughout the world, but especially in South America.

As the Senator pointed out, the government has had incredible successes in Colombia, which was a basket case when it was controlled by the mob—the FARC, as it is known—for a number of years. It was the center of and remains, regrettably, a high-profile producer of cocaine, which ends up in the United States. Now they have a government that is freely elected and which is making significant strides toward establishing a functioning nondrug-based culture and economy in that country. We need to support this government. We need to support President Uribe as he moves forward.

I honestly haven't understood what seems to be an antipathy from the intelligentsia in the United States, especially the Northeast intelligentsia, toward President Uribe and his government. It has a lot of overtones, in my opinion, to what happened in Haiti, where the intelligentsia of the Northeast decided that Mr. Aristide was the perfect person for that nation, and it turned out he was a horrific event for that nation, as he backtracked and continues to backtrack. Why there should be antagonism toward a government that has been freely elected with overwhelming majorities, and which is moving aggressively toward trying to control the criminals who export cocaine to this country, is hard to fathom. But that exists and I think it is unfortunate.

But I do think we, as a government, should recognize that the Government of Colombia, and specifically President Uribe's government, has made some very significant strides toward trying to get control over the cocaine production and the FARC elements. They have done it at not only a risk to their Government but at tremendous personal risk. These folks are targeted for assassination by these criminal groups. They have shown tremendous courage in moving forward and moving their nation forward. We should be supporting that courage. We hear from our own people—not from the Colombians but those who are fighting drugs in this country, including General Walters, who believes firmly that he needs the additional money being proposed here by the Senator from Florida in order to adequately fund the effort with primarily hardware—helicopters specifically—in Colombia in order to continue the successes we have begun to see under Plan Colombia.

I support the Senator's initiative, and I hope we can support these amendments as we move forward. We are not going to have any votes until probably later in the afternoon, but it is good to start with these amendments. I congratulate the Senator from Florida for bringing them forward.

Mr. MARTINEZ. I thank the Senator for his kind comments and for allowing me to move forward with these amendments. I appreciate his sentiment about the Colombian situation. There is no question that they are an ally and friend. One of the things I think is often not talked about, but is very important, is what President Uribe has done. He has had an amnesty program where people would lay down their arms and simply have to atone for what they have done; they may get a jail sentence, but they can then reincorporate themselves into that society. They would have a job training program, have a way of getting out of the armed forces, which they did legally or illegally, including the paramilitary, or whatever. So if the rebel groups that supported the FARC lay down their arms and come back into society, that helps heal that country and bring it together.

We have a great opportunity here to see Plan Columbia in its next phase not only continue with eradication and interdiction and fighting the guerrillas, but also with the reestablishment of economic opportunities, so we can also try to improve the lives of the Colombian people.

On the Cuban amendments, I also appreciate his support very much. It means a great deal to me personally. I assure you that, at a moment when we are at the cusp of a democracy there, this is precisely the time in which to encourage the forces of change, forces of democracy, and provide them with the meager tools they need to communicate with each other. I think the fruits from that can be manifold.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

IRAQ

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

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

Mr. SCHUMER. Mr. President, I ask unanimous consent to speak as in morning business for 5 minutes.

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

(The remarks of Mr. SCHUMER are printed in today's record under ''Morning Business.'')

Mr. SCHUMER. 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.

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

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

The Senator from Missouri.

Mr. BOND. Mr. President, I rise today to speak on behalf of the Foreign Operations bill, and I thank the managers of the bill for putting forward an excellent measure.

I have a couple of areas I wish to speak about at some length, but let me give the framework in which I will talk about it. I come to the floor a lot—I spoke this morning about military action, but I come to the floor to talk about intelligence. We are, at least in my thesis, in a worldwide war against those who have declared us to be their enemy. It is an ideological war. I think, by any stretch of the imagination, most people realize that a war against this kind of enemy is only 20 percent kinetic, it is 80 percent economic/educational.

What we are doing in this bill some people object to—spending money on foreign operations—because they think, oh, it is do-gooderism; it is trying to make us feel good, helping people in the world. Well, clearly we are carrying out an important mission to help less developed countries throughout the world. That is certainly one of the areas where America's generosity has always shown through. Our private charities are even more robust than what we do through government.

I continue to hear people back home saying: If we just cut out foreign aid, we could do this and we could do that. But foreign aid is minuscule. I, frankly, think it ought to be more. If we are going to turn the tide against those who are committed to radical views, to misusing and misinterpreting their religion to declare war on us, we have to

deal with them not only kinetically when they pick up arms or when they threaten to bomb us, but we have to help create the conditions in those countries where people are not driven to earn a small amount of money for planting a roadside bomb or an IED or even get a little more for their family by committing suicide in a terrorist attack.

There are some things we can do through this bill that I think are very important to connect with those countries which view us with suspicion. We can help change the attitude—not of everybody; not of the committed mufsidoon. Those are people who, in the name of Islam, kill innocents, men and women, fellow Muslims. They are too often called jihadists. They are not for jihad. Jihad is a legitimate self-fulfillment and improvement by Muslims. They commit hirabah, which is the terrible form of violence these Muslims commit. We need to show people in the countries from which they come that America can be a force for good.

There are a couple of things that are very important. No. 1 is establishing and improving educational exchanges. No. 2 is economic assistance to help them build their economy. I will talk about that later. No. 3 is getting Americans on the ground.

I have traveled to a lot of countries, and I have spent a lot of time in Southeast Asia. They keep telling me that the best emissaries the United States has are Peace Corps members, the Peace Corps members who have been here, and those in other volunteer organizations—if they come with a church, if they come with a charity or a nongovernmental organization, if they come with the volunteers in the financial services program. When Americans come, even as tourists, they can make a difference.

I wish to talk just a minute about the Peace Corps. The Peace Corps, as I said, is one of the important weapons we have, not only to help them understand us but to help us understand them. At no other time in this Nation's history has the work of the Peace Corps and its volunteers been more vital or valued. Peace Corps volunteers are the good face of America in the developing world. They provide practical, hands-on experience while spreading compassion and good will, which is vital in winning the hearts and minds of people all over the world. The United States is no longer the only game in town, and we can no longer take for granted that countries will line up to want to support the United States.

China, for example, with over 1 trillion U.S. dollars, is aggressively engaging in courting countries all over the world on economic, diplomatic, and cultural fronts, frankly shutting us out, moving us out of the game by establishing what the Chinese call their Confucius Institutes, thus promoting their language and culture through internationally affiliated institutes. The Chinese Ministry of Education estimates that by the year 2010 there will be approximately 100 million people worldwide learning Chinese as a foreign language. And it plans to set up 100 more. They will be learning Chinese, not English.

I ask, why are we reducing and not increasing our efforts to promote American values, our culture, our way of life? As I said, to fight the war on terror, our efforts are 20 percent kinetic, 80 percent public diplomacy—international exchanges, education, aid, and community development. In other words, I believe that putting more sandals on the ground will prevent having to put boots on the ground in the future to fight militarily what we could have won economically with education and diplomacy beforehand.

Only about 20 percent of Peace Corps volunteers are serving in predominantly Muslim countries. There are far too few. In key areas, there are just not enough. Why? We just do not have the money. The money stayed stable, and costs have gone up. We have been declining in Peace Corps participation. Why is it important to have them in Muslim countries? Because they provide alternatives to the Wahabist view of life, financed too often by our Saudi Arabian friends. They are too often promoting the Salafists' radical agenda—barbaric ideologies, trying to reach impressionable Muslims.

Numerous accomplishments have been achieved over the past 6 years by our American volunteers, and the Peace Corps is poised to meet not only the growing demands from interested countries but from thousands of Americans who want to serve as well. I believe the Peace Corps should obtain its full request in 2008 in order to expand opportunities to enter these countries, vitally important countries in Southeast Asia and elsewhere, and I hope we will get a more robust request from the administration next year. It should not be hindered in expanding the number of volunteers in countries where the Peace Corps already exists and is advancing American ideals and building good will. Budget tightening has already occurred at many posts, and program closures are likely without additional funds.

Many of our diplomats and host country officials say that the Peace Corps is the most effective and cost-efficient U.S. agency in getting a better view of America.

I look forward to working with my colleagues in the conference committee. I hope we will be able to restore the President's full request for the Peace Corps. It is an investment in an effort vitally important to improving the lives of those in the developing world.

I also wish to talk about another initiative. I have been on the floor talking about it a long time; that is, effective grass roots development for agriculture in Afghanistan. Agriculture is the main building block of the Afghan economy, but it has suffered from disinvestment and neglect. Over 70 percent of Afghans live in rural areas and derive their income from agriculture. Yet the public and private support infrastructure for agriculture is yet to be rebuilt.

I talked to some Missouri farmers—I will discuss it more later—who were over there with our National Guard. They tell us that they believe the Afghans could move a tremendous leap forward if we got them 19th century, not 21st century, not 20th century, but 19th century tools and equipment because they are that far behind.

I thank the managers of the bill. They have used in this bill $20 million for USAID to set up and develop a nationwide agriculture extension system. It would establish and execute a strategy through a consortium of U.S. land grant universities, integrating the program into Afghanistan institutions, guided by local councils, comprising community, private sector, and government education leaders. Our U.S. education extension service transformed American agriculture over the last hundred years, and it can do a lot to improve the livelihood of the people in Afghanistan and counter the other influences, such as the cultivation of poppies for the drug trade.

Unfortunately, we have given money to USAID in the past, and it has been largely ineffective. USAID has refused to set up an extension system in Afghanistan. They continue to rely on large, DC-based contractors who apparently have had no impact. They lack that expertise and capacity-building know-how and expertise which will create sustainable development.

Over 5 years and hundreds of millions of dollars later, after USAID has been spinning its wheels, Afghanistan now accounts for 92 percent of the world's opium supply. I recognize USAID and the Department of State are large bureaucracies that cannot operate as effectively as the military can in places such as Iraq and Afghanistan. However, the community development efforts they are tasked with are paramount to establish a strong economy that will allow the Afghan farmers and the Afghan people an alternative to opium production. When I was in Iraq, for example, I observed our warfighters taking action and picking up the mantle where State and USAID's hands were tied.

In Ramadi, we saw the marines, after they had pacified Ramadi, went in and rebuilt the Blue Mosque, the absolutely central Sunni mosque for that entire region. There was a tremendous amount of goodwill created, showing them we supported their religion.

In Afghanistan, a member of my staff, a month ago, returned from Nangarhar Province with members of the Missouri National Guard. As a result of my working with the Guard and what we saw on the ground and the fact that the President, Hamid Karzai, had asked for extension service assistance but USAID was not able to produce it,

I asked the National Guard to send an agricultural development team over to see what could be done. They came back with a very promising response.

The team and subsequent others we hope will be established by the Department of Defense through the National Guard will be composed of citizen soldiers who come, in their civilian lives, from farming, agribusiness, and construction trades. Each AG team will have extension service experts—whether it is in soil or meat technology or other things that have been identified as pressing needs. They are going to focus on more efficient use of irrigation, crop rotation, cold storage, harvesting, processing, and agribusiness. They will not just be giving farmers seeds, they will be building real, long-term relationships and capacity-building that will sustain agriculture in Afghanistan, to bring it into the 19th and even into the 20th century. They will be doing so in a place where building trust with the populace is paramount.

From my time as Governor, I have always been impressed with not only the capacity and the ability and dedication of our National Guard throughout the United States but their flexibility. The National Guard structure, capabilities, and the skill-set of the citizen soldiers in the Army are uniquely positioned to execute a position that many others are incapable of fully executing. I hope the USAID and State Department will follow the lead of its Department of Defense cohorts in Iraq and Afghanistan. As I said, 80 percent of the war on terror is nonkinetic—agricultural development, education exchanges, Peace Corps volunteers, and public diplomacy. If USAID continues to rely on giving large chunks of money to cumbersome contractors in its foreign aid, it will fail, and I will see if I can convince my colleagues to choose another route.

Efforts in Afghanistan, like the land grant extension initiative and the agricultural development teams, are models for how we should be conducting the nonkinetic war we must fight against those who vowed continuing war against us and the way of life we espouse.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to speak to one of the amendments pending before the Senate on Cuba democracy. But before I speak to that specific amendment, I wish to start off by thanking Chairman LEAHY for all of his hard work on the Foreign Operations appropriations bill. His leadership on crucial issues around the world is critical. I also appreciate his support for human rights around the world—Latin America and other places—as well as his willingness to work with me and my staff. So we appreciate his leadership on what I believe is overall an exceptional bill that has been brought to the Senate for its consideration.

AMENDMENT NO. 2694

I didn't know my colleague from Florida, Senator MARTINEZ, was going to come to the floor earlier. I would have joined him at the time. But I certainly wish to join him in promoting this amendment and Cuban democracy. This amendment is simple and for a simple but powerful purpose: to support democracy inside of Cuba. I believe that no matter where we as Members of the Senate stand on the issue of U.S. policy toward Cuba—and I recognize there are diverging views—every Member of this body, however, I suspect, supports achieving democracy in Cuba and therefore should support this particular amendment.

Right now, we are at a critical time for democracy in Cuba. Some would ask: Why now? Why should we increase the funding for Cuban democracy right now in this legislation?

I would answer: Right now, we face a moment of hope for the Cuban people. Right now, we face a moment of hope for the Cuban people who have suffered under the only dictatorship in the entire hemisphere—a dictatorship of 48 years. Dictatorships, whether they be from the left or the right, are nonetheless dictatorships. They are an oppression of people, and we should be against such oppression.

Sometimes I hear from some the romanticism of who Fidel Castro is.

They forget that he is, above all, a dictator and that he oppresses his people on a daily basis. And even at the height of what was the former Soviet Union giving billions of dollars in assistance to the Castro regime, what did he do? He still rationed, Cuban families having to wait in long lines, as they do today, because of a regime that seeks to put its money in security forces, to oppress its people, instead of feeding its own people.

We should be against such repression. Right now we are faced with a moment of hope for the Cuban people with Castro ailing. Right now we face a potential tipping point for the Cuban opposition leaders and dissidents who risk their lives and well-being and their security and their freedom every day to speak out for democracy.

Right now we have to seize this moment of hope and increase our support for democracy inside of Cuba. Now, as we look at the history of democratic movements around the world, we have learned it is at such moments that internal democratic movements need external support.

Look at similar moments in Eastern Europe. Look at Poland's Solidarity movement; look at the former Czechoslovakia's Charter 77 movement in 1989. In each case, these internal moments were also supported from the outside. We must remember our responsibility when we hear those who formerly languished under Communist rule, when we hear people such as the famous Polish human rights activist and former President of Poland Lech Walesa say:

> The United States led the free world defending values of democracy and humanism. Your determination and your civilization bloomed with the hope of Poles.

That is why it is critical that we increase our funds to support democracy in Cuba right now. A few weeks ago I participated in a video conference at the State Department with Cuban human rights activists, political dissidents, independent journalists, who took great risk to travel to the U.S. Interest Section in Havana from different parts of Cuba to speak to a group of Members of Congress, of which I was one.

We heard one clear message: that they are facing increased pressure. Think about it. Already under a totalitarian dictatorship, even under that oppression they are facing increased pressure from the regime, and U.S. funds are critical to their ability to continue speaking out against repression.

I would add that dissidents and opposition leaders were united. There was well over a dozen of them in this video conference at the U.S. Interest Section, and they were united on this point, even though they are sometimes divided on other issues. On this point of receiving assistance in order to nurture the opportunity for civil society and the opportunity for change to take place, they were united.

In fact, I received a letter from these same leaders which said their needs were, among others:

> Medicine to keep a political prisoner or dissident from dying to food, water filters, medical equipment, clothing, shoes, coats, toys for the children of political prisoners who suffer doubly the loss of a loved one who is in prison and social repression on the streets and in schools, essential vitamins, office supplies and the tools of democracy (computers, printers, phones, fax machines).

Because in a closed society in which only the dictatorship owns the airwaves, whether it be that of radio, or that of television, or the state newspaper, when you cannot express your God-given right as an individual to have a different view and to speak out, and you have no form of expressing that view to those of your fellow countrymen, to have them seek to move in a different direction, what we do by providing computers and printers and phones and fax machines is the very essence of what we take for granted here at home but for them are the very seeds, the tools they need to promote democracy.

This letter was signed by a diverse group of Cuban dissidents, including Julio Cecilia Delgado Gonzalez, Juan Gonzalez Febles, Laura Pollan Toledo, Gidal Delgado Sablon, Candido J. Hidalgo-Gato, Vladimiro Roca Antunez, Guillermo Farinas Hernandez, Hector Palacio Ruiz, and Elizardo Sanchez Santa Cruz.

This is a very diverse group of human rights activists, political dissidents, independent journalists. They do not all agree, just as sometimes we do not all agree here, but they all seek to have democracy and human rights. They may have come at it in different

ways, but they all agree that they need help from the United States and from others throughout the world in order to achieve this.

This is why this amendment, increasing funding in the bill to $45.7 million, is important. This is the same level of funding the President requested, the same level of funding that was included in the House version of this bill that was passed by a strong bipartisan vote.

Let me be clear. We are asking for an increase in these funds. We are asking for an increase in these funds because this is exactly the moment to increase funds for Cuban democracy. We do provide an offset for these funds, so we are not increasing the overall total of the bill. The offset is exactly what was included in the House-passed version of this bill. It is from the largest pot of money in the entire bill, for general expenses, for general administration.

I wish also to remind my friends that these programs I am talking about for democracy inside of Cuba—health, helping the human rights activists, political dissidents, journalists and activists—are carried out by organizations well known to my Senate colleagues: the National Endowment for Democracy, Freedom House, Pan American Development Foundation.

Our Cuba Democracy Program also works with well-known international organizations such as France's Reporters Without Borders, the Netherlands' Pax Christi, and the Czechs' People in Need Foundation.

I think we would all support the type of work the Cuba Democracy programs carry out. U.S. funds support helping victims of repression. U.S. funds support advocating for human rights, including helping the wives of political prisoners advocate for their release from prison and defending their rights in jail.

U.S. funds support pro-democracy activists, grantees of training Cuban dissidents on information technology, leadership, civil society activities, facilitating coordination among activists, and making small institutional developmental grants to strengthen the organizational capacity of democracy groups.

U.S. funds give Cubans a voice and help disseminate activists' writing and provide Internet coverage by independent Cuban journalists. The work they do is powerful and meaningful. Between 2004 and 2005, there was a 54 percent increase in civil resistance actions within Cuba, 89 percent of which occurred outside of Havana in Cuba's provinces.

A 2005 study by the Cuban Democratic Directorate found that actions of civil resistance have increased from 444 in the year 2000 to 3,322 in the year 2005. It is a positive trend of those who seek to create civil society and peaceful change inside of their country, toward that which we promote around the world, human rights, democracy. Ignoring this opportunity would only undermine this historic undertaking.

In conclusion, I believe this is a vote that should unite all of us wherever we stand on general U.S. policy toward Cuba. Let me remind my friends, this is not a vote on the embargo, this is not a vote on basic U.S. policies toward Cuba; we may have that discussion on some other day. By voting for this amendment, you are voting to support those in Cuba who continue to go out in the street every day, to ask for peaceful democratic change, who risk their lives, who risk their liberty. That is not an overdramatization of the reality of the challenge those who seek to create change in the country of Cuba face.

I represent many in New Jersey who have languished in Castro's jails for 10, 20, even 30 years. What was their crime? What was their crime that they had languished for 10, 20, or 30 years in Castro's jails? Simply to suggest, simply to suggest, that there was a better way for the Cuban people simply to speak out for those freedoms we enjoy here in this country, simply to be able to have the opportunity to worship at the altar that we choose, simply to be able to elect those who represent us in our Government as we are privileged to serve here, simply to be able to come together and organize and demonstrate a different view than that which the Government might have at any given time, simply to speak your mind without the fear that the consequences of doing so will have you languishing 10, 20, or 30 years in Castro's gulags.

Anyone who doubts that is welcome to come to my home State of New Jersey, I am sure to the home State of my colleague from Florida, and others in the country who can visit with these human living examples of that oppression, and in many cases of the torture that they receive under the hand of this dictatorship.

By voting for this amendment, you are voting to support those in Cuba who are seeking and trying to create peaceful democratic change. By voting for this amendment you are voting to provide food and clothing to support political prisoners in Castro's jails who have been imprisoned for doing nothing more than reading the Universal Declaration of Human Rights or other democratic documents.

I wrote, when I was in the House, what is still the law of the land, title II of the Helms-Burton legislation, which is the document of that law which talks about how the United States stands ready to assist a future government pledged to democracy and transition, and then a future democratic government. We put in, under President Clinton, the first plan that described the proactive nature, the first time we proactively prepared for the possibility of a transition in a country. That document was sent to the U.S. Interest Section and reproduced, was given to Cubans who came to the section. Those who had the audacity to have that simple document in their possession were often arrested and thrown into jail. The power of the thought, the liberating thought of the freedoms and the real attitude the United States had with the Cuban people as to where we wanted to help the people, not those who oppressed them, was so powerful that the regime could not afford for people to read it and would arrest them as they left the Interest Section.

By voting for this amendment, you give those who read that document or the Universal Declaration of Human Rights or other democratic documents the opportunity to be able to survive those jails. By voting for this amendment you are voting to do what the international community did in Poland, in Hungary, in Eastern Europe.

By voting for this amendment, you are voting to support democracy and human rights as we do in other programs in countries such as China, Burma, Cambodia, and many others. By voting for this amendment, you are making a simple statement—whether or not we disagree on how we achieve the policy goals—we support democracy, freedom, and human rights of the Cuban people. That is what this amendment does.

I hope we will have, as the House did, a strong bipartisan vote to send a message to those who struggle every day inside Cuba to create freedom, to promote the rights of individuals, as we are able to enjoy here in this country, that 90 miles away from the shores of the United States there can be the same opportunity as people aspire to throughout the world.

This is the moment. This is the time. This is the opportunity. I hope the Senate will avail itself of it and vote for this amendment.

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. MARTINEZ. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Without objection, it is so ordered.

Mr. MARTINEZ. Mr. President, I ask unanimous consent that Senators MENENDEZ, ENSIGN, and NELSON of Florida be added as cosponsors of amendment No. 2694.

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

Mr. MARTINEZ. I further ask unanimous consent that Senator NELSON of Florida and Senator MENENDEZ be added as cosponsors of amendment No. 2695.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LEAHY. Mr. President, I commend Senator GREGG for his opening statement. I associate myself especially with his comments and concern related to corruption at the World Bank and the U.N. and in our assistance programs in Iraq. We have serious and nonpartisan concerns. These go across the spectrum in this body. We intend to address them. I commend the Senator from New Hampshire for raising them in his statement.

We are trying very much to work out amendments. I hope we can go to third reading.

Mr. GREGG. I see no objection.

Mr. LEAHY. In saying that, I am reminded of that wonderful part in Henry IV—I am sure the Chair remembers this very well—with Glendower and Hotspur, when Glendower says: I can call spirits from the frothy depths, or something to that effect. And Hotspur says: Well, so can I, so can any man, but will they come when you call them.

The Senator from New Hampshire and I can call them from the depths, but we would just like to have them come when we call them. Staffs are working with a number of people. As soon as we have a finite list of amendments, we are going to go through them. I would hope we can wrap up.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

Mr. LEAHY. Madam President, the distinguished Senator from New Jersey and the distinguished Senator from Florida have been working together on an amendment actually that is part of an overall package that the distinguished Senator from New Hampshire and I are working on with them, and I think we are prepared to move forward on that part of the legislation now. Both of the distinguished Senators are on the floor. Once that is disposed of, we have a few other odds and ends, and I would hope—I have heard there may be some other amendments, and I hope we get to them right away so that maybe we can go to third reading within the next hour or so.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. MARTINEZ. Madam President, as was pointed out by the distinguished chairman, Senator MENENDEZ and I have worked together on this effort which has been collaborative and bipartisan and has the support also, as cosponsors, of Senators ENSIGN and NELSON of Florida.

AMENDMENT NO. 2694, AS MODIFIED

Mr. President, at this time I have a modification to the amendment No. 2694 that I would like to send to the desk.

The PRESIDING OFFICER. Will the Senator indicate the number again for the clerk?

Mr. MARTINEZ. Amendment No. 2694, which is the amendment we have been discussing.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

On page 255, line 5 before the period, insert the following:

: *Provided further*, That of the funds appropriated under this heading, $45,700,000 should be made available to promote democracy in Cuba, and to assist the pro-democracy movement in Cuba.

Mr. MARTINEZ. At this time, I would simply speak on behalf of this amendment, which is to provide $45,700,000 to the democracy movement and to assist the pro-democracy movement in Cuba and to promote democracy in Cuba. It is an essential part, as the Senator from New Jersey very eloquently discussed, of support for the dissident movement so they can have the resources necessary for them to carry out their work, so we can create a civil society in Cuba. So that, at this very critical juncture in history—a very critical moment in history—the forces of democracy, the forces of freedom, the forces of a new way for Cuba could be heard and have the resources necessary to carry their message to others within the Cuban population.

Senator MENENDEZ and I both listened as we discussed with these people their needs and their wants. They are not asking for things other than that which makes their work possible: The ability to have a cell phone so they can communicate with one another; pencils, paper, ballpoint pens, things as simple as that—computers, of course; printers, of course. All these things are the tools of democracy that, as we saw in Eastern Europe bring about the fruits of democracy, we can also see that these seeds of democracy planted in Cuba, that these funds can also bear the same kind of fruit at this very critical moment of transition, we hope, in the Cuban situation.

I yield the floor.

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

Mr. MENENDEZ. Madam President, I am happy to join with my distinguished colleague from Florida in offering this amendment. I appreciate what I understand I hope will be the acceptance of the distinguished chairman and ranking member of the amendment by voice. I appreciate the fact that even those who have different views as to how we promote democracy in Cuba are willing to allow resources to have the ability to nurture human rights activists, political dissidents, independent journalists, those who struggle inside Cuba every day to promote civil society and peaceful change in their country which has languished for 48 years under a dictatorship—are willing to allow that to move forward.

This is about promoting the opportunities of nurturing those people who risk their life and liberty every day to create change in their country, and in doing so the United States has always been a beacon of light of democracy throughout the world and a strong advocate for human rights. The adoption of the amendment would continue in that fine tradition.

I urge our colleagues, when the distinguished Senator from Florida seeks to do so, with hopefully the distinguished acquiescence of the chairman of the committee and ranking Republican, to have the amendment adopted and take advantage of this most propitious and historic moment.

With that, I yield the floor.

AMENDMENTS NOS. 2695, 2696, AND 2697 WITHDRAWN

Mr. MARTINEZ. Madam President, there are three amendments I wish to withdraw at this time. They are amendments Nos. 2695, 2696, and 2697.

The PRESIDING OFFICER. Without objection, it is so ordered. Those amendments are withdrawn.

The Senator from Vermont is recognized.

Mr. LEAHY. Madam President, I am prepared to accept the amendment, as modified, by the Senators from Florida and New Jersey.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment, as modified.

The amendment (No. 2694), as modified, was agreed to.

Mr. GREGG. Madam President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Madam President, I ask unanimous consent that the Senator from New Mexico be recognized for up to 10 minutes as in morning business.

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

The Senator from New Mexico is recognized.

(The remarks of Senator BINGAMAN are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Madam President, I have two amendments I will be offering to this Foreign Operations bill dealing with international family planning. I would like to call up both of them and discuss them as a way of being able to deal with this in a timely fashion for my colleagues. I ask unanimous consent that these two amendments be called up and put in order.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Madam President, reserving the right to object, and I shall not, the Senator from Kansas wishes to speak about the amendments now, and there is going to be an amendment or two by Senator BOXER. I hope the Senator will work with us—and the Senator from California, too—to give their

speeches, have the amendments discussed, but before the votes start, we can work out a sequence of votes in a relatively short period of time. It is my understanding that comports with the thinking of the Senator from Kansas. He can speak as long as he wants because he has the floor. Does that comport with his thinking?

Mr. BROWNBACK. Yes, it does. There is a dispute on international family planning and the dollars. I was asking here—and I ask my colleague from Vermont about this—would it be appropriate to bring the two amendments up on the floor at this time? I am willing to work on any sequencing that the Senator from California or anybody else would feel appropriate. I want to get votes on these issues; they are important. They are matters of longstanding policy. Frankly, they are policy issues that if either of them ends up in the bill, it will be vetoed. I think it is a significant issue for debate on the bill. If the Senator from Vermont would like to sequence things in a different way——

Mr. LEAHY. I wonder if we might begin with the amendment that says:

On page 308, beginning line 18, strike ''health:'' And all that follows through page 309, line 4, and insert ''health.''

Can we deal with that first and then go to the next one? If that was the request, I have no objection.

AMENDMENT NO. 2708

Mr. BROWNBACK. I call up amendment No. 2708.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK] proposes an amendment numbered 2708.

The amendment is as follows:

(Purpose: To prevent contributions to organizations that perform or promote abortion as a method of family planning)

On page 308, beginning on line 18, strike ''health:'' and all that follows through page 309, line 4, and insert ''health.''.

Mr. BROWNBACK. Madam President, I want to describe the overview of this and go into the specifics. This amendment No. 2708 deals with the Mexico City policy. The second one deals with the Kemp-Kasten legislation. They are both policies the U.S. has in place. Kemp-Kasten has been in place over 20 years. The Mexico City policy has been in place since President Reagan. It was repealed under President Clinton and put back in place under President Bush. These are long, well-known policy issues. They are significant policy issues. There is significant policy debate about it.

The centerpiece of this debate is whether the U.S. should use taxpayer funding to fund abortion overseas. That is at the centerpiece of the debate—whether the U.S. Government should use taxpayer dollars to fund abortions overseas. I submit that regardless of your position on abortion, we should not be using taxpayer funds to fund abortions here or overseas. A number of Americans would oppose on moral grounds that their taxpayer dollars are being used to fund abortions here or overseas but particularly overseas. They would object to that. And a number of people would say why are we even doing something like this overseas.

People who are pro-choice might say: I am OK with abortion, but why are we using taxpayer dollars to do this overseas? Why not let those countries and governments deal with their own problems rather than us funding these issues?

There is a taxpayer angle on this issue and there is an overseas meddling angle on this issue, and there is obviously a major moral issue of our day that is involved with this issue.

These amendments raise important issues. Should, as I mentioned, U.S. taxpayers be forced to subsidize international groups involved in abortions? Should U.S. taxpayers support organizations involved with coercive abortion policies? Some people support abortion but not coercive abortion. And should U.S. taxpayers be involved with organizations that are connected to involuntary sterilizations?

I hope everybody in this body would be opposed to those last two points.

As drafted, the Foreign Operations bill, unfortunately, answers yes to all three questions, and that is what this first amendment, the Mexico City language amendment, seeks to turn around.

The bill is a radical departure from both current policy and common sense, and it should make us pause. Do we want to go down this road?

The first amendment I offer today addresses what is known as the Mexico City policy. This policy originated with President Ronald Reagan, as I stated previously, in 1984 and has been continued by the current administration. The Mexico City policy prohibits Federal taxpayer funds from going to organizations that perform or actively promote abortion as a method of family planning in other nations. The Mexico City language is this: prohibits Federal taxpayer funds from going to organizations that ''perform or actively promote abortion as a method of family planning in other nations.'' However, the language in the pending bill would gut this policy. In fact, the language in this appropriations bill implies that elective abortion is an acceptable method of family planning.

No matter how one feels about the taking of human life through surgically induced abortions, surely we can reach some consensus that abortion is not a legitimate means of family planning.

Further, I hope we can agree that taxpayers should not be forced to subsidize groups that provide abortion, many of whom object to abortion and find it morally wrong. The Mexico City policy is common sense and aligns with the values of most Americans.

The bottom line is, U.S. taxpayers should not be forced to subsidize or support organizations that perform or promote abortions for overseas family planning programs.

In case my colleagues think, OK, that was the language in 1984, that was the world situation in 1984, let me read from a newspaper article, an AP story that was filed on August 30, 2007. The article is ''Chinese victims of forced late-term abortion fight back.''

The article is dated August 30, 2007. It reads as follows:

Yang Zhongchen, a small-town businessman, wined and dined three government officials for permission to become a father.

Yes, permission to become a father. It didn't work. Even though he wined and dined, his wife was taken out of town and her baby was killed by injection while still inside her. This is her quote. I want to read this for my colleagues:

''Several people held me down, they ripped my clothes aside and the doctor pushed a large syringe into my stomach,'' says Jin Yani, a shy, petite woman with a long ponytail. ''It was very painful. . . . It was all very rough.''

The article goes on to say:

Some 30 years after China decreed a general limit of one child per family, resentment still brews over the state's regular and sometimes brutal intrusion into intimate family matters. Not only are many second pregnancies aborted, but even to have one's first child requires a license.

Why would we want to be associated with any sort of family planning that is coercive of an abortion, regardless of where you are on the choice issue? Whether you are pro-choice or not, you wouldn't want to be associated with a government, with a group that does forced abortions, coercive abortions such as I am reading about in an AP story written at the end of August of this year. Why would we want to be a part of that?

Madam President, I ask unanimous consent to have printed in the RECORD the article on ''Chinese victims of forced late-term abortion fight back.''

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

[From the Houston Chronicle, Aug. 30, 2007]

CHINESE VICTIMS OF FORCED LATE-TERM ABORTION FIGHT BACK

QIAN'AN, CHINA.—Yang Zhongchen, a small-town businessman, wined and dined three government officials for permission to become a father.

But the Peking duck and liquor weren't enough. One night, a couple of weeks before her date for giving birth, Yang's wife was dragged from her bed in a north China town and taken to a clinic, where, she says, her baby was killed by injection while still inside her.

''Several people held me down, they ripped my clothes aside and the doctor pushed a large syringe into my stomach,'' says Jin Yani, a shy, petite woman with a long ponytail. ''It was very painful. ... It was all very rough.''

Some 30 years after China decreed a general limit of one child per family, resentment still brews over the state's regular and sometimes brutal intrusion into intimate family matters. Not only are many second

pregnancies aborted, but even to have one's first child requires a license.

Seven years after the dead baby was pulled from her body with forceps, Jin remains traumatized and, the couple and a doctor say, unable to bear children. Yang and Jin have made the rounds of government offices pleading for restitution—to no avail.

This year, they took the unusual step of suing the family planning agency. The judges ruled against them, saying Yang and Jin conceived out of wedlock. Local family planning officials said Jin consented to the abortion. The couple's appeal to a higher court is pending.

The one-child policy applies to most families in this nation of 1.3 billion people, and communist officials, often under pressure to meet birth quotas set by the government, can be coldly intolerant of violators.

But in the new China, economically powerful and more open to outside influences, ordinary citizens such as Yang and Jin increasingly are speaking out. Aiding them are social campaigners and lawyers who have documented cases of forced abortions in the seventh, eighth or ninth month.

Chen Guangcheng, a self-taught lawyer, prepared a lawsuit cataloguing 20 cases of forced abortions and sterilizations in rural parts of Shandong province in 2005, allegedly carried out because local officials had failed to reach population control targets.

Chen, who is blind, is serving a prison sentence of three years and four months which his supporters say was meted out in retaliation for his activism.

Many countries ban abortion after 12 or sometimes 24 weeks of pregnancy unless the mother's life is at risk. While China outlaws forced abortions, its laws do not expressly prohibit or even define late-term termination.

A FAMILY UNPLANNED

Jin, an 18-year-old high school dropout from a broken home, met 30-year-old Yang, a building materials supplier, in September 1998. They moved in together. A year and a half later, in January or February 2000, they discovered Jin was pregnant but couldn't get married right away because she had not reached 20, the marriage age.

After her birthday in April, Jin bought porcelain cups for the wedding and posed for studio photos. On May 5, they were married.

Now all that was missing was the piece of paper allowing them to have a child. So about a month before Jin's due date, her husband Yang set out to curry favor with Di Wenjun, head of the neighborhood family planning office in Anshan, the couple's home town about 190 miles east of Beijing.

He faced a fine of $660 to $1,330 for not having gotten a family planning permit in advance, so he treated Di to the Peking duck lunch on Aug. 15, 2000, hoping to escape with a lower fine since this was his first child.

The next day he paid for another meal with Di and the village's Communist Party secretary and accountant.

He said the mood was cordial and that the officials toasted him for finding a young wife and starting a family.

''They told me 'We'll talk to our superiors. We'll do our best. Wait for our news.' So I was put at ease,'' Yang said.

But three weeks later, on Sept. 7, when Yang was away opening a new building supplies store, Jin was taken from her mother-in-law's home and forced into having the abortion.

Why had the officials failed to make good on their assurances? One of Yang's two lawyers, Wang Chen, says he believes it was because no bribe was paid.

''Dinner is not enough,'' Wang said. ''Nothing gets done without a bribe. This is the situation in China. Yang was too naive.''

Di, who has since been promoted to head of family planning for all of Anshan township, could not be reached. Officials who answered his office phone refused to take a message and gave a cell phone number for him that was out of service.

LATE-TERM PROCEDURES DECLINE

Zhai Zhenwu, a sociology professor at the People's University Institute of Demographic Studies in Beijing, said that while forced, late-term abortions do still occur sporadically, they have fallen sharply.

In the late '80s and early '90s, he said, some family planning officials ''were really radical and would do very inappropriate things like take your house, levy huge fines, force you into procedures.''

Things have improved since a propaganda campaign in 1993 to make enforcement more humane and the enactment of the family planning law in 2001, he said. Controls have been relaxed, allowing couples in many rural areas to have two children under certain conditions.

Still, Radio Free Asia reported this year that dozens of women in Baise, a small city in the southern province of Guangxi, were forced to have abortions because local officials failed to meet their population targets.

In the province's Bobai county, thousands of farmers rioted in May after family planners levied huge fines against people with too many children. Those who didn't pay were told their homes would be demolished and their belongings seized.

Yang and Jin are suing the Family Planning Bureau in their county of Changli for $38,000 in medical expenses and $130,000 for psychological distress.

But it's not about the money, said Yang, a fast-talking chain-smoker. No longer able to afford to run his business, he now works as a day laborer in Qian'an, an iron mining town east of Beijing.

''What I want is my child and I want the court to acknowledge our suffering,'' he said.

A family planning official in Changli justified Jin's abortion on the grounds she lacked a birth permit. The woman, who would only give her surname, Fu, said no one in the clinic was punished for performing the procedure.

CONTRADICTORY EVIDENCE

The National Population and Family Planning Commission, the agency overseeing the one-child policy, says it is looking into Jin and Yang's case. Meanwhile, the evidence appears contradictory.

Jin's medical records include a doctor's certificate from 2001, the year after the abortion, confirming she could not have children. Doctors in Changli county say they examined her in 2001 and 2002 and found nothing wrong with her.

The court ruling says Jin agreed to have the operation. Jin says the signature on the consent form is not hers but that of Di, the official her husband courted.

Sun Maohang, another of the Yangs' lawyers, doubts the court will rule for the couple lest it encourage further lawsuits. But he hopes the case will stir debate and lead to clearer guidelines on abortion.

As she waits for the next round in court, Jin says she is too weak to work and has been celibate for years because sex is too painful.

Her husband prods her to tell her story, but during an interview she sits silent for a long time and finally says she doesn't want to talk about the past because it's too sad.

Then she quietly insists the lawsuit is something she has to do for Yang Ying, the baby girl she carried but never got to see or hold.

Mr. BROWNBACK. Madam President, several years ago, when I was chairing the South Asia Subcommittee of the Foreign Relations Committee, we held a hearing on a lady who went undercover in China and filmed and interviewed a number of women who had been forced into abortions. She talked about the brutality. She brought the interviews forward. This continues to go on to today.

There is no reason that we as an American Government should be associated with it. Period. The Mexico City language has been a longstanding policy of the United States. It makes sense. It is something we should continue. It is gutted in the bill.

I want to make another point on this issue. If this language remains in the bill, if the Mexico City language is not put back in the bill, or if the current language remains in the bill and it goes to the President, it will be vetoed. The President has issued a very clear statement to the Congress to maintain the language of Mexico City and Kemp-Kasten, saying very clearly, if this is in the bill, the bill will be vetoed.

I don't know why we would want to overturn a policy that has been in place for a number of years, a policy that makes common sense, to get a veto on a very important Foreign Operations bill.

I thank my colleague from Vermont who chairs the committee and my colleague from New Hampshire who is the ranking member for many good provisions in this Foreign Operations bill. I know my colleague from Vermont has a heart for foreign operations issues, for taking care of people overseas and domestically, to do whatever he can in situations that are difficult, that are dire. We have talked about it many times. I am very appreciative of his efforts in this field. This is not the way to go. This is something that will divide us. This is something that is harmful. It is something that will be vetoed. It is something that will bring this bill back in front of us. I believe we will have the votes to sustain the President's veto. We should not go this route on this particular bill.

Mr. GREGG. Madam President, will the Senator from Kansas yield for a question?

Mr. BROWNBACK. Yes, I will.

Mr. GREGG. I see the Senator from California is in the Chamber. I was wondering if we could enter a game plan. I understand the Senator from Kansas has two amendments, one dealing with the Mexico City language and one dealing with Kemp-Kasten.

Mr. BROWNBACK. Yes.

Mr. GREGG. The Senator from California has an amendment that deals with the language in this bill also in that general area. I was wondering if we can work out an agreement where the Senator from Kansas can have the time he has already taken, plus an additional 30 minutes on his two amendments, and the Senator from California can have 30 minutes on her amendment, and then maybe we can vote on all these amendments.

Mr. BROWNBACK. I would be agreeable to that request.

Mr. GREGG. Madam President, I ask unanimous consent that the Senator from Kansas have 30 minutes and be allowed to offer his two amendments without second-degree amendments, and the Senator from California then follow with 30 minutes and be allowed to offer her amendment without second-degree amendments, and those three amendments be voted on at the conclusion of that time.

Mrs. BOXER. Reserving the right to object.

Mr. LEAHY. I am not sure I understand. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Kansas has the floor.

Mr. LEAHY. Will the Senator from Kansas suggest the absence of a quorum without yielding the floor?

Mr. BROWNBACK. Without yielding the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator will be recognized.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Madam President, I understand the Senator from Kansas has the floor, and I ask if he will yield to me to propose a unanimous consent request.

Mr. BROWNBACK. I yield to the Senator from Vermont.

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

Mr. LEAHY. Madam President, I propose, similar to what the Senator from New Hampshire said, that the Senator from Kansas has the time he already used, plus 30 minutes, during which he will have offered and spoken on or yielded to others to speak on his two amendments, and then the Senator from California have up to 30 minutes, either to speak or to yield to others and to offer her amendment. Then the amendments be set aside to be voted on prior to final passage at a time to be determined by the two managers.

Mr. GREGG. And in an order to be determined.

Mr. LEAHY. And in an order to be determined by the two managers?

Mr. BROWNBACK. Reserving the right to object, I want to make sure I understand the point. We will have votes on all three amendments. I am assuming that the Senator from California——

Mr. LEAHY. The Senator is right, there will have to be votes on these amendments prior to final passage.

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

The Senator from Kansas.

Mr. GREGG. Madam President, I ask that the Senator from Kansas yield for an additional unanimous consent.

Mr. BROWNBACK. I will be happy to yield.

Mr. GREGG. Madam President, I ask unanimous consent that no second-degree amendments be in order to the amendments proposed.

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

Mr. BROWNBACK. Madam President, I thank my colleagues from Vermont and New Hampshire for getting this play set. These are well-known policy issues. They have been debated a long time in this country. My guess is that most people in this body know where they stand on these particular issues. A lengthy debate is not necessary.

What I want to do is clarify what we are talking about, No. 1, and No. 2, factually these conditions continue to exist in the world and this is not something that is an old policy and not needed any longer.

I ask unanimous consent to add Senator CORKER as a cosponsor to my amendment No. 2708.

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

Mr. BROWNBACK. Madam President, I thank my colleagues for working on this issue. It is a gut-check issue about where you stand on life, where you stand on the U.S. role around the world, where you stand on whether we should be using taxpayers' funds for abortion, where you stand on whether we should be using taxpayers' dollars to promote abortion overseas. I think those are important and key issues. They are issues on which people know where they stand, and I hope we will be able to have a positive vote on all of these amendments.

I also say to my colleagues that if these particular provisions as currently exist in the bill, as I already stated, pass through this body and are in the ultimate bill, I believe the bill will be vetoed and we will be right back talking about this bill which has a number of very good provisions in it on foreign affairs, foreign operations that are very important, but this is certainly going to hold it up.

Continuing my comments, as we all know, many Americans are deeply opposed to abortion. If you poll the issue of taxpayer funding of abortion, a solid majority of Americans is opposed to taxpayer funding of abortion. They do not want a part of it. They may say: I am okay with a woman's right to choose, but I don't want us to pay for that. I don't see why the taxpayers should be paying for it, let alone abortions overseas. Many who support abortion question whether it should be used for family planning purposes, which these funds are designated to be used for. We should not force American taxpayers to subsidize organizations that perform or actively promote abortion. That is a position—if you polled that—that would be supported by 75 percent of the American public, probably. I don't have actual poll data on it, but people don't support doing this, and there is no reason we should do it.

If anything, they would like to see us cut foreign operations and foreign aid budgets, and here would be a prime spot. They would be happy to see this cut taking place, and it would support their view of the role of the United States in the world and the moral authority with which the United States leads.

These are very difficult moral issues, and then we go and insert ourselves in a moral debate overseas—a moral debate about which we are very divided here—and it doubles the negative view of the United States meddling in a country's domestic issues and one of such key significance as life, human life; that we would meddle with U.S. taxpayer dollars.

I would like to argue a few other points. First, some will argue incorrectly that Federal tax dollars would not have to be used for actual abortions but could still be used to support the organization's other activities. This is something you will hear a lot about: We are not actually funding abortion, we are funding an organization that happens to be associated with abortion, but it is not for abortions. Well, I think most people see through that figleaf. It fails to properly understand the fungibility of money.

If I represent an organization, and I have money in this pocket and money in this pocket, but the budget all flows together—it supports staff, it supports overhead—it is used to support the full organization, and that is U.S. taxpayer money. Again, we are talking about overseas. It is used to support that organization. Sure, they will show us that, yes, in our bookkeeping and recordkeeping we don't support abortions with U.S. taxpayer money, but it does support the overall organization, and the image of that organization overseas is they support abortion. So you are funding abortion, even if the actual dollars themselves don't go for abortion. People get it.

I don't think we should fall for the figleaf they are going to keep a separate set of books. It is one organization, and the money goes to support one organization that has one policy, and that policy is to support and promote abortion overseas. The organization receives funds, and they can simply reallocate private funds or other sources of financial support away from their nonabortion-related activities into their abortion activities. It frees up other money they have that they can get from us and then use the money they have from private sources to fund abortions. So we are still helping out with abortions.

Second, the Mexico City policy also prohibits organizations that actively promote abortion from receiving funds. This means our Federal tax dollars should not be used to support the lobbying efforts of pro-abortion organizations that are attempting to change the abortion laws in other countries. These are groups that are trying to push pro-abortion laws, pro-choice laws

in many other countries. Why should we be involved in lobbying efforts in other countries on a controversial topic such as abortion? That makes no sense whether you are pro-life or pro-abortion as to why we should do that.

These are basic considerations I believe we should take into account with the amendment I have offered today to strike the language in this bill which guts the Mexico City policy. The current bill language guts the Mexico City policy. In effect, my amendment would ensure the Mexico City policy stands as is. It would stand.

I wish to recognize, too, that my colleagues, particularly the Senator from California, she and I have had various debates about this. I certainly don't question her ability. I don't question her heart. We view this differently. I don't think we should be anywhere near policies that promote abortion overseas. I see no reason the United States should be involved in policies that promote abortion overseas or the support of organizations that promote abortions overseas. My colleague from California looks at this differently. I respect her and her opinion on this.

I would hope our colleagues would look at this and simply ask—particularly those who are voting on this for the first time—is this something they want the United States to be associated with. A lot of people get mad at the United States for pushing its weight around overseas. A number of people get in our face and mad at the United States for pushing cultural changes overseas. I would think most of my colleagues would be very sensitive to our pushing cultural changes overseas, saying: OK, we have policies about democracy, we have thoughts on that; and people should be allowed to govern themselves. We don't necessarily want to push our views on major moral issues around the world today. Yet here is one of a most offensive nature to many Americans, to many people overseas, and the United States is funding it.

Why not take the money and use it to do water well promotion or provide AIDS drugs to help people to be able to live or malaria or tuberculosis, where there is no controversy associated with that. In those situations, people would applaud us helping them out with a problem they have, instead of getting involved in a very divisive moral issue in their country as well as ours. This doesn't make sense that we would do this.

AMENDMENT NO. 2707

Madam President, in the order of agreement, I would like to call up now the second amendment that I would propose, and I ask unanimous consent that the current one be set aside and the second amendment be called up.

I do not have a number. It deals with the Kemp-Kasten language.

The PRESIDING OFFICER. Without objection, the current amendment is set aside. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK] proposes an amendment numbered 2707.

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

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

The amendment is as follows:

(Purpose: To prohibit funding of organizations that support coercive abortion)

On page 240, beginning on line 4, strike "*Provided*" and all that follows through "sterilization:" on line 9 and insert "*Provided further*, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President, supports, or participates in the management of, a program of coercive abortion or involuntary sterilization:".

Mr. BROWNBACK. Madam President, this is a provision similar to the last one, as far as the issue. It is more specific. It has been the policy of the United States since 1985, and consistently been the policy of the United States through Republican and Democratic Congresses, through Republican and Democratic administrations. It is commonly referred to as the Kemp-Kasten legislation. It would require the reinsertion of what is known as the Kemp-Kasten law into this legislation. This law helps to ensure that American taxpayers do not subsidize groups and organizations with ties to coercive abortions and forced sterilizations. So this is a narrower subset of the past amendment, the last amendment that I put forward. I would like to read it to my colleagues. It is a short amendment. It is well-known language. I would hope it would get near unanimous support in this body. We would put this language in the bill:

That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President, supports, or participates in the management of, a program of coercive abortion or involuntary sterilization.

Coerced abortion. Involuntary sterilization. It says you cannot support groups or organizations that participate in each of those. Now, I don't know of anybody in the Congress who I have ever run into at all that supports coerced abortion or involuntary sterilization.

We have seen involuntary sterilization at times in the past in this country, and it was a bad, dark chapter. This is not something we want to be a part of. What we are saying is you cannot support any organization overseas that is involved in involuntary sterilizations or coerced abortions, commonly referred to, as I said, as the Kemp-Kasten legislation. This has been the law on the books for 20 years, and I think my colleagues can see why.

This is something people don't support. It has been in place since 1985 through Republican-led Congresses and Democratically led Congresses, Republican administrations and Democratic administrations. However, year after year the language has been watered down in the Foreign Operations appropriation bill and essentially gutted. That is why in this amendment my colleagues will support it. This is language we would reinsert into this bill.

This commonsense provision prohibits funding of these organizations. One important effect of this law has been to prohibit taxpayer funding of the United Nations Population Fund. That is what this narrow piece of the debate will be about, because of that agency's support for and participation in the management of the population control program of the People's Republic of China. This program relies heavily on Government-coerced abortions.

This gets a bit personal with me. One of our children is adopted from China. I think often of the woman who had our child, Jenna; that somehow she fought through a system that would have paid for, in places and cases, a coerced abortion. But she fought through this system to have the child who is my daughter, who is 9 years old, and who won her third grade spelling bee contest. She is, I think, a beautiful gift to society. A beautiful gift to the world. Why would we want to be anywhere closely associated with any government or organization that would have forced people, such as my daughter's mother, to have an abortion? I don't know why anybody would want to be associated with that or come anywhere close to that.

I read to my colleagues, and we inserted in the RECORD an AP story about this still going on today. This is not an isolated incident. This happens in many places. We have held Senate hearings with people where the local population control officials in China are very aggressive on pushing a one-child policy, and that you have to get a license for that child. Many women will flee a local community when they are pregnant in order to have their child somewhere else. My daughter was left on the doorsteps of an orphanage by somebody who fought through that system. Maybe she was from a community that was some ways away, but somehow she fought through to have this child. Why would we want to be anywhere close to something like that?

The Appropriations Committee-approved bill has inappropriately removed the Kemp-Kasten provision by changing the language in important ways. It requires evidence that the UNFPA directly supports coercive abortion. We, as a civilized society, should reject the brutal practice of forced abortion, whether it is promoted directly or indirectly. If you have local population planning authorities in China who are indirectly supporting coercive abortion, do we want to be anywhere closely associated with that? I don't think so. The bill removes the language giving the President the explicit authority to invoke the provision.

We ought to allow the President to enforce this provision, as it is essential, I believe, to a civilized society. A civilized society doesn't do forced abortions, coercive abortions or involuntary sterilization. The Brownback amendment would restore the Kemp-Kasten language that has been the law for over 20 years.

While we have had a rigorous debate in this country about abortion, we have come to some fundamental agreements, I believe. One of those agreements is we should not use tax dollars to fund coercive abortion. It is a brutal practice and it should be stopped. We should not use this as an occasion for partisan politics. Whatever your thoughts on abortion, we should be able to agree that forced abortion goes too far. It is not worthy of the America we all know is possible. I envision an America where the strong protect the weak.

We ought to value each life and every life, everywhere and without exception. That is why I talk often about being pro-life and whole-life. I believe the life in the womb is sacred. I believe the life of a child in Darfur is sacred and a child in China. It is a hopeful message and a unifying message and it is one that should apply in this bill on this language.

I urge my colleagues to support the Brownback amendment to prohibit funding for forced abortions and return to the sensible policy of the past 20 years and to advance a culture of life; to not get involved in other countries' internal debates on abortion, particularly ones involving forced abortions and sterilizations.

I yield the floor, I reserve the remainder of my time, 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. 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, can you tell me what the order is, please.

The PRESIDING OFFICER. The Senator from California has 30 minutes. The Senator from Kansas has 13 minutes 7 seconds remaining.

Mrs. BOXER. Madam President, will you let me know when I have used 20 minutes of time?

The PRESIDING OFFICER. The Chair will do so.

AMENDMENT NO. 2719

Mrs. BOXER. Madam President, I call up amendment No. 2719, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself and Ms. SNOWE, Ms. COLLINS, Mrs. CLINTON, Ms. CANTWELL, Mr. MENENDEZ, Mr. DODD, Mr. LAUTENBERG, Mrs. FEINSTEIN, Mr. FEINGOLD, and Mrs. MURRAY, proposes an amendment numbered 2719.

Mrs. BOXER. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961)

On page 410, between lines 15 and 16, insert the following:

REMOVAL OF CERTAIN RESTRICTIVE ELIGIBILITY REQUIREMENTS APPLICABLE TO FOREIGN NONGOVERNMENTAL ORGANIZATIONS

SEC. 699B. Notwithstanding any other provision of law, regulation, or policy, in determining eligibility for assistance authorized under part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), foreign nongovernmental organizations shall not be ineligible for such assistance solely on the basis of health or medical services, including counseling and referral services, provided by such organizations with non-United States Government funds if such services do not violate the laws of the country in which they are being provided and would not violate United States Federal law if provided in the United States, and shall not be subject to requirements relating to the use of non-United States Government funds for advocacy and lobbying activities other than those that apply to United States nongovernmental organizations receiving assistance under part I of such Act.

Mrs. BOXER. Madam President, I rise today with my colleague, Senator OLYMPIA SNOWE, to offer a very important amendment that could significantly enhance the health and well-being of millions of women around the globe. This amendment would overturn the so-called Mexico City policy, also known as the global gag rule, which undermines a number of key principles and goals on which our country is based.

As many of you know, this policy was put in place at a conference in Mexico City in 1984. When we learned what it really did, we dubbed it the ''global gag rule.'' As many of my colleagues know, the policy literally gags foreign organizations that receive USAID family planning funds.

Let me be clear about this issue. Under the gag rule, international family planning organizations that provide perfectly legal family planning services with their own funds in the countries in which they operate are prohibited from receiving U.S. assistance if they provide legal abortion services and those services include counseling or referral services, or they also do not get the funds if they publicly support the right to comprehensive reproductive health care.

Let me bring this home to you. I know you are a mom of a young child. If a mom walks into one of these family planning clinics that receives USAID funds with her 11-year-old daughter who has been raped and wants to be counseled as to what the options are or wants to be told where she can take that child, this organization will lose all their USAID funds if they help that mom and that traumatized daughter. Is this America? We are talking about punishing family planning clinics all over the world if they use their own funds for perfectly legal activities to help families.

I will give you a clear example. Until 2004, abortion in Ethiopia was illegal unless the life of the mother was at stake, and complications from unsafe procedures were the second leading cause of death among hospitalized women. The Government decided to have a national debate about how to fix this problem which was taking a terrible toll on Ethiopian women. That is right, the Ethiopian Government said: Let's talk about what is right for our people, what is right for our customs, what is right for our way of life, and how can we save women's lives.

In order to weigh in on this debate, the two largest family planning organizations in Ethiopia actually had to give up their U.S. funding. That is why we call it a gag rule. The organizations were gagged from expressing themselves. They could not engage in the debate for fear of losing their funds. So the two largest family planning organizations in Ethiopia decided they would give up their U.S. assistance in order to spare women's lives. Imagine, as a result of this misguided policy, U.S. misguided policy, the two largest family planning organizations in Ethiopia lost U.S. funds simply because they wanted to weigh in on a debate about reproductive health care.

One of the things about President Bush that we all love is when he speaks about democracy and how democracy should be the centerpiece of our foreign policy. I ask you, what is democratic about gagging people? What is democratic about saying you have no right to free speech unless you agree with me? Then, if you agree with me, I support your right to speak. That is what the global gag rule is. Free speech is only allowed, under this administration, when that speech agrees with them. What is happening as a result? Women are dying and there are unnecessary abortions. This is a terrible result of this policy. Basically, we say to people who are doing hard work to help their people: If you don't agree with us, gag it. If you don't gag it, you are not going to get funds. This feeds into the stereotype of America that is around the world today. Most foreigners do not like us very much these days. They look at this administration, and they say that our strategy is: Do as we say; don't do as you choose.

I always thought that a legitimate democracy had the right to self-determination, that they were not punished if they said what they thought. We are not talking about spending a penny of U.S. money for abortions abroad. That has been illegal since 1976. We are not talking about using one cent of U.S. money to pay for lobbying for abortions. That also has been illegal all those years. We are talking, again,

about gagging family planning organizations that use their own money, in a legal way in the country in which they are present, to help women who desperately need help, to help children who are raped, to help children who are victims of incest.

In both 2003 and 2005, this Senate debated this exact amendment, and it passed with bipartisan support on both occasions. Why am I back? Because, sadly, the Senate never took final action on those bills, so we need to go back again and back again and back again until there is a clear decision on this issue. That clear decision is America, the greatest democracy in the world, is not going to tell other countries they have to see everything the way a particular administration sees it. They should have the right to make their own decisions. As a country that believes in democracy, free speech, and improving the health and well-being of people all over the world, it is time for us once and for all to do away with this harsh and cruel policy. The health and lives of millions of women depend on it, and that is why repealing this global gag rule is so important.

This is not a small matter; this is a large matter. In the bill currently on the floor of the Senate and in the House bill, some steps have been taken to ease the burden of the global gag rule. However, it really does not go the distance. The bill before us today tries to address it by allowing contraceptives to be provided by the United States to international family planning organizations that would otherwise be ineligible. But at the end of the day, these organizations are still gagged, they still can't lobby for changes in the law in the countries in which they work. They still cannot even refer someone for an abortion.

Again, I take the case of the mother who walks into one of these clinics with a child who is the victim of rape or incest and the mother is desperate: Where can I take my child? Please tell me.

We can't tell you because if we tell you, we are going to lose our funding.

Meanwhile, the child is losing time here in a battle to save her health. That is shameful. That is not something to be proud of.

Let's face it, these organizations need the funding and they need the freedom to exercise the most basic rights of humankind: the rights to free speech and expression to try to change policies they think are fundamentally wrong. In truth, we need family planning clinics to have open doors, not just to provide contraceptive services—which are so important—but to attend to all the aspects of reproductive health care.

Let me tell why I get so emotional about this issue. Approximately 500,000 women die from pregnancy, childbirth, and postpartum complications every year—500,000. Think of your largest cities—500,000 women a year, 1 woman every single minute. This includes deaths from a horrific condition known as obstetric fistula, which occurs when women's bodies are too young or underdeveloped to give birth. In Ethiopia, this problem is particularly prevalent, where child marriage rates are extremely high and some girls actually get married at 7, 8, and 9 years of age.

The fact that we as a country would do anything to harm access to comprehensive family planning is shameful. This is the 21st century. Even if you would never, ever want a member of your family to have an abortion, even if you would want a member of your family never to know that it even exists as an option, put aside your own feelings and allow other people to make their choice.

Let me give a specific example of what happens when international family planning organizations are barred from speaking out against injustice in the countries in which they operate. I will tell you a story I have told on the floor before, a story that a nongovernmental organization leader from Nepal told us at a hearing I chaired in the Foreign Relations Committee in 2001.

Like so many nonprofits, this NGO was forced to make an impossible decision when faced with the unjust imprisonment of a 13-year-old girl named Min Min. What did Min Min do? A 13-year-old girl—why was she in prison? Because she was raped by her uncle. A relative took her for an abortion, and instead of going after the uncle, they put her in jail; a 13-year-old girl, sentenced to 20 years in jail. But because of this outrageous gag rule, the organizations that operated inside Nepal were faced with a horrific choice: They would either lose their funding or they would keep their mouths shut and not try to free Min Min and change the laws. Do you know what they did? They gave up the money and they struggled, but they did the right thing, because Min Min was raped by a relative, she became pregnant, her family forced her to have an illegal abortion, and therefore she was sentenced to 20 years in prison. Imagine—a 13-year-old girl sent to jail for 20 years for the crime of being raped by an uncle.

Is that the kind of country we are, that we would tie the hands of an organization that wants to help that child and tell them: If you try to help that child and change the laws here, you lose your American funding. Doesn't that make us proud as Americans? No, it doesn't. It certainly doesn't make me proud. I hope it doesn't make anyone proud who would vote on this important amendment later on today.

I praise that nongovernmental organization, that health care agency for saying: You know what, it is not worth the money; it is not worth the money. These countries have people in them who struggle for money. This child celebrated her 14th birthday in prison, her 15th birthday in prison, but because that health care organization, that NGO, was able to change the laws, Min Min was set free. That organization lost $100,000 in funding because they saved a child, and they had to let 60 staff members go. That meant stopping a program that reached more than 50,000 people in remote communities.

What are we doing? What are we about? Are we about helping families? Oh, we hear it all the time: family values. I have them. I want to help that mom who walks into a clinic with a pregnant 11-year-old girl who was raped. I don't want to punish the people who help her. I don't see how you stand for family values if you do that. It doesn't make sense.

What we are doing by keeping the gag rule in place is saying to clinics and doctors: You have to choose between helping the people in your country by speaking out, by offering them referrals and counseling, or American dollars. This is not a good policy for this country. This is a shameful policy for this country. I am very optimistic that, again, we will have a successful vote to overturn this global gag order.

President Bush says he will veto it. Let's have the debate. Let's have the debate because I think any moderate, sensible American will say this policy is misguided, and at the end of the day women and children are being hurt by it.

I reserve the remainder of my time. I would ask how much time I have remaining.

The PRESIDING OFFICER. The Senator has 13 minutes, 43 seconds.

Mrs. BOXER. Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWNBACK. 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. BROWNBACK. Madam President, in the time I have allotted, I would like to respond to some of the arguments put forward by my colleague from California, who is a tremendous advocate on the cause and the case. We certainly see it a different way, different light. There is a term that is starting to move around the world a fair amount today because they are seeing it in practice. The term is called gendercide. It is a product of family planning institutions in places, particularly, such as China and India. There are laws in India, particularly, that you cannot reveal the sex of a child in utero because so many of the female babies are being killed. Even then they are not working as laws. The people doing the sonograms will wink or nod to tell whether it is a girl or a boy child. And if it is a girl child, a lot of times the parents will go on and go forward with an abortion.

It has a result and effect that is taking place—normal balance ratios. You normally have a few more male children born than female children. In China your average now is 115 males

born per 100 females. In some areas in China the ratio is 120 to 130 males to 100 females in the country.

As I mentioned, my own experience with adopting a child from China, Jenna—Jenna, a joy in our household. And if you go into a Chinese orphanage, it is virtually all female children in a Chinese orphanage. There will be some male children. They are the ones who have some physical, sometimes mental difficulties, but otherwise it is all girls in the orphanage.

My colleague talks about that women are dying through these policies. Yes, they are dying through these policies. Female children around the world are being killed through these policies. Female babies are being left at orphanages or other places around the world because of these policies. I think that is a powerful indictment of a system that still forces abortions on people, still forces people to have forced sterilizations. I do not think we should be anywhere around these. That is why the second bill, on the Kemp-Kasten, I hope would pass the body nearly unanimously because it is about forced abortion and forced sterilization that is taking place.

My colleagues may say, well, I do not think it still goes on. I mentioned an article. I only read a piece of the quote in it, but I wanted to read further in it.

Radio Free Asia reported this year that dozens of women in a small city in a central province in China were forced to have abortions because local officials failed to meet their population targets.

From a report in Radio Free Asia:

> In one province thousands of farmers rioted in May after family planners levied huge fines against people with too many children. Those that didn't pay were told their homes would be demolished and their belongings seized.

This is in an AP article and reported by Radio Free Asia. In that second amendment I put forward, we are saying: We do not want any part of this. We do not want any part of an organization that does support this. We do not want to support a coercive family policy in China. We do not want to associate with any organization that does. I would hope all of my colleagues would say: I do not want to see or be a part of anything like that.

My colleague from California talks about us gagging other people. They are free, organizations in every country are free as they want to be to advocate any policy they want to. We just do not want to fund it. We do not need to fund it. If they want to advocate different abortion policies, that is fine. We do not have to pay for it, and we should not pay for it, on something that is so controversial here and there. These are policies that are controversial in other countries.

If we dispute over the money, let's use the money to fight malaria or AIDS or tuberculosis. We will all agree on doing that. We do not gag them. They can do whatever they want. People in those countries get it too. If the United States is funding them, we are funding that voice. We are associated with that voice. I agree there are terrible things that happen in various parts around the world. But these abortion policies are not something that we should be supporting or funding, with its controversy here and there.

There is a basic right around the world, a basic right that I think trumps all other rights. It is the right to life. It is the right to live. Why would we support policies, promote organizations that are promoting policies that are opposed to that very basic right? If you do not get that one, any of the others do not matter a whole lot, do they? If you do not get to live, if you continue to have the kind of gendercide and gender imbalances in various countries taking place, you are not going to have the voices there. You are not going to have the female voices that are there because they are being killed. This is happening in our world today. We do not need to do it.

There is a thought—it is a Proverb actually that says:

> There is a way that seems right to a man, but in the end it is death.

One can argue for the saying: Well, OK, this is right for us to do. We need to support family planning. I do not think so. I do not think that is the right way. There are ones who could look at this and say: This is about women's rights and we should use this for women's rights. I do not think you have to support abortion or abortion provider organizations to support women's rights. I think we can do that through other means.

But at the end of the day what this does, and what these policies do, is it ends in death. This ends in the death of a lot of children. The numbers are there, and they are huge. They are the ones we should not be associated with. So I would ask again, my colleagues, on Kemp-Kasten to support this language that we would not fund any organizations or support any groups that support forced abortion and involuntary sterilization. That one I do not think anybody should disagree with, and that we should reinsert the Mexico City language that we will not support organizations that directly or indirectly support abortion or lobby for abortion. These are matters that countries there should take care of. If these provisions remain in the bill, the bill is not going to become law, and it will be back to us.

Madam President, I reserve the remainder of my time, and I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I think this debate has been a good one, and Senator BROWNBACK and I are used to debating this issue. I think we lay out our case the best we can. But let me be clear. I deplore gendercide. I am the mother of a daughter. I would do anything to protect her. I deplore hurting girls. I deplore hurting women.

That is why it is so difficult for me to understand my friend's position on the Mexico City global gag rule policy. If he says he deplores hurting women, hurting children, hurting girls, then why would he support a policy that would punish a health care organization operating abroad from using its own funds to protect women, girls, children, families? Why would he support that?

He says: Oh, we are not gagging anybody. They can say anything they want. They just will not get our money. Well, this is America. We help people who are doing good things. That is the reason at one time we were beloved in the world. Is it not a good thing to help an organization that is using its own funds to help girls and women, to protect an 11-year-old who was raped to make sure she gets the health care she needs? Would not we want to think that American funding should help get contraceptives to families abroad? Should we help them if they have an unintended pregnancy or a rape or incest in their family?

That is why I do not understand how my friend's rhetoric matches his actions. I think it is cruel to continue the global gag rule. I think it is cruel to punish an organization that had to give up all of its money and all of its staff to go to work to change the law, to free a young girl who was raped by her uncle, and instead of the uncle going to jail, because of the laws in Nepal at that time, the child went to jail, and had her 14th and 15th birthday in jail and could have had 18 more years in jail had the organization not walked away from U.S. funding. How does that make you feel as an American? It makes me feel very sad.

Then my colleague says he agrees that women are dying from these policies. But he does not define what are ''these policies.'' Well, let me define these policies. Women are dying because of Mexico City language, because of the global gag rule known as Mexico City.

Let me read from the New Republic.

> The destructiveness of the gag rule is hard to overstate. The World Health Organization estimates that nearly 500,000 women in developing countries die each year from causes related to pregnancy and childbirth. Of those, roughly 70,000 die from back-alley abortions. And aid restrictions have hurt those groups best positioned to help. In Kenya, for example, two health organizations have had to shut down their clinics since 2001 after proving unable to abide by the gag rule and losing their USAID funding. Many of these clinics were the sole providers of health care for women and children in their respective regions, and most had offered post-abortion care—critical in a country where abortion is illegal, unsafe, and causes an estimated one-third of maternal deaths annually.

Imagine a clinic had to shut down its doors because America withheld its funding. They could not afford to keep it open. And women came crying into the front door there, bleeding from back-alley abortions. This is something my friend speaks about as being humane and kind and good.

Well, today the Senate has a chance to take a stand against the global gag order. The Senate has a chance to express itself in favor of the health of women, of girls. I am proud to be offering this amendment.

I ask unanimous consent to retain the remainder of my time, set aside the amendment, at which time we will have a vote on it at a later time.

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

Who yields time?

Mr. ENSIGN. Madam President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 2700.

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

Mr. ENSIGN. Madam President, before the clerk reports the amendment, I ask unanimous consent that I be recognized for 5 minutes to speak on the amendment, followed by—that my amendment be set aside and Senator LIEBERMAN be recognized for 5 minutes to call up an amendment.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. ENSIGN] proposes an amendment numbered 2700.

Mr. ENSIGN. 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 the provision in section 113 that increases the limit on the United States' share for United Nations peacekeeping operations during fiscal year 2008 from 25 percent to 27.1 percent so that the United States does not pay more than its fair share for United States peacekeeping)

On page 231, strike lines 1 through 7.

Mr. ENSIGN. Madam President, the history of our financial commitment to United Nations peacekeeping should be a cautionary tale. For instance, from 1988 to 1994, U.N. peacekeeping spiraled out of control as the number of operations more than tripled and costs soared from $268 million to $3.5 billion. Finally, in 1994, the Democratically controlled Congress and President Clinton enacted legislation unilaterally reducing the U.S. share of the U.N. peacekeeping budget from 31 percent to 25 percent. The annual U.S. peacekeeping bill fell from almost $1 billion to around $300 million back in 1997. With the historic Helms-Biden U.N. agreement, we managed to clear up our fair share of arrears in exchange for much needed reforms.

Congress later agreed to a glidepath in our peacekeeping assessment rate, still maintaining the 25-percent cap in law but permitting higher authorized levels as we worked to achieve that goal.

Last year the United States recognized our assessment at 25 percent; the same as the year before. Now in a Democratically controlled Congress, there is suddenly a push to roll back this achievement. It is estimated that for 2007, each percentage point over the cap costs U.S. taxpayers $50 million per year. There is no way the United States should pay a penny more than the 25-percent assessed contribution rate. Despite scandal after scandal, the U.N. has neglected to adopt any reforms that would address the abuse, misconduct, mismanagement, and corruption that have plagued its peacekeeping operations and the body as a whole. United Nations peacekeepers are reported to have committed such egregious crimes as the rape and forced prostitution of the women and young girls they are sent to protect, all under the protection of the blue helmet. Peacekeepers have also been accused of torturing and murdering prisoners in their efforts to smuggle gold and arms to the rebels they were charged with disarming. Tell me how these actions such as these are worth more money.

The United Nations cannot even spend the billions of dollars they receive now in a manner that is above reproach. According to the U.N. Office of Internal Oversight, from the audit of $1 billion in U.N. peacekeeping contracts over a 6-year period, $298 million was subject to waste, fraud, and abuse.

I rise in support of this amendment that would actually keep our assessment rate at the 25-percent rate instead of what is in the bill, raising it to 27.1 percent. I personally think we should decrease it even further, but the least we should do is keep it at the 25-percent rate.

I urge adoption of the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. ENSIGN. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

AMENDMENT NO. 2691

Mr. LIEBERMAN. Madam President, I call up amendment No. 2691.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN], for himself, Mr. BROWNBACK, Mr. KYL, Mr. GRAHAM, and Mr. COLEMAN, proposes an amendment numbered 2691.

Mr. LIEBERMAN. 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, of the amount appropriated or otherwise made available for the Economic Support Fund, $75,000,000 shall be made available for programs of the Bureau of Near Eastern Affairs of the Department of State to support democracy, the rule of law, and governance in Iran)

On page 410, between lines 15 and 16, insert the following:

SUPPORT FOR DEMOCRACY, THE RULE OF LAW, AND GOVERNANCE IN IRAN

SEC. 699B. Of the amount appropriated or otherwise made available by title III for other bilateral economic assistance under the heading ''ECONOMIC SUPPORT FUND'', $75,000,000 shall be made available for programs of the Bureau of Near Eastern Affairs of the Department of State to support democracy, the rule of law, and governance in Iran.

Mr. LIEBERMAN. Madam President, this is an amendment I am pleased to offer with Senators BROWNBACK and KYL. It would restore the $75 million requested by the administration to support programs of democracy, rule of law, and governance in Iran.

I ask unanimous consent that Senators COLEMAN and GRAHAM be added as original sponsors.

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

Mr. LIEBERMAN. No government today poses a greater threat to the United States, indeed, to the Middle East and probably to the world, than the Islamic Republic of Iran. We are all aware of the belligerent international behavior of the Iranian regime, its efforts to develop nuclear weapons, its use of Islamist terrorist groups such as Hamas, Hezbollah, and the Taliban, to undermine moderate governments across the Middle East, its designation by the United States State Department as the No. 1 state sponsor of terror and, of course, its escalating proxy war against American troops and Iraqi civilians and military in Iraq, where the Iranian Revolutionary Guard has been training, arming, equipping, and directing terrorists who are responsible in turn for the murder of hundreds of American soldiers and the murder of thousands of Iraqi civilians and soldiers.

What may, I fear, be less appreciated is that Iran's extremist terrorist behavior abroad is matched by equally extremist behavior at home. Just as the Iranian regime has been supporting the forces of repression and terror against the people of Lebanon, Palestine, Iraq, and Afghanistan, it is also escalating a campaign of repression and terror against its own citizens, the people of Iran. As the New York Times reported yesterday, the Iranian Government has in recent months ''arrested prominent intellectuals, suppressed the Iranian student movement, rolled back social freedoms, purged university faculties, [and] closed newspapers.''

This assault on Iranian civil society has been well documented by the most prominent international human rights nongovernmental organizations. Amnesty International, for instance, reports that ''in recent months, the Iranian authorities have been carrying out a widespread crackdown on civil society, targeting academics, women's rights activists, students, journalists and labor organizations.''

Dissidents and democrats in Iran today are under attack by their own Government. The question before this

Congress is whether we are going to stand with them in solidarity or whether we will turn away our heads. This amendment would provide $75 million in funds, the amount requested by the administration; in fact, announced by Secretary of State Rice. That announcement, I know from sources I have, was broadly heard and appreciated within the Iranian civil society dissident movement. The committee has recommended one-third of that amount of money. This $75 million would go to labor activists, women's groups, journalists, human rights advocates, and other members of Iranian civil society. It provides Congress an opportunity to demonstrate that even as we condemn the behavior of the Iranian regime, we stand with the Iranian people, a people with a proud history who truly are, in my opinion, yearning to be free. That freedom is suppressed by the fanatical regime that dominates their lives today.

The alternative path before Congress, if we don't adopt this amendment, would be to cut the administration's request by two-thirds. At that level of funding, existing programs will not only be unable to expand, they will actually be cut back. In other words, at just the moment when the Iranian Government is engaged in an unprecedented rollback of the human rights and political freedoms of the Iranian people, the American Government will be rolling back its own programs to help defend those rights and freedoms. Why would we do this?

The report language of the Appropriations subcommittee, I say respectfully, says that ''the Committee supports the goals of promoting democracy in Iran,'' but ''it is particularly concerned that grantees suspected of receiving U.S. assistance have been harassed and arrested by the Government of Iran for their pro-democracy activities.''

I ask unanimous consent to be given another 5 minutes.

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

Mr. LIEBERMAN. In other words, the argument against this amendment seems to be that we should give less to help dissidents in Iran because our help, in turn, may lead to their harassment by the totalitarian government in Tehran. I respectfully disagree with this logic. I know that we do not give less to democracy advocates in Myanmar or Zimbabwe or Belarus when they are being harassed by the regime, nor do we give less to freedom fighters behind the Iron Curtain in Poland, Czechoslovakia, and Hungary. On the contrary, it is precisely when dissidents are under attack that they need more help from the United States, not less. I am sure my colleagues would agree that if we give less money to these civil society human rights activists in Iran, the Iranian regime will not repress them any less. The repression probably, in fact, will be greater. As to the argument that those who accept this money—and I can say, speaking generally, that the money is given through third parties, international organizations, to the civil society human rights advocates in Iran—that somehow they will be harassed for receiving this money, I believe the just and right thing to do is leave that decision to those who are fighting for freedom in Iran, for us to be willing to help them if they want that help. The record is clear there.

Since the State Department began making these grants 8 months ago, 90 percent of the fiscal year 2006 funds have been obligated, with the remaining funds expected to be obligated by mid-September. Perhaps there are some Iranian groups that do not want our funding, but it is clear that many others do. The need is great. It is beyond the $75 million this amendment would provide. That choice should be theirs. Our moral responsibility is to make the money available to these courageous fighters for freedom in Iran, those who want not only more freedom but a better future for themselves and their children.

I want to close by saying that we know from history that dissidents can change history, because history is made not by abstract, inexorable forces but by individual human beings such as Vaclav Havel or Lech Walesa or Andrei Sakharov or Natan Sharansky. It was the bravery of these people that kindled our moral imagination to see the suffering of millions behind the Iron Curtain, and it was their leadership that inspired millions more to cast off their shackles and overthrow a cruel and dictatorial system of Communist government that many thought would endure forever. Like the Communist terrorists of eastern Europe, the leaders of the Islamic Republic of Iran repress their people because they are frightened of them. They know how powerful the dissidents and the democrats in their midst can become. These are the people to whom this money would go. That is the reason my colleagues and I have offered this amendment.

I ask all Members of the Senate to support it, and I thank the Chair.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. LIEBERMAN. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

VISIT TO THE SENATE BY PARLIAMENTARIANS FROM THE REPUBLIC OF SLOVENIA

Mr. HARKIN. Madam President, I take great pride now in asking unanimous consent that the Senate stand in recess for 2 minutes so we may greet five Parliamentarians from the Republic of Slovenia. I take great pride in this. As the occupant of the Chair knows, my mother came from the small village of Suha in Slovenia, was an immigrant to this country. I know the grandfather of the Senator from Minnesota also came from Slovenia. So for those of us with Slovenian roots, this is a proud moment. In its 16 years of independence, Slovenia has established a stable multiparty democracy, a free press, an independent judiciary, and an excellent human rights record. In 2004, Slovenia joined NATO and became a member of the European Union. In fact, in January of 2008, Slovenia will ascend to the presidency of the European Union.

So we are proud to have five members of the Slovenian Parliament here: Miro Petek, Marijan Pojbic, Jozef Horvat, Samo Bevk, and Marjan Drofenik.

RECESS

Mr. HARKIN. Madam President, I ask unanimous consent that the Senate stand in recess for 2 minutes to greet these fine Parliamentarians.

There being no objection, the Senate, at 4:45 p.m., recessed until 4:47 p.m., and reassembled when called to order by the Presiding Officer (Ms. KLOBUCHAR).

DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2008—Continued

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Madam President, I ask unanimous consent to speak on the Lieberman amendment for up to 7 minutes.

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

AMENDMENT NO. 2691

Mr. BROWNBACK. Madam President, this is the Lieberman-Brownback amendment; and several others are on the amendment as well. I have worked on this issue for some period of time. Over the past 4 years, we have been able to get some funding for democracy-building activity inside of Iran. It has been a difficult project. We have not been able to get much money secured, but it follows a long tradition of successful efforts at targeting regimes that do not support democracy, that undermine democracy, indeed, even support terrorism around the world, by building civil society organizations within that country.

It is very interesting to me you can get a message into Iran, and there is a good possibility, there is an excellent prospect of building civil society organizations inside Iran. You can look at some of the things that have taken place recently where there has been a bus driver strike and the possibility of a labor union movement forming there or even with some of the teacher strikes or some of the student strikes.

You are clearly seeing the people inside Iran are opposed to the regime. We

need to work, I believe, with them and with others to form civil society organizations inside Iran to go at the regime itself, and to undermine the regime itself, of saying: If you are not going to support our civil rights here, we are going to oppose you.

We saw some of these things taking place with some fruit of success inside the Ukraine, where you had a revolution that took place there, where you had a number of civil society organizations that had built up over a period of years, over time, so that when there was a movement of the people where they decided they didn't like that autocratic dictatorship, that autocratic rule that was taking place, there was an underlying group that said: Yes, here is where we should go as a group and as a society.

Plus, I think we have to recognize what Iran is. The Iranian Government is the lead sponsor of terrorism around the world. The Iranian people do not support the Government. They are in direct conflict with the United States now in their support and development and funding of troops, of people being trained in Iran or supplied in Iran to go into Iraq. We can oppose, exterior-wise, the Iranians. We can oppose the regime that way. But one of the key things we can also do is say, internally, there should be a development of a civil society within Iran, an internal support for people there.

The Iranian regime not only threatens us, they directly and violently threaten a key ally of ours in the region in Israel. In addition to the well-publicized extremist rhetoric from President Ahmadinejad, Iran directly funds groups such as Hezbollah and Hamas. Iran directly funds them, which are designed—these groups—to perpetuate violence and thwart efforts for Middle Eastern peace.

Their regime is engaged in a campaign against the United States interests in Iraq, as I have stated. Some in the United States would prefer to ignore Iran's threats to our operations or pretend they do not exist at all. It is increasingly clear Iran's leaders are deliberately and purposely targeting U.S. forces in Iraq. The Iranian regime does not want the United States to succeed in Iraq and is consistently resorting to violence to underscore that threat. I also note we are also learning of the regime's sponsorship of violence inside of Afghanistan as well.

In short, it is not enough to contemplate what might happen if the United States and Iran came to blows. Based on the actions of the regime in Tehran, Iran is already in conflict with the United States.

On our current course, the future is not bright. Iran is moving ever closer to a nuclear capability that will allow it to threaten the security of anyone who opposes its dreams of dominating the Middle East.

This amendment provides for the full $75 million for democracy programs. It would take the first step in this direction. We must call the regime to account for its flagrant human rights abuses committed against the Iranian people.

I have worked with a number of Iranian dissidents. I have done talk radio programs that have broadcast into Tehran.

The regime is brutal in opposing its own people. It is a huge sponsor of terrorism, the largest in the world. It is one we should oppose, and this is a key method that needs to be adequately funded—and I think hardly funded very much at $75 million. But if you cut that down to $30 million, you are below a target that probably even can be of much effect at all. We clearly need to do this.

Madam President, before I yield the floor, I want to add Senator COLLINS as a cosponsor to this amendment. I ask unanimous consent that Senator COLLINS be added as a cosponsor to this amendment.

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

Mr. BROWNBACK. Madam President, I ask unanimous consent that Senators MARTINEZ and VITTER be added as cosponsors to both of my amendments I previously spoke about, amendments Nos. 2707 and 2708, related to Mexico City policy and the Kemp-Kasten law.

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

Mr. BROWNBACK. Thank you very much, Madam President.

I yield the floor.

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

Mr. GREGG. Madam President, so we can get to the status of things, we now have approximately five amendments that have been offered that we know we are going to have to have votes on. There are a number of amendments which have been submitted, and we are waiting for Members to come down to present those amendments or, in the alternative, to tell us what they want to do with them.

We would like to wrap this bill up tonight, but it is going to be difficult unless we get Members to participate in this process by actually appearing on the floor and telling us how they want to deal with their amendments. However, as to these five amendments that have been offered, I hope we can go to a vote on them fairly soon and at least get the process started.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENTS NOS. 2704, 2705, 2706, AND 2716

Mr. COBURN. Madam President, I call up en bloc amendments Nos. 2704, 2705, 2706, and 2716.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes en bloc amendments numbered 2704, 2705, 2706, and 2716.

Mr. COBURN. Madam President, I ask unanimous consent that the reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 2704

(Purpose: To provide that none of the funds appropriated or otherwise made available by this Act for ''Contribution to the International Development Association'' may be made available for the World Bank for malaria control or prevention programs)

At the appropriate place, insert the following:

SEC. ____. None of the funds appropriated or otherwise made available by this Act for multilateral economic assistance under the heading ''CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION'' may be made available for the World Bank for malaria control or prevention programs.

AMENDMENT NO. 2705

(Purpose: To provide for the spending of $106,763,000 on programs that save children's lives, such as the President's Malaria Initiative, rather than lower priority programs, such as the Global Environment Facility, which produce few results and are managed by the United Nations Development Program, which utilizes corrupt procurement practices, operates contrary to United Nations rules, and retaliates against whistleblowers)

On page 410, between lines 15 and 16, insert the following:

SAVING CHILDREN'S LIVES

SEC. 699B. (a) The amount appropriated or otherwise made available by title III for bilateral economic assistance under the heading ''GLOBAL HEALTH PROGRAMS'' and available for child survival and maternal health is hereby increased by $76,763,000.

(b) The amount appropriated or otherwise made available by title III for bilateral economic assistance under the heading ''GLOBAL HEALTH PROGRAMS'' for other infectious diseases and available for the President's Malaria Initiative is hereby increased by $30,000,000.

(c) The amount appropriated or otherwise made available by title V under the heading ''GLOBAL ENVIRONMENT FACILITY'' is hereby reduced by $106,763,000.

AMENDMENT NO. 2706

(Purpose: To ensure full public transparency and fiscal accountability at the Global Fund to Fight HIV/AIDS, Tuberculosis and Malaria)

On page 311, strike lines 20 through 22 and insert the following:

(6) has adopted and is implementing a policy to publish on a publicly available web site all program reviews, program evaluations, internally and externally commissioned audits, and inspector general reports and findings, not later than 7 days after they are received by the Global Fund Secretariat, except that such information as determined necessary by the Inspector General to protect the identity of whistleblowers or other informants to investigations and reports of the Inspector General, or proprietary information, may be redacted from such documents; and

AMENDMENT NO. 2716

(Purpose: To provide for the spending of $106,763,000 on programs that save children's lives, such as the President's Malaria Initiative, rather than lower priority programs, such as the Global Environment Facility, which produce few results and are managed by the United Nations Development Program, which utilizes corrupt procurement practices, operates contrary to United Nations rules, and retaliates against whistleblowers)

On page 410, between lines 15 and 16, insert the following:

SAVING CHILDREN'S LIVES

SEC. 699B. (a) The amount appropriated or otherwise made available by title III for bilateral economic assistance under the heading ''GLOBAL HEALTH PROGRAMS'' and available for child survival and maternal health is hereby increased by $48,763,000.

(b) The amount appropriated or otherwise made available by title III for bilateral economic assistance under the heading ''GLOBAL HEALTH PROGRAMS'' for other infectious diseases and available for the President's Malaria Initiative is hereby increased by $30,000,000.

(c) The amount appropriated or otherwise made available by title V under the heading ''GLOBAL ENVIRONMENT FACILITY'' is hereby reduced by $106,763,000.

Mr. COBURN. Madam President, I have three amendments that I will discuss in a group, and I believe one of them will be accepted by the majority and ranking member, and that is an amendment creating transparency at the World Bank on the malaria program. I will spend a very short time talking about that.

What we know is we have seen in the last 2½ years a tremendous change—much of it thanks to the chairman of this committee in terms of transparency and in working with us on the malaria program—but we have seen a change from using the wrong medicines, the wrong techniques, and the wrong prevention techniques. We have 2 million people a year in Africa die from a preventable, curable, treatable disease.

Not long after I came to the Senate, myself along with NORM COLEMAN and other people who have done great work—and Senator BROWNBACK as well—on malaria, as well as the chairman, what we saw was an ineffective program. The President had a malaria initiative—PMI—and it was set out and peer-reviewed—scientific data to approach this disease from both prevention and treatment. What we saw at the World Bank was a failed $500 million program and an attempt at another program for which there is no transparency. But the reports from the scientific literature Lancet, the greatest medical periodical from the British, had a devastating article outlining the fact that the World Bank continues to use drugs that don't treat, drugs that have resistance, it does not do preventive indoor spraying, does not distribute on a free basis bed netting—the three significant, consistent ways in which we treat African malaria, as well as the way we treat it throughout the rest of the world.

So I want to thank them in advance for doing that. This simply says that the World Bank has to be transparent with what they are doing on malaria.

What we know is the World Health Organization has also changed significantly. We are going to see hundreds of millions of people's lives markedly changed through an appropriate drug treatment prevention strategy for malaria. Of those 2 million people who die every year, 500 million of them are 5 years of age and under—I mean 500,000. Five hundred thousand are pregnant women. There are another 500,000 children who are permanently brain damaged from malaria. If we are going to help in foreign aid, then it ought to be effective foreign aid. So I thank the chairman and ranking member for their consideration on that.

The next amendment I would like to bring up talks about having some transparency with the $5.3 billion we send to the United Nations every year. This body, as well as the House, unanimously passed transparency and accountability for our own Government and our own agencies. We are going to see this next January where everything in this country where the taxpayers' money is spent is going to be online and available for taxpayers, peer-reviewed looks, watchdog groups, as well as the press to see how we are spending money.

What this amendment does is it ensures that the U.S. contribution to the United Nations is not being wasted to fraud, which we have seen multiple times at the United Nations—waste, abuse, corruption, which we have seen and which has been documented—by maximizing the public transparency of all U.N. spending or our contribution thereof. This amendment says that the Secretary of State certify publicly that the United Nations is publicly transparent about its spending this year, before any of the money we are going to send to the United Nations next year is sent. The basic transparency required by this amendment would include a posting on a publicly available Web site of copies of all contracts, grants, program reviews, audits, budgets, and progress reports relating to fiscal year 2007.

There are a lot of reasons the U.N. should be accountable and transparent, the first of which—and I won't go into a lot of details—is the Oil for Food Program where $10 billion was mismanaged, stolen, and fraudulently used in a way that was totally unaccountable, to the detriment of the people of Iraq. As of this time, there have been eight guilty pleas, two guilty verdicts, two agreements of forfeiture judgments, and nine pending cases. There are also fugitives from the corruption of that.

The U.N. to this day refuses to fully and publicly release the Oil for Food Program's contracts and financial documents. Some people will say: Well, you can't force this on the U.N.

(Mrs. BOXER assumed the Chair.)

Mr. COBURN. There is not an accountability that we can require.

We are the largest contributor to the United Nations. We have a requirement and a responsibility to the people of this country to make sure that money is well spent. The easiest way to make sure money is well spent and properly spent is for it to be transparent and available to the people who are making these contributions.

The second reason we should be concerned about how the U.N. spends money is procurement fraud. Last year, former U.S. Ambassador to the U.N. John Bolton testified to the Federal Financial Management Subcommittee that of the $1 billion in U.N. peacekeeping contracts that were audited—they didn't audit all of them but just the first $1 billion that they audited—a third was found to be lost to waste and fraud and corruption. The U.N. refused to release this audit, even to Secretary Bolton, our representative at the U.N; however, he was able to secure a leaked copy of it. What that $1 billion represents in terms of waste, fraud, and abuse is our entire contribution to peacekeeping. For all the money we pay for worldwide peacekeeping through the U.N., what we can extrapolate from this audit is that our entire contribution was wasted.

There is an even more worrisome program at the U.N. called the United Nations Development Program. What we know over the last 10 years is that over $100 million has been funneled inappropriately, fraudulently, and without any oversight to North Korea for things which it should not have gone. Ten million dollars, at least, was transferred in cash directly to the leaders of the North Korean regime. We know some of that cash was used to purchase homes in Europe and Canada. The Chicago Tribune reported there was evidence that they deposited cash into the same account that North Korea used to buy ballistic missiles. The United Nations Development Program refuses to allow our own investigators from our own Government to audit and review its financial information. It refuses, despite the United States sitting on the UNDP Executive Board and being the largest contributor to the UNDP budget.

Basic transparency—the idea that we give money and they spend money to accomplish good in the world—can only be effective if we know where the money is spent and how it is spent. The idea to have the U.N. transparent will protect against future scandals.

One of the things that bothers me the most about this and our contribution is the fact that the U.N. refuses to be transparent with the money we give them. Every domestic agency, every government program in this country is required to provide this body detailed financial information, program reviews, audits, and budgets. According to OMB, we spend an excessive $5.3 billion of the taxpayers' money on the United Nations, but despite repeated

requests by Ambassador Bolton, by congressional committees, by oversight committees, by committees on investigation, the U.N. refuses to make available information as to how it spends its money, make its audits available, program reviews available, or any other financial data available to the Congress or the world at large or the public in this country.

The only way we have been able to find out what we have been able to find out is that documents have been leaked. This amendment matters. The reason it matters is that every dollar lost to U.N. corruption is one less dollar that can save the life of an African child, one more dollar that could efficiently prevent violence around the world. Just in what we know on UNDP waste and fraud last year, 20,000 lives could have been saved in Africa from HIV. Or take the country of Uganda, plagued by civil war, and epidemics, and other things; according to the World Bank, their whole GDP was less than what we have wasted.

Think about the impact we could have. Some will say the U.N. has a procurement Web site where information on all contracts that are granted is posted. They didn't have that until 2½ years ago when we started pushing. It only shows a very small percentage of moneys. It is not thorough or comprehensive. It is controlled by the U.N. Secretariat and not all the other agencies under the U.N. So we don't get a look at how our money is spent at the U.N.

This is an amendment that has real teeth. This says what is good for our country in terms of how we spend our money, making it publicly available and transparent to hold us accountable, ought to apply to the U.N.

Madam President, I will talk for a moment about amendment No. 2716. This is a straightforward amendment that moves money around in this appropriations bill. I think we can make a great case for why we ought to do it. What this amendment does is divide and take away money from the global environment facility, which is run by the World Bank but managed by the United Nations, which has been found to be totally failing in both what it is trying to accomplish and also measuring the results of what it accomplishes. We redirect that money into the President's malaria initiative—$30 million—to bring it up to what they requested. It is a highly successful program that is done right. It is one of our best foreign programs. It has metrics, measurements, accountability, and results-based, oriented goals that can be measured and quantified. It takes and puts the remainder of that money, $76.67 million, into other lifesaving programs in the child survival and maternal health programs, the global environment facilities in the World Bank, administered by the UNDP, for which grants and contracts are awarded for the purpose of addressing or preventing harm caused by manmade climate change.

The Office of Management and Budget has audited or looked at this, and there are no results they can demonstrate; there is no direction in terms of the grants or no evaluation of the grants. They said it is failing to prevent any environmental damage, based on what they have seen. It hasn't mitigated any that are already there. It agreed with the United States in 2002 to implement performance guidelines. It agreed to those. Yet it has done nothing in the last 5 years to meet the required agreement with our Government. It doesn't allocate its funds based on performance or environmental benefit. In other words, there is no relationship between getting the result and the money that was spent. It lacks any significant anticorruption guidelines. We know it is there as well. Yet they refuse to agree to these things our Government has asked for. It is another mismanaged program by the UNDP.

What does the effect of moving this money to other areas mean? What we know is that, with the President's malaria initiative, we are fast on our way to solving this dread disease in Africa, this preventable disease in Africa. We are gearing up the focus countries with a plan to expand that. By not funding this at the expected level, or the level that was requested, it means two or three more countries are not going to have the right drugs for malaria. They are not going to have the residual training. They are not going to have the trained staff with which to do that properly. We are not going to have long-term bed netting available for all these families, which is more important. Two million people in Africa are dying from malaria or an ineffective program that is not accomplishing its goals even though it has a great name?

This amendment simply moves the money around to a way in which we help children, help refugees, and we help fight the battle against malaria in Africa. I hoped the President's malaria initiative would have been fully funded. This will fund it and allow us to expand the most successful foreign aid program we have, in terms of fighting disease. I hope we have consideration of that amendment. I will ask for a vote if it is not going to be accepted by the chairman and ranking member.

Mr. LEAHY. Will the Senator yield?

Mr. COBURN. Yes.

Mr. LEAHY. Mr. President, I ask unanimous consent that at 5:45 p.m. today, whatever is pending be set aside and the Senate proceed to vote in relation to the following amendments in the order listed, with no second-degree amendments in order to the amendments prior to the vote; that prior to each vote there be 2 minutes of debate equally divided and controlled in the usual form; that after the first vote in sequence, the other votes, if they require a rollcall, be limited to 10 minutes each: the Ensign amendment No. 2700, Lieberman amendment No. 2691, Brownback amendment No. 2707, Boxer amendment No. 2719, and the Brownback amendment No. 2708.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I thank the Senator from Oklahoma, and I yield the floor.

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

Mr. COBURN. Mr. President, the next amendment I want to spend some time on has been in the news of late. The Global Fund initiative has been a very important tool in terms of fighting HIV, TB, and malaria, which are the three significant diseases around the world that are limiting progress, health, life, and sustainability for many people throughout the world.

What this amendment does is eliminate the secrecy of the operation of that group. I am not highly critical of discretionary spending to accomplish a goal, but I am highly critical of not having transparency on where money goes. We can do that in a way that protects whistleblowers and in a way that satisfies the American public that if we are going to send their money overseas, we know exactly what it is spent on and how it is spent.

This is a very simple amendment. It conditions 20 percent of our contributions to the Global Fund, which is significant, on certification by the Secretary of State that the Global Fund has made all the financial and programmatic documents available to the public on a Web site. That says if you are going to spend $100 million on a drug, put it on a Web site and say whether you competitively bid it, and here is what we paid for it. If you paid a consultant, say here is how much we paid them for it. It is the American taxpayers' money.

I think it is significant that the total amount of money contributed to date for the Global Fund, which I support, has been $2.9 billion. If we follow both what the committee or the Senate happened to do, we are going to have that above $6 billion at the end of next year; $6 billion is a significant amount of money. What the global fund says is they have an Inspector General and that we don't need this. The problem is that Inspector General reports are good only if the people who have decision-making capability on the funding get to see those reports. The board at the Global Fund doesn't even get to see the reports. As a matter of fact, the IG of the Global Fund recently retired over the controversy of his IG report that was very critical of the management of the Global Fund.

The answer to accountability is transparency in what we do. This is a straightforward amendment that conditions only 20 percent of the money—less than the increase of what we will be funding with the Global Fund—by saying you have to become transparent, you have to become accountable, and it has to be accessible. It is

simple. We will get better value for the dollars we contribute to the Global Fund if, in fact, we adopt this amendment.

The other thing that will happen is more people will have lifesaving treatments or preventive strategies applied to them if we have transparency and accountability.

All of the amendments we have talked about today are essentially about transparency. It is about if we are going to send American money into foreign places through independent agencies, separate from our own Government, we ought to know how that money is spent. It is straightforward. All of us would do the same thing as we give our money—we look at church budgets and we look at nonprofits' budgets when we contribute to them, and we find out how they are spending their money. We have independent reporting in this country on nonprofits on how they spend money and how much percentage on overhead and whether they waste money. So all these amendments are about accountability—accountability through transparency. I admit they have some teeth. But we are not going to be accountable for the American taxpayers' dollars unless we apply enough pressure to get transparency so we know where the American taxpayers' dollars are going.

I also want to submit for the Record a copy of a whistleblower conversation at UNDP, associated with one of the other amendments. I ask unanimous consent that it be printed in the RECORD.

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

To: Mr. Robert Benson, Chief, Ethics Office, United Nations.

From: Mr. Mathieu Credo Koumoin, Ph.D.

Re: request for ethics review of my dismissal through whistle blowing retaliation review and protection from retaliation.

Date: September 4, 2007.

I am a former UNDP staff member (dismissed as of December 31st, 2006) with a case pending before the Joint Appeals Board (JAB acceptance letter dated February 15th, 2007). Prior to my joining UNDP/GEF on a leave of absence from the African Development Bank where I served for 3 years as a Senior Public Utilities Economist, I was an Energy Economist with the World Bank in Washington, DC for 6 years. As of December 31st, 2007 when I was dismissed and including my academic/teaching and Research experience as a Mellon Research Fellow from the University of Pennsylvania, (Philadelphia, Pennsylvania, USA) I have 16 years of International Development experience from the World Bank, the AfDB and UNDP-GEF combined.

Following my initial success within UNDP-GEF and to avoid a perception of conflict of interest, I was encouraged by UNDP to resign my position with the AfDB in December 2005 only to be announced on March 23rd, 2006 that my contract would not be renewed when it expires in June 30th, 2006 on performance grounds. This, despite the fact that: (i) the performance review which had barely started was not complete; (ii) I received very satisfactory reviews on my performance at mid-term based on both the volume and the substantive quality of my projects (see attachment); (iii) was warmly congratulated by my line supervisor and even promised a promotion to D1 if the Program Executive Coordination would sign off (see attachment); (iv) received strong endorsement from GEFSEC Secretariat on all of my Project submissions to GEF Council which captured 85% of the entire Climate Change market niche in Sub-Saharan Africa; ahead of all other competing GEF Implementing Agencies; and (v) received a formal written promise of being kept on board by the Executive Coordinator around mid-term review prior to the strong procurement battles and pressures (see attachment).

The totality of the above set of circumstances led me to resign my position with the AfDB in December 2005 to ensure that my effectiveness within UNDP-GEF would not be undercut by the sizable co-financing expected from the AfDB; particularly as my line supervisor—subsequently—formally apologized to me for pressing me beyond the breaking point on the contract procurement and funds re-direction issues in November 2005.

I have attached to this request for review prima-facie evidence supporting that I was under tremendous pressure from my line Management to re-direct funds and carry out sole-source contracting to UNIDO (based in Vienna), and IEPF (Francophone Institute of Energy and Environment based in Quebec-Canada), and tried to bring these problems to the attention of higher officials (see attachment). It is important to note that, in my best professional judgment, the activities requested by my line Management violated basic rules of UN/UNDP procurement with respect to transparency, competition and accountability, as the African countries for which the funds were intended in the first place were being left in the dark, and the project documents approved by GEF Council were quite clear along with the initial project concept review sheet from GEFSEC which ruled that IEPF was not eligible to execute or implement the GEF African Microhydro Project on behalf of beneficiary African countries. As vividly illustrated in the enclosed annexes, my resistance to the above pressure is thoroughly documented along with my Supervisor's insistence and ultimate apologies (see attachment) only when he decided to fire me in retaliation for my stubborn rejection of a sole sourcing scheme to award IEPF together with UNIDO UNDP contracts from my Regional African Microhydro project. The sole sourcing scheme being forced upon me by my supervisors at the expense of Africa-based regional economic commissions as clearly stipulated in the GEF Council approved project documents was the only bone of contention with my Management. For my whistle blowing efforts and because I had the courage to bring these issues to the attention of the Administrator and other higher up officials, I was fired without due process and have been unable to find work; in part as a direct result of damaging references from UNDP and in part as a result of the on-going legal process.

On the basis of the above along with the pieces of evidence attached, in absence of an Ethics Office within the UNDP, and of a functional whistleblower policy as well as independent internal control and oversight mechanisms, I believe that I deserve to have my case reviewed by the United Nations Ethics Office, which is the only one mechanisms established and recognized by UN Member States, equipped to provide internal administrative review and protection from retaliation and I am so requesting.

I look forward to your kind attention and consideration. Should you require further information you can contact me directly or my legal counsel.

Mr. COBURN. This outlines the fact that in the Global Fund, UNDP has true corruption in terms of directing how the money is spent to their friends, not the people who can actually do the work or not those who are best suited for the work, but rather at the whim of a friend of somebody working at UNDP. It is very revealing.

What is even more revealing is that UNDP refused to accept a U.N. ethics office and so, therefore, the whistleblower at UNDP doesn't even have the protections of other people at the United Nations. So we have an individual who was doing a great job, but because he reported and refused to send money to somebody not capable of doing a job, not capable of performing with a good portion of our taxpayers' money, he gets fired. That is the kind of transparency we need to have at the UNDP and at the Global Fund.

It is my hope the Members of this body will seriously consider that we ought to be applying the same standards to where we send money outside of our Government that we are now applying to our Government. It is my hope that I will have the consideration of the ranking member and the chairman in supporting these amendments.

AMENDMENT NO. 2705 WITHDRAWN

AMENDMENT NO. 2773

I ask unanimous consent to withdraw amendment No. 2705 and call up amendment No. 2773. Amendment No. 2705 is one of the en bloc amendments and it is the wrong number. I wish to replace it with amendment No. 2773.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 2773.

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

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

The amendment is as follows:

(Purpose: To ensure that the United States contribution to the United Nations is not being lost to waste, fraud, abuse or corruption by maximizing the public transparency of all United Nations spending)

On page 410, between lines 15 and 16, insert the following:

TRANSPARENCY AND ACCOUNTABILITY OF THE UNITED NATIONS

SEC. 699B. (a) Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used by the Department of State as a contribution to the United Nations or any subsidiary body of the United Nations, including any organization that is authorized to use the United Nations logo, until the Secretary of State certifies that the United Nations, such subsidiary body of the United Nations, or such organization, as the case may be, is fully and publicly transparent about all of its spending, including for procurement purposes, that occurred during fiscal year 2007, including the posting on a publicly available web site of—

(1) copies of all contracts, grants, subcontracts, and subgrants awarded or utilized during fiscal year 2007;

(2) copies of all program reviews, audits, budgets, and project progress reports relating to fiscal year 2007; and

(3) any other financial information deemed necessary by the Secretary.

(b) The documents required to be made available under subsection (a) shall be in unredacted form, except that such information as determined necessary by the Secretary to protect the identity of whistleblowers or other informants to investigations and reports and proprietary information may be redacted.

Mr. GREGG. Mr. President, we are going to begin voting in about 15 minutes. The Senator from Oklahoma has offered a series of amendments. I happen to be in great sympathy with the basic thrust of these amendments. They are basically trying to make these programs which address disease more efficiently delivered and have better oversight with more transparency. They are legitimate proposals.

I hope as we participate in this voting sequence we can work with the Senator and come to an agreement on most of these amendments because I do believe the thrust of them is the correct direction to go, which is to demand transparency and to make sure the money we are spending gets where it is supposed to go and make sure, especially in the area of the malaria and HIV battles which we have in Africa, that we are using these funds efficiently and that the right medicines are being delivered.

I appreciate the Senator's proposals. Hopefully, as we proceed with these amendments—I know the chairman feels this way and I certainly feel this way. I believe we should wrap this bill up tonight. We can wrap it up tonight if Members will tell us how they want to handle their amendments. We are ready to vote on them. If they want to vote on them, we will vote on them. We do need to get some Members to come forward. They have offered their amendments, filed their amendments, and they should tell us specifically how they want to handle those amendments so we can complete the process of passing this legislation, which is important and should be moved forward.

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

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

AMENDMENT NO. 2700

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2700 offered by the Senator from Nevada.

The Senator from Nevada.

AMENDMENT NO. 2700

Mr. ENSIGN. Mr. President, this amendment is very simple. Instead of raising the percentage of money that the United States pays for U.N. peacekeeping from 25 percent, the current level the last couple of years, to 27.1 percent, my amendment would strike that and keep it at 25 percent.

We have read about the atrocities U.N. peacekeepers have committed across the world. There are many reforms the United Nations needs to do. When the Democrats were in control, with President Clinton, they lowered it from 31 percent to 25 percent as the percentage we would pay. I actually believe it should be lower, but it should not be raised from 25 percent to 27.1 percent.

We should continue to put pressure on the United Nations to do the desperately needed reforms at the United Nations and not send the precious tax dollars the American taxpayers send to us to be wasted at the United Nations.

Mr. President, I yield the floor.

Mr. LEAHY. Mr. President, both Senator GREGG and I will oppose this amendment. In doing so, we are supporting President Bush's number on these dues. The fact is, we can't ask the U.N. to carry out peacekeeping missions unless we pay our dues.

For example, this Congress pushed very hard to have the U.N. do a peacekeeping mission in Darfur just last month. After we pushed for that, they agreed to it. Now we have to do what our own Ambassador says, what President Bush has said, and what the Secretary of State has said: We have to pay our share of peacekeeping operations.

I would hope Senators will join with the distinguished ranking member and myself and oppose this amendment by voting no.

Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. LEAHY. I am voting no and actually supporting the administration on this position.

The PRESIDING OFFICER. All time has now expired. The question is on agreeing to amendment No. 2700.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from 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.

I further announce that, if present and voting, the Senator from Delaware (Mr. BIDEN) would vote ''nay.''

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 30, nays 63, as follows:

[Rollcall Vote No. 317 Leg.]

YEAS—30

Allard	Crapo	Isakson
Barrasso	DeMint	Kyl
Bennett	Dole	Lott
Bond	Ensign	Murkowski
Brownback	Enzi	Nelson (NE)
Bunning	Graham	Roberts
Burr	Grassley	Sessions
Chambliss	Hatch	Shelby
Coburn	Hutchison	Thune
Cornyn	Inhofe	Vitter

NAYS—63

Akaka	Feinstein	Murray
Alexander	Gregg	Nelson (FL)
Baucus	Hagel	Pryor
Bayh	Harkin	Reed
Bingaman	Inouye	Reid
Boxer	Johnson	Rockefeller
Brown	Kennedy	Salazar
Byrd	Kerry	Sanders
Cantwell	Klobuchar	Schumer
Cardin	Kohl	Smith
Carper	Landrieu	Snowe
Casey	Lautenberg	Specter
Cochran	Leahy	Stabenow
Coleman	Levin	Stevens
Collins	Lieberman	Sununu
Conrad	Lugar	Tester
Corker	Martinez	Voinovich
Domenici	McCaskill	Warner
Dorgan	McConnell	Webb
Durbin	Menendez	Whitehouse
Feingold	Mikulski	Wyden

NOT VOTING—7

Biden	Dodd	Obama
Clinton	Lincoln	
Craig	McCain	

The amendment (No. 2700) was rejected.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. CARDIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2691

Mr. LEAHY. I ask unanimous consent that the yeas and nays be vitiated on the next amendment.

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

Mr. LEAHY. And the amendment be accepted.

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

The amendment (No. 2691) was agreed to.

AMENDMENT NO. 2707

Mr. LEAHY. I think the next amendment is 2707.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation No. 2707, offered by the Senator from Kansas.

Mr. GREGG. Can we have order, please.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, this amendment simply reinstates the Kemp-Kasten language that has been part of U.S. policy for 25 years. I will read the amendment:

. . . none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President, supports, or participates in the management of, a program of coercive abortion or involuntary sterilization.

All we are saying with this amendment is no U.S. funds for coercive abortion or forced, involuntary sterilization. I hope everybody in the body would be opposed to forced abortion, whether you are pro-life or pro-choice, and opposed to involuntary sterilization. These are things which have no place in U.S. policy and funding by U.S. Government agencies. If this is part of the bill, the bill will be vetoed, and it is bad policy and it is a bad idea and it is morally reprehensible.

I hope all my colleagues will vote for amendment No. 2707 and oppose forced abortion and forced sterilization.

I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Florida). The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, no one, no one supports forced abortion or forced sterilization. Let's be honest about that. What this is, there is a provision in the U.S. law called the Kemp-Kasten amendment. It is designed to ensure that U.S. Government funds do not go to organizations engaged in coercive abortion or involuntary sterilization. We all support that. But the law has been construed differently by the White House to deny funds to the UNFPA because it is a program in China. The irony is they are trying to give alternatives to abortion. They are trying to give alternatives to forced sterilization. If we agree to this amendment, then what we are saying is we will turn our backs on the most populous nation on Earth, a country that is rapidly becoming the largest contributor to global warming, and we will not support a program that will give them alternatives to abortion and forced sterilization.

I oppose the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2707.

Mr. BROWNBACK. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The 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 Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 48, nays 45, as follows:

[Rollcall Vote No. 318 Leg.]

YEAS—48

Alexander	Barrasso	Bond
Allard	Bennett	Brownback
Bunning	Ensign	Martinez
Burr	Enzi	McConnell
Casey	Graham	Murkowski
Chambliss	Grassley	Nelson (NE)
Coburn	Gregg	Roberts
Cochran	Hagel	Sessions
Coleman	Hatch	Shelby
Conrad	Hutchison	Smith
Corker	Inhofe	Stevens
Cornyn	Isakson	Sununu
Crapo	Kyl	Thune
DeMint	Landrieu	Vitter
Dole	Lott	Voinovich
Domenici	Lugar	Warner

NAYS—45

Akaka	Harkin	Nelson (FL)
Baucus	Inouye	Pryor
Bayh	Johnson	Reed
Bingaman	Kennedy	Reid
Boxer	Kerry	Rockefeller
Brown	Klobuchar	Salazar
Byrd	Kohl	Sanders
Cantwell	Lautenberg	Schumer
Cardin	Leahy	Snowe
Carper	Levin	Specter
Collins	Lieberman	Stabenow
Dorgan	McCaskill	Tester
Durbin	Menendez	Webb
Feingold	Mikulski	Whitehouse
Feinstein	Murray	Wyden

NOT VOTING—7

Biden	Dodd	Obama
Clinton	Lincoln	
Craig	McCain	

The amendment (No. 2707) was agreed to.

Mr. BROWNBACK. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2719

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to Amendment No. 2719 offered by the Senator from California.

The Senator from California is recognized.

Mrs. BOXER. Mr. President, I offer this amendment on behalf of myself and Senator SNOWE. I ask for the attention of colleagues because women's lives are on the line. The Senate has twice passed this amendment which overturns the Global Gag Rule, otherwise known as the Mexico City policy.

Colleagues, I wish to tell you a story, a compelling story of what happened in Nepal in 2001. A little 13-year-old girl was raped in Nepal by her uncle. A family member took her for an abortion.

Under the laws of Nepal, they sentenced that little girl to 20 long years in jail. Because a family planning agency helped her and because that family planning agency in Nepal, an NGO, spoke out on behalf of changing the laws that put a little girl in jail and let the uncle free, America withheld its funds. That is shameful. It is wrong. Please help me overturn this Mexico City global gag rule.

The PRESIDING OFFICER. Who yields time?

The Senator from Kansas.

Mr. BROWNBACK. Mr. President, if the Senator from California is accurate on what she stated—and I don't have any doubt she is—why don't we fund groups that support groups that are for women's rights but not ones that support abortion. The Mexico City language—and it has done this since Ronald Reagan was President—said: We will not use U.S. taxpayer funding to fund abortions overseas. We won't support groups that fund abortions overseas. You can be pro-choice and say: I think that makes sense, because I don't think we should use taxpayer funding to support abortion or to promote abortion policies overseas. We should let them decide this deeply moral subject that is a very difficult subject in our country, let alone in places around the world. I urge my colleagues to vote against the Boxer amendment. We don't need to do this. I respect the Senator from California, but I believe there are better places for us to use taxpayer funding than to fund abortions or groups that are promoting abortion overseas. It is a tough enough issue here. I urge Members to vote no.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2719.

Mrs. BOXER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Arkansas (Mrs. LINCOLN), and the Senator from Illinois (Mr. OBAMA) are necessary absent.

I further announce that, if present and voting, the Senator from Delaware (Mr. BIDEN) would vote ''yea.''

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 53, nays 41, as follows:

[Rollcall Vote No. 319 Leg.]

YEAS—53

Akaka	Harkin	Pryor
Baucus	Inouye	Reed
Bayh	Johnson	Reid
Bingaman	Kennedy	Rockefeller
Boxer	Kerry	Salazar
Brown	Klobuchar	Sanders
Byrd	Kohl	Schumer
Cantwell	Landrieu	Smith
Cardin	Lautenberg	Snowe
Carper	Leahy	Specter
Casey	Levin	Stabenow
Collins	Lieberman	Stevens
Conrad	McCaskill	Tester
Dodd	Menendez	Warner
Dorgan	Mikulski	Webb
Durbin	Murkowski	Whitehouse
Feingold	Murray	Wyden
Feinstein	Nelson (FL)	

NAYS—41

Alexander	Chambliss	Dole
Allard	Coburn	Domenici
Barrasso	Cochran	Ensign
Bennett	Coleman	Enzi
Bond	Corker	Graham
Brownback	Cornyn	Grassley
Bunning	Crapo	Gregg
Burr	DeMint	Hagel

Hatch	Lugar	Shelby
Hutchison	Martinez	Sununu
Inhofe	McConnell	Thune
Isakson	Nelson (NE)	Vitter
Kyl	Roberts	Voinovich
Lott	Sessions	

NOT VOTING—6

Biden	Craig	McCain
Clinton	Lincoln	Obama

The amendment (No. 2719) was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Thank you, Mr. President. We have had a very productive day. We have two of our finest managers on this legislation, Senator LEAHY and the Senator from New Hampshire, JUDD GREGG. I always get the names turned around. It should be ''Gregg Judd.'' Anyway, the end is in sight.

We have a number of amendments that are still pending. We have a number of amendments offered by one Republican Senator. We will accept those amendments. The problem if he demands votes on these amendments and we have other amendments that come forward—I would hope there would be some consideration given to that.

We are at a point now where we have had a number of Senators who have been looking over in detail the managers' package. We should be able to complete this bill very quickly. The point I am making is, we are going to finish this bill tonight whether there are four votes or however many votes it takes. I would hope we could do this. We have been meeting with Senator KENNEDY and Senator ENZI to see if we can work something out on reconciliation. That should be able to be completed likely not tonight, but I think we could do it sometime early in the morning. But we are going to finish this appropriations bill tonight.

I have had this conversation with the distinguished Republican leader. He knew I was going to make this brief statement. So I would hope everyone would understand where we are. We have had a very productive few days. This would be a good way to end the week. I look forward to completing this legislation as soon as possible tonight.

AMENDMENT NO. 2708

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes for debate equally divided prior to a vote in relation to amendment No. 2708, offered by the Senator from Kansas.

The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, this is a simple amendment. It reinstates what U.S. policy has been since 1984. It was repealed under the Clinton administration and then brought back in, and it is simply that the United States would not fund abortions or groups that promote abortions overseas.

I wish to make one quick note to individuals. There is a new term that has entered into the lexicon, and it is called ''gendercide.'' It is in countries where abortion is being forced and promoted, where they are now having male-female ratios where the girls are being killed in utero because they are girls. It is called ''gendercide.'' I do not think it is a policy or something we should be any part of.

This amendment simply reinstates U.S. policy that we will not be involved in countries promoting abortion policies or promoting abortion with our taxpayer dollars. I ask my colleagues to vote aye on this amendment.

The PRESIDING OFFICER. Who yields time?

The Senator from California.

Mrs. BOXER. Mr. President, colleagues, if you voted to repeal the global gag rule, then the obvious way to vote on this amendment is no.

What the Senator is trying to do is to strip a very simple thing out of the bill, which says that we are not going to deny contraceptives to family planning groups simply because they do not toe the line with the global gag rule. If you voted with us to do away with the global gag rule, you certainly would vote to do away with this amendment.

Why would we deny contraception to families who need it desperately? It would be a terrible vote to vote aye on this amendment because you are consigning a lot of women to abortion, and we do not want to do that. We want to get them contraception. So if you believe in family planning, this is a very clear ''no'' vote on the Brownback amendment.

I thank my colleagues very much.

Mr. LEAHY. Mr. President, I want to commend Senator BOXER for her leadership on this issue of such importance to the health of the world's poorest women.

On his first day in office in January 2001, President Bush, by executive order, with no prior consultation with Congress, reinstated the controversial Mexico City policy on international family planning. The President explained his decision with these words:

> It is my conviction that taxpayer funds should not be used to pay for abortions or advocate or actively promote abortion, either here or abroad. It is therefore my belief that the Mexico City policy should be restored.

If U.S. law did, in fact, permit taxpayer funds to be used to pay for or promote abortions overseas, then the President might have had a point. But our law does not allow that. Our law explicitly prohibits any U.S. funds from being used for abortion or to promote abortion.

That is the settled law of the United States. It was passed by the Congress and signed into law by President Clinton. It is something we have all supported. In fact, it has been the law for as long as I can remember, even during past administrations. It is already against the law to use taxpayer funds for purposes related to abortion. Somebody should have told that to President Bush.

In fact, the Mexico City policy, which he reinstated and has maintained ever since, goes much, much further. Many have called it a ''global gag rule.'' It prohibits taxpayer funds from being used to support private family planning organizations, if they use even one dollar of their own private funds—not taxpayer funds, but private funds—to provide advice, counseling, and information about abortions, and to advocate for safe abortion practices in countries where tens of thousands of women suffer injuries or die from complicatlons from unsafe abortions.

If we tried to impose the Mexico City policy on any family planning organization within our borders, it would violate the first amendment. But we impose it on those same organizations when they work overseas beyond the reach of our Constitution.

Proponents of the Mexico City policy say that it will reduce the number of abortions. There is not a shred of evidence to support that illogical argument. The reality is the opposite. The International Planned Parenthood Federation, which is cut off from U.S. Government support because of this policy, used every U.S. tax dollar it received in the past to provide voluntary family planning services, like contraceptives, to couples who lack them. By providing for the first time modern birth control methods to people in countries where abortion was the primary method of birth control, the number of abortions goes down.

I remember the distinguished former Senator from Oregon, Senator Mark Hatfield, a dear friend of mine, one of the most revered Members of this body, who became chairman of the Senate Appropriations Committee. Senator Hatfield was fervently pro-life, opposed to abortion, very strong in his beliefs. I remember a debate on the Mexico City policy when he stood here—and he probably said it best. I will quote what he said:

> It is a proven fact that when contraceptive services are not available to women throughout the world, abortion rates increase. The Mexico City policy is unacceptable to me as someone who is strongly opposed to abortion.

Contrary to a lot of the press reports, this issue is about far more than abortion. It is about protecting the health of women in desperately poor countries where more than half a million women die each year from complications relating to pregnancy, and where women have little control over their own bodies or their lives. We have the opportunity, at very little expense, to help. Instead—not to save money but to make a political point—we cut off that help.

The Mexico City policy has been the subject of more political posturing, more press releases, more fundraising letters, more debates, more votes, and more Presidential vetoes, than virtually any other issue I can think of.

I remember when President Clinton did the right thing by repealing the Mexico City policy. When he did that, a Republican Congress responded by sharply cutting funding for voluntary family planning—not funding for abortions but for voluntary family planning. President Bush's fiscal year 2008 budget request for family planning does the same thing. His budget would cut it drastically, contrary to what he said he would do back in 2001.

The predictable, tragic result would be an increase in the number of abortions and of deaths of women from botched abortions.

Again, the evidence is indisputable that when family planning services are available, the number of abortions goes down.

I have traveled to many parts of the world. My wife is a registered nurse. She has traveled with me. We have seen how bad the situation is. We have seen how a little help can move women in many parts of the world generations ahead of where they are today.

That is what the Boxer amendment would do. It would restore U.S. credibility and leadership on an issue of great importance to global health, to population growth, to global warming, and to the work of private organizations to make lifesaving services available to the world's poorest women.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The 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 Arkansas (Mrs. LINCOLN), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

The result was announced—yeas 41, nays 53, as follows:

[Rollcall Vote No. 320 Leg.]

YEAS—41

Alexander	Cornyn	Isakson
Allard	Crapo	Kyl
Barrasso	DeMint	Lott
Bennett	Dole	Martinez
Bond	Domenici	McConnell
Brownback	Ensign	Nelson (NE)
Bunning	Enzi	Roberts
Burr	Graham	Sessions
Casey	Grassley	Shelby
Chambliss	Gregg	Sununu
Coburn	Hagel	Thune
Cochran	Hatch	Vitter
Coleman	Hutchison	Voinovich
Corker	Inhofe	

NAYS—53

Akaka	Brown	Collins
Baucus	Byrd	Conrad
Bayh	Cantwell	Dodd
Bingaman	Cardin	Dorgan
Boxer	Carper	Durbin
Feingold	Lieberman	Sanders
Feinstein	Lugar	Schumer
Harkin	McCaskill	Smith
Inouye	Menendez	Snowe
Johnson	Mikulski	Specter
Kennedy	Murkowski	Stabenow
Kerry	Murray	Stevens
Klobuchar	Nelson (FL)	Tester
Kohl	Pryor	Warner
Landrieu	Reed	Webb
Lautenberg	Reid	Whitehouse
Leahy	Rockefeller	Wyden
Levin	Salazar	

NOT VOTING—6

Biden	Craig	McCain
Clinton	Lincoln	Obama

The amendment (No. 2708) was rejected.

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

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

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I would advise all Senators here that the majority and minority staffs are working on a unanimous consent agreement to get us to the end of tonight, which they will get to. In the meantime, I have something that will alert everyone as to what is going to happen tomorrow.

UNANIMOUS CONSENT AGREEMENT—H.R. 2669

Mr. REID. Mr. President, I ask unanimous consent that when the Senate resumes consideration of the conference report on H.R. 2669—that is the Education reconciliation—tomorrow at 9 a.m, there be 75 minutes for debate equally divided between the chairman and ranking member, and the Senate vote on the conference report at 10:15 a.m. with no intervening action or debate.

I would say to everyone here that I have talked in some detail to Senators KENNEDY and ENZI about this. When we finish the work on the Foreign Operations appropriations bill tonight, anyone who wants to talk about this tonight—that is this, the Education reconciliation bill—can do that, up to 8 hours and 45 minutes. It will not take that much time. When we finish the proceedings for this evening, there will be 75 minutes left tomorrow for debate equally divided between Senators ENZI and KENNEDY on the Education reconciliation bill.

I have had a number of Senators on both sides ask what the schedule is in the morning. That is it. I ask that this be confirmed.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I would say that Senators LEAHY and GREGG and their valiant staff are working on something to complete the Foreign Operations bill. We should have that momentarily. So if everyone would be patient, we should have that shortly.

Mr. LEAHY. Will the Senator from Nevada yield to me?

Mr. REID. Yes.

Mr. LEAHY. I hope we will do that. In a few minutes, it will be our intent to begin a series of rollcalls. Apparently, there are a number of amendments Senator GREGG and I were willing to accept, but the Senator said he would prefer having rollcalls. That means we will be here for a few more hours than we needed to be.

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

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue with the call of the roll.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GREGG. Will the Senator yield?

Mr. VITTER. Yes.

Mr. GREGG. I understand the Senator will speak for 5 minutes on an amendment he intends to offer. Senator FEINSTEIN may come to speak for 5 to 10 minutes on an amendment she wishes to offer on behalf of Senator DODD. Then Senator DOLE will speak for 5 to 10 minutes on an amendment she wishes to offer. Hopefully, we can proceed then to vote on the pending amendments, including the four of the Senator from Oklahoma, Senator COBURN. That is not a formal unanimous consent request. It is a hoped-for scenario.

AMENDMENT NO. 2774

Mr. VITTER. Mr. President, I ask unanimous consent to set aside the pending amendment and I call up amendment No. 2774 and I will speak on that for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 2774.

Mr. VITTER. 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 prohibit the use of funds by international organizations, agencies, and entities that require the registration of, or tax guns owned by citizens of the United States)

On page 410, between lines 15 and 16, insert the following:

RIGHT TO BEAR ARMS

SEC. 699B. None of the funds made available under this Act may be made available to any international organization, agency, or entity (including the United Nations) that requires the registration of, or taxes a gun owned by a citizen of the United States.

Mr. VITTER. Mr. President, this amendment is very simple and straightforward. In fact, perhaps I should not have waived reading of it. It is a few sentences. So I will do it myself:

None of the funds made available under this Act may be made available to any international organization, agency, or entity (including the United Nations) that requires the registration of, or taxes a gun owned by a citizen of the United States.

That is the entire amendment, the entire sum and substance of the amendment. As such, it is a straight funding limitation amendment, which has been ruled by the Parliamentarian as completely germane. This is a version of a full-blown, freestanding bill that I have filed in the past, specifically last Congress. It was S. 1488. I filed that bill and had 17 cosponsors.

Many folks who haven't followed the proceedings on this in the U.N. may ask: What is this all about? Why is this necessary? Unfortunately, it is about an effort in the United Nations to bring gun control to various countries through that international organization. Unfortunately, that has been an ongoing effort which poses a real threat. This goes back to 1995, when this issue of international gun control was first put before the U.N. General Assembly. Then, in 2001, the General Assembly adopted a program of action designed to infringe on second amendment rights. In fact, from July 11 to 15 they met at the U.N. in New York City to finalize some agreements on that.

It is of significance that Dr. Rebecca Peters is the new head of that effort in the U.N. and, in particular, the entity within the U.N. that leads that International Action Network on Small Arms. That may not be a household name but perhaps it should be, particularly to second amendment advocates, because Dr. Peters is the person who led Australia's massive effort at far-reaching gun control. She has been very vocal on the subject, debating, for instance, Wayne LaPierre of the NRA on numerous occasions. Other pro-gun control advocates would help facilitate procedures within the U.N. program of action that could very well impact and infringe U.S. citizens' second amendment rights.

Therefore, again, that gets back to the Vitter amendment, which simply says we are not going to support any international organization that does that; that requires a registration of U.S. citizens' guns or taxes U.S. citizens' guns. If other folks in this Chamber think that is not happening, that it is never going to happen, my reply is simple and straightforward: Great, then this language has no effect. It is no harm to pass it as a failsafe. It has no impact. But, in fact, related efforts have been going on in the U.N. since at least 1995. I hope this can get very wide, bipartisan support, and I urge all my colleagues to support this very fundamental, straightforward amendment.

I yield back my time.

The PRESIDING OFFICER. Is there further debate on the amendment?

The Senator from North Carolina is recognized.

Mrs. DOLE. Mr. President, I ask unanimous consent that the pending amendment be set aside so I may offer an amendment.

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

AMENDMENT NO. 2772

Mrs. DOLE. Mr. President, I call up amendment No. 2772, pending at the desk, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The Senator from North Carolina [Mrs. DOLE] proposes an amendment numbered 2772.

Mrs. DOLE. 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 prohibit funds appropriated under this Act from being expended in violation of section 243(d) of the Immigration and Nationality Act)

On page 410, between lines 15 and 16, insert the following:

SEC. 699B. None of the funds made available in this Act may be expended in violation of section 243(d) of the Immigration and Nationality Act (8 U.S.C. 1253(d)) (relating to discontinuing granting visas to nationals of countries that are denying or delaying accepting aliens removed from the United States).

Mrs. DOLE. Mr. President, when I visited with sheriffs across North Carolina over August, one of their main concerns was the lack of detention space to hold criminal aliens when they are apprehended. It is unconscionable that our State and local authorities have to struggle with resources because uncooperative countries fail to take back their nationals who have been ordered by the courts to be removed from the United States.

This amendment is simple and is consistent with current law. It prohibits funds from being expended in violation of section 243(d) of the Immigration and Nationality Act. In other words, it prevents the State Department from issuing visas to citizens of countries that refuse to accept these court-ordered-removed illegal aliens.

During fiscal year 2003, the year for which we have the latest information, the detention of criminal and noncriminal aliens from the top eight uncooperative countries that blocked or inhibited their removal cost the United States over 981,000 detention days and $83 million. The status quo is unacceptable—it is costing much needed detention space and resources.

I ask unanimous consent that my amendment be laid aside, with the understanding that the managers will examine my amendment and we will return to it at a later time.

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

Mrs. DOLE. Yes.

Mr. LEAHY. We are willing to have a voice vote on it right now.

Mr. GREGG. I ask unanimous consent for that.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Is there further debate on the amendment?

The question is on agreeing to the amendment.

The amendment (No. 2772) was agreed to.

Mr. GREGG. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2721

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that amendment No. 2774 be set aside and that amendment No. 2721 be called up.

The PRESIDING OFFICER. Without objection, the pending amendment is laid aside, and the clerk will report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for Mr. DODD, for himself, Mrs. FEINSTEIN, and Mr. CORKER, proposes an amendment numbered 2721.

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

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

The amendment is as follows:

(Purpose: To increase by $10,000,000 the amount appropriated or otherwise made available by this Act for the Peace Corps, and to provide an offset)

On page 410, between lines 15 and 16, insert the following:

ADDITIONAL PEACE CORPS FUNDING

SEC. 699B. (a) The amount appropriated or otherwise made available by title III under the heading ''PEACE CORPS'' is hereby increased by $10,000,000.

(b) The amount appropriated or otherwise made available by title IV under the heading ''FOREIGN MILITARY FINANCING PROGRAM'' is hereby reduced by $10,000,000.

Mrs. FEINSTEIN. Mr. President, this amendment by Senator DODD and myself increases the funding for the Peace Corps by $10 million for a total of $333.5 million. This matches the President's request and the funding level in the House bill. The offset comes from unobligated foreign military financing funds.

The Peace Corps is one of our most effective and successful foreign aid programs. Since 1961, over 190,000 Americans, including 25,000 from my home

State of California, have served as Peace Corps volunteers in 139 countries. Currently, there are 7,749 volunteers serving in 73 countries.

I am a big fan of the Peace Corps. They are diplomats, and they restore people's confidence in this country. The Peace Corps also provides critical education. In fact, approximately 20 percent of the Peace Corps volunteers today are serving in predominantly Muslim countries. And at a time when United States prestige is at an all-time low, Peace Corps volunteers provide a different face of America—one of compassion, one of care, and one of understanding. This amendment matches the President's request in the budget. It matches the funding level in the House. It is offset by unobligated balances. I urge that the amendment be adopted today.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I am certainly in sympathy with the purposes of the amendment. The Peace Corps is an extraordinary organization filled with very dedicated and special people who give of their life, willing to go into the countryside in parts of this world and help people out, out of their concern for social well-being and the betterment of others. They are very admirable people. So I support the number. But the offset is an issue.

I have discussed this issue with Senator DODD. I have not had a chance to discuss it with Senator FEINSTEIN. Senator DODD and I reached an understanding that we would try to find a better offset in conference.

With that understanding, I certainly have no objection to this amendment. I ask that it be approved.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to amendment No. 2721.

The amendment (No. 2721) was agreed to.

Mr. LEAHY. I move to reconsider the vote.

Mr. GREGG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, Senator GREGG and I are trying again to get a finite number of amendments. I appreciate that we have had two amendments that could have gone to rollcall votes. We accepted them and saved time. We have a number of other amendments that fall into that same category. But I guess as the hour goes on, people want to demonstrate how good they are, and if we want to accept it, they want a rollcall vote. I have never been able to figure that out, but that is their right. Of course, it keeps everybody here beyond the time we otherwise would have to be here.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. GREGG. Mr. President, while we are waiting to do some housecleaning and get business in order, I rise to thank the staff of the majority and the Republican staff on the Foreign Operations Subcommittee. These folks work very hard. They are totally dedicated to making sure these funds are effectively used.

The majority staff is led by Tim Rieser, who does an excellent job, and the Republican staff is led by Paul Grove, who does an equally excellent job. The Republican team of Michele Wymer and LaShawnda Smith is a small group, but they are very effective. I know the majority staff has the same sort of lean organization, and they are very effective.

Our ability to accomplish our business around here is clearly staff driven. We depend immensely on them, their abilities, and their expertise. I thank them all for the great job they do and specifically thank them for the job they have been doing on this appropriations bill.

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

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

Mr. LEAHY. Mr. President, I ask unanimous consent that the only amendments remaining in order to H.R. 2764 be the following, and a managers' amendment which has been cleared by the managers and the leaders; that there be 2 minutes of debate prior to a vote in relation to each amendment equally divided and controlled in the usual form; that no second-degree amendment be in order prior to the vote; and that after the first vote in the sequence, the vote time be limited to 10 minutes each: Coburn amendment No. 2773; Coburn amendment No. 2716; Coburn amendment No. 2706; Coburn amendment No. 2704; Cardin amendment No. 2689; Brown amendment No. 2701; Vitter amendment No. 2774; a Levin sense of the Senate on Iraq refugees; a Kyl amendment on material support; a Coleman amendment on UNDP; Obama amendment No. 2692, with a modification; a Kyl-Leahy sense of the Senate on Egypt; a Bingaman amendment on UNFPA; that upon disposition of all amendments, the bill be read a third time, and without further intervening action or debate, the Senate proceed to vote on passage of the bill.

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

Mr. LEAHY. Mr. President, I ask unanimous consent to amend my previous consent request to reflect, where I said Kyl material support. It is Kyl-Leahy material support; and where I said Kyl-Leahy sense of the Senate, Egypt, it is Kyl-Lieberman.

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

Mr. LEAHY. The first one in order will be Coburn No. 2773.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2774

Mr. VITTER. Mr. President, I ask unanimous consent that Vitter amendment No. 2774 be taken up for a short debate and voted out of order at this time.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. Reserving the right to object, I ask unanimous consent that the debate time be 2 minutes equally divided.

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

The Senator from Louisiana.

Mr. VITTER. Mr. President, this amendment is very straightforward, and I will read it word for word.

> None of the funds made available under this Act may be made available to any international organization, agency, or entity (including the United Nations) that requires the registration of or taxes a gun owned by a citizen of the United States.

Unfortunately, Mr. President, this amendment is necessary because of efforts within the United Nations that have been ongoing to push gun control on the world stage through the U.N. This has been going on initially since 1995 but in all seriousness particularly since 2001. Many folks within the United Nations have pushed very hard for their so-called program of action. Specifically, Dr. Rebecca Peters has been head of that effort. She became very well known for spearheading the massive gun control effort in Australia.

Mr. President, I urge a very strong bipartisan vote on this measure so we send a clear message to the U.N. that we will not tolerate this sort of movement and we will not send any U.S. taxpayer dollars to any entity, including the U.N., that does this.

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

The PRESIDING OFFICER. Who yields time in opposition?

Mr. LEAHY. Mr. President, I ask unanimous consent that all votes after the first vote be 10-minute votes.

The PRESIDING OFFICER. That is already part of the order.

Does anybody want time?

Mr. LEAHY. I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to amendment No. 2774.

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

The PRESIDING OFFICER. Is there a sufficient second?

At this moment there is not a sufficient second.

The question is on agreeing to the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

At this moment there is not a sufficient second.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, I ask for the yeas and nays on the Vitter amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

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 California (Mrs. BOXER), the Senator from Ohio (Mr. BROWN), 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 Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 81, nays 10, as follows:

[Rollcall Vote No. 321 Leg.]

YEAS—81

Akaka	Cornyn	Leahy
Alexander	Crapo	Lieberman
Allard	DeMint	Lott
Barrasso	Dole	Lugar
Baucus	Domenici	Martinez
Bayh	Dorgan	McCaskill
Bennett	Ensign	McConnell
Bingaman	Enzi	Mikulski
Bond	Feingold	Murkowski
Brownback	Graham	Murray
Bunning	Grassley	Nelson (FL)
Burr	Gregg	Nelson (NE)
Byrd	Hagel	Pryor
Cantwell	Hatch	Reid
Cardin	Hutchison	Roberts
Carper	Inhofe	Rockefeller
Casey	Inouye	Salazar
Chambliss	Isakson	Sanders
Coburn	Johnson	Sessions
Cochran	Kerry	Shelby
Coleman	Klobuchar	Smith
Collins	Kohl	Snowe
Conrad	Kyl	Specter
Corker	Landrieu	Stabenow
Stevens	Thune	Warner
Sununu	Vitter	Webb
Tester	Voinovich	Wyden

NAYS—10

Durbin	Lautenberg	Schumer
Feinstein	Levin	Whitehouse
Harkin	Menendez	
Kennedy	Reed	

NOT VOTING—9

Biden	Clinton	Lincoln
Boxer	Craig	McCain
Brown	Dodd	Obama

The amendment (No. 2774) was agreed to.

Mr. GREGG. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2773

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on amendment No. 2773 offered by the Senator from Oklahoma, Mr. COBURN.

Mr. GREGG. Mr. President, I ask unanimous consent that all time be yielded back on both sides.

Mr. LEAHY. Mr. President, I would yield back time on this. Again, I will always protect any Senator to have the right to vote for whatever reason they want to hold up the Senate at this time of the night, but this one is something everybody is going to vote for, and it could have easily been a voice vote. But if we want to waste time at this time of the night and have a rollcall vote, of course that is a Senator's absolute right, to waste as much time as they may want.

Mr. GREGG. On behalf of Senator COBURN, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing on the amendment.

The clerk will call the roll.

The 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 Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

The result was announced—yeas 92, nays 1, as follows:

[Rollcall Vote No. 322 Leg.]

YEAS—92

Akaka	Bunning	Conrad
Alexander	Burr	Corker
Allard	Byrd	Cornyn
Barrasso	Cantwell	Crapo
Baucus	Cardin	DeMint
Bayh	Carper	Dole
Bennett	Casey	Domenici
Bingaman	Chambliss	Dorgan
Bond	Coburn	Durbin
Boxer	Cochran	Ensign
Brown	Coleman	Enzi
Brownback	Collins	Feingold
Feinstein	Leahy	Sanders
Graham	Levin	Schumer
Grassley	Lieberman	Sessions
Gregg	Lott	Shelby
Hagel	Martinez	Smith
Harkin	McCaskill	Snowe
Hatch	McConnell	Specter
Hutchison	Menendez	Stabenow
Inhofe	Mikulski	Stevens
Inouye	Murkowski	Sununu
Isakson	Murray	Tester
Johnson	Nelson (FL)	Thune
Kennedy	Nelson (NE)	Vitter
Kerry	Pryor	Voinovich
Klobuchar	Reed	Warner
Kohl	Reid	Webb
Kyl	Roberts	Whitehouse
Landrieu	Rockefeller	Wyden
Lautenberg	Salazar	

NAYS—1

Lugar

NOT VOTING—7

Biden	Dodd	Obama
Clinton	Lincoln	
Craig	McCain	

The amendment (No. 2773) was agreed to.

AMENDMENT NO. 2716

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided on amendment No. 2716 offered by the Senator from Oklahoma, Mr. COBURN.

Mr. LEAHY. Mr. President, of all programs to cut funding for, it would be hard to think of anything more shortsighted than to cut funding for the Global Environment Facility. Unless, I guess, you are among the dwindling few who still believes global warming is a hoax, that the pollution of the Earth's rivers and sources of drinking water is of no concern, that the destruction of the remaining areas of tropical forests and endangered species does not matter, and that we don't need the ozone layer.

Because that is what the GEF works to protect or prevent, and the United States has been a leader in the GEF and the President has requested the funding in the bill for it.

Mr. COBURN. I yield back my time.

Mr. LEAHY. I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2716.

Mr. COBURN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

At the moment, there is not a sufficient second.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 2716.

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 Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

The result was announced—yeas 46, nays 47, as follows:

[Rollcall Vote No. 323 Leg.]

YEAS—46

Alexander	Dole	McConnell
Allard	Domenici	Murkowski
Barrasso	Ensign	Roberts
Bennett	Enzi	Sessions
Bond	Graham	Shelby
Bunning	Grassley	Smith
Burr	Gregg	Snowe
Chambliss	Hagel	Specter
Coburn	Hatch	Stevens
Cochran	Hutchison	Sununu
Coleman	Inhofe	Thune
Collins	Isakson	Vitter
Corker	Kyl	Voinovich
Cornyn	Lott	Warner
Crapo	Lugar	
DeMint	Martinez	

NAYS—47

Akaka	Feinstein	Murray
Baucus	Harkin	Nelson (FL)
Bayh	Inouye	Nelson (NE)
Bingaman	Johnson	Pryor
Boxer	Kennedy	Reed
Brown	Kerry	Reid
Brownback	Klobuchar	Rockefeller
Byrd	Kohl	Salazar
Cantwell	Landrieu	Sanders
Cardin	Lautenberg	Schumer
Carper	Leahy	Stabenow
Casey	Levin	Tester
Conrad	Lieberman	Webb
Dorgan	McCaskill	Whitehouse
Durbin	Menendez	Wyden
Feingold	Mikulski	

NOT VOTING—7

Biden	Dodd	Obama
Clinton	Lincoln	
Craig	McCain	

The amendment (No. 2716) was rejected.

Mr. LEAHY. I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2706

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on amendment No. 2706, offered by the Senator from Oklahoma, Mr. COBURN.

Mr. COBURN. Mr. President, I yield back.

Mr. LEAHY. Mr. President, I yield back.

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

The amendment (No. 2706) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2704

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on amendment No. 2704, offered by the Senator from Oklahoma, Mr. COBURN.

Mr. COBURN. Mr. President, I yield back.

Mr. LEAHY. Mr. President, I would hope people would vote against this amendment. It would completely prohibit the World Bank from supporting programs to combat malaria.

We have $1 billion in this bill for the U.S. contribution to the World Bank—money the United States has pledged and President Bush has requested.

Malaria kills a million children a year and infects half a billion people, 95 percent of whom are in Africa. We should do everything we can to combat malaria.

I agree with the administration on this request. I agree with President Bush, who has stated throughout the world his support for these antimalaria matters. I would hope that all people, all Senators of good will and good conscience, would vote no on this amendment.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The 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 Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

The result was announced—yeas 33, nays 60, as follows:

[Rollcall Vote No. 324 Leg.]

YEAS—33

Alexander	Cochran	Inhofe
Allard	Corker	Isakson
Barrasso	Cornyn	Kyl
Bond	Crapo	Lott
Brown	DeMint	McCaskill
Bunning	Domenici	Nelson (FL)
Burr	Ensign	Roberts
Casey	Enzi	
Chambliss	Graham	
Coburn	Grassley	
Sessions	Thune	Warner
Shelby	Vitter	Webb

NAYS—60

Akaka	Hagel	Murkowski
Baucus	Harkin	Murray
Bayh	Hatch	Nelson (NE)
Bennett	Hutchison	Pryor
Bingaman	Inouye	Reed
Boxer	Johnson	Reid
Brownback	Kennedy	Rockefeller
Byrd	Kerry	Salazar
Cantwell	Klobuchar	Sanders
Cardin	Kohl	Schumer
Carper	Landrieu	Smith
Coleman	Lautenberg	Snowe
Collins	Leahy	Specter
Conrad	Levin	Stabenow
Dole	Lieberman	Stevens
Dorgan	Lugar	Sununu
Durbin	Martinez	Tester
Feingold	McConnell	Voinovich
Feinstein	Menendez	Whitehouse
Gregg	Mikulski	Wyden

NOT VOTING—7

Biden	Dodd	Obama
Clinton	Lincoln	
Craig	McCain	

The amendment (No. 2704) was rejected.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. DURBIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER (Mr. MENENDEZ). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I have spoken to the managers of the bill. I have conferred with the Republican leader. If everybody will be patient, we should be completed—all work—in about 10 minutes. They are working on the Budget Committee with some final numbers. There are no problems, but they want to make sure. Senator GREGG and Senator LEAHY said do it right; we don't want problems popping up later. We should be finished in about 10 minutes. During that 10 minutes, if somebody wants to give a speech as in morning business, they are welcome to do that. So cool your heels, we will be done soon.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2779, AMENDMENT NO. 2712, AS MODIFIED, AMENDMENT NO. 2701, AS MODIFIED, AMENDMENT NO. 2782, AS MODIFIED, AMENDMENT NO. 2689, AMENDMENT NO. 2718, AMENDMENT NO. 2693, AS MODIFIED, AMENDMENT NO. 2781, AS MODIFIED, AMENDMENT NO. 2710, AS MODIFIED, AMENDMENT NO. 2713, AS MODIFIED, AMENDMENT NO. 2771, AMENDMENT NO. 2709, AS MODIFIED, AMENDMENT NO. 2703, AMENDMENT NO. 2723, AMENDMENT NO. 2727, AMENDMENT NO. 2726, AMENDMENT NO. 2725, AMENDMENT NO. 2728, AMENDMENT NO. 2730, AMENDMENT NO. 2731, AMENDMENT NO. 2733, AS MODIFIED, AMENDMENT NO. 2734, AMENDMENT NO. 2735, AMENDMENT NO. 2736, AMENDMENT NO. 2737, AMENDMENT NO. 2738, AMENDMENT NO. 2740, AMENDMENT NO. 2741, AMENDMENT NO. 2742, AMENDMENT NO. 2743, AMENDMENT NO. 2744, AMENDMENT NO. 2746, AMENDMENT NO. 2747, AMENDMENT NO. 2748, AMENDMENT NO. 2749, AMENDMENT NO. 2750, AMENDMENT NO. 2751, AMENDMENT NO. 2752, AMENDMENT NO. 2753, AMENDMENT NO. 2754, AS MODIFIED, AMENDMENT NO. 2755, AMENDMENT NO. 2756, AMENDMENT NO. 2757, AMENDMENT NO. 2758, AMENDMENT NO. 2759, AMENDMENT NO. 2760, AMENDMENT NO. 2761, AMENDMENT NO. 2762, AS MODIFIED, AMENDMENT NO. 2764, AMENDMENT NO. 2765, AMENDMENT NO. 2766, AMENDMENT NO. 2767, AS MODIFIED, AMENDMENT NO. 2769, AS MODIFIED, AMENDMENT NO. 2692, AS MODIFIED, AMENDMENT NO. 2784, AMENDMENT NO. 2785, AMENDMENT NO. 2786, AMENDMENT NO. 2787, AMENDMENT NO. 2788, AND AMENDMENT NO. 2789

Mr. LEAHY. Mr. President, I send a package of amendments, that are agreed to, to the desk and ask for its immediate consideration en bloc and ask that the amendments be deemed to be read en bloc and agreed to en bloc.

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

The amendments were agreed to, as follows:

AMENDMENT NO. 2779

(Purpose: To modify the obligation of funds requirement related to Millennium Challenge Compacts)

On page 260, line 1, insert after ''obligates'' the following: ''not more than 50 percent of the entire amount of the United States Government funding anticipated for the duration of the Compact''.

On page 260, line 4, delete the comma after ''proceed''.

AMENDMENT NO. 2712, AS MODIFIED

On page 410, between line 15 and 16, insert the following:

WITHHOLDING OF UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS HUMAN RIGHTS COUNCIL

SEC. 699B. (a)(1) No funds appropriated or otherwise made available by this Act for contributions to international organizations may be made available to support the United Nations Human Rights Council.

(2) The prohibition under paragraph (1) shall not apply—

(A) the President determines and certifies to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives that the provision of funds to support the United Nations Human Rights Council is in the national interest of the United States; or

(B) the United States is a member of the Human Rights Council.

AMENDMENT NO. 2701, AS MODIFIED

On page 210, line 24, strike ''$3,885,375,000'' and insert ''$3,820,375,000''.

On page 238, line 18, strike ''$6,531,425,000'' and insert ''$6,621,425,000''.

On page 239, line 17, strike ''$634,675,000 for other infectious diseases;'' and insert ''$724,675,000 for other infectious diseases, including $200,000,000 for tuberculosis control, of which $15,000,000 shall be used for the Global TB Drug Facility;''.

On page 282, line 13, strike ''$90,000,000'' and insert ''$65,000,000''.

AMENDMENT NO. 2782, AS MODIFIED

At the appropriate place, insert the following:

SEC. ___. STUDY OF WORLD BANK'S EFFORTS TO MEASURE THE SUCCESS OF THE PROJECTS IT FINANCES.

SENSE OF CONGRESS.—It is the sense of Congress that the World Bank should increase its focus on performance requirements and measurable results.

(b) STUDY.—The Comptroller General of the United States should conduct a study on the actions taken by the World Bank to—

(1) measure the success of the projects financed by IDA;

(2) employ accurate means to measure the effectiveness of projects financed by IDA

(3) combat corruption in governments that receive IDA funding;

(4) establish clear objectives for IDA projects and tangible means of assessing the success of such projects; and

(5) use World Bank processes and procedures for procurement of goods and services on projects receiving financial assistance from the World Bank.

AMENDMENT NO. 2689

(Purpose: To increase by $333,000 the amount appropriated or otherwise made available for the Commission on Security and Cooperation in Europe, and to provide an offset)

On page 232, between lines 16 and 17, insert the following:

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SEC. 117. (a) The amount appropriated or otherwise made available by this title under the heading ''COMMISSION ON SECURITY AND COOPERATION IN EUROPE'' is hereby increased by $333,000.

(b) The amount appropriated or otherwise made available by this title for the Department of State under the heading ''DIPLOMATIC AND CONSULAR PROGRAMS'' is hereby reduced by $333,000.

AMENDMENT NO. 2718

(Purpose: To set aside funds to repair, relocate, or replace fencing along the international border between the United States and Mexico)

On page 219, line 26, insert after ''authorized'' the following: '', of which, $100,000 may be made available to repair, relocate, or replace fencing along the international border between the United States and Mexico''.

AMENDMENT NO. 2693, AS MODIFIED

At the appropriate place, insert the following:

SEC. ___. COOPERATION WITH THE GOVERNMENT OF MEXICO.

(a) COOPERATION REGARDING BORDER SECURITY.—The Secretary of State, in cooperation with the Secretary of Homeland Security and representatives of Federal, State, and local law enforcement agencies that are involved in border security and immigration enforcement efforts, should work with the appropriate officials from the Government of Mexico to improve coordination between the United States and Mexico regarding—

(1) improved border security along the international border between the United States and Mexico;

(2) the reduction of human trafficking and smuggling between the United States and Mexico;

(3) the reduction of drug trafficking and smuggling between the United States and Mexico;

(4) the reduction of gang membership in the United States and Mexico;

(5) the reduction of violence against women in the United States and Mexico; and

(6) the reduction of other violence and criminal activity.

(b) COOPERATION REGARDING EDUCATION ON IMMIGRATION LAWS.—The Secretary of State, in cooperation with other appropriate Federal officials, should work with the appropriate officials from the Government of Mexico to carry out activities to educate citizens and nationals of Mexico regarding eligibility for status as a nonimmigrant under Federal law to ensure that the citizens and nationals are not exploited while working in the United States.

(c) COOPERATION REGARDING CIRCULAR MIGRATION.—The Secretary of State, in cooperation with the Secretary of Labor and other appropriate Federal officials, should work with the appropriate officials from the Government of Mexico to improve coordination between the United States and Mexico on the development of economic opportunities and providing job training for citizens and nationals in Mexico.

(d) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a report to Committees on Appropriation describing the actions taken by the United States and Mexico pursuant to this section.

AMENDMENT NO. 2781, AS MODIFIED

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING IRAQ REFUGEE CRISIS.

(a) FINDINGS.—Congress makes the following findings:

(1) The annual United States worldwide ceiling for refugees has been 70,000 since 2002.

(2) The Department of State has yet to use all of the available allocation that could be used for Iraqi refugees.

(3) Since 2003, more than 2,000,000 Iraqis have fled their country and over 2,000,000 Iraqis are also displaced within Iraq.

(4) It has become increasingly clear that people who have assisted the United States, Iraqi Christians and other religious minorities cannot safely return to Iraq.

(5) The United States Government has an obligation to help these refugees and should act swiftly to do so.

(6) The United States Government should increase the allocation of refugee slots for Iraqi refugees for resettlement in the United States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the President should act swiftly to respond to the deepening humanitarian and refugee crisis in Iraq by using the entire United States refugee allocation for the Near East/South Asia region and any unused portion of the worldwide allocation for Iraqi refugees, particularly people who have assisted the United States and religious minorities.

(6) The United States Government should increase the allocation of refugee slots for Iraqi refugees for resettlement in the United States.

AMENDMENT NO. 2710, AS MODIFIED

On page 367, on line 20, strike ''are''.

On page 367, line 22, strike the period and, insert ''; and (3) implementing the whistleblower protection policy established by the United Nations Secretariat in December 2005.''

AMENDMENT NO. 2713, AS MODIFIED

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

SUPPORT OF FOREIGN LAW ENFORCEMENT EFFORTS TO LOCATE UNITED STATES CITIZENS KIDNAPPED IN AREAS AFFECTED BY VIOLENT DRUG TRAFFICKING

SEC. ____. Funds appropriated or otherwise made available by this title under the heading ''INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT'' should be available for the support of efforts of foreign law enforcement authorities to locate United States citizens who have been kidnapped in, or are otherwise missing from, areas affected by violent drug trafficking.

AMENDMENT NO. 2771

(Purpose: To require a report regarding the use by U.S. Customs and border Protection of flood control levees under the control of the International Boundary and Water Commission)

On page 232, between lines 16 and 17, insert the following:

REPORT REGARDING USE OF LEVEES

SEC. 117. Not later than 90 days after the date of enactment of this Act, the United States Commissioner of the International Boundary and Water Commission, in cooperation and coordination with the Secretary of Homeland Security and the Chief of Engineers of the United States Army Corps of Engineers, shall submit to Congress a report regarding the use by U.S. Customs and Border Protection of flood control levees under the control of the International Boundary and Water Commission, which shall—

(1) discuss the purpose and importance of—

(A) any such use of such levees ongoing on the date of enactment of this Act; and

(B) any anticipated such use of such levees after the date of enactment of this Act;

(2) describe the frequency and means of, and approximate number of officers and employees of the U.S. Customs and Border Protection who, access such levees;

(3) describe the level of degradation of such levees as a result of such use; and

(4) identify any formal agreements that may be needed between the Department of Homeland Security and the International Boundary and Water Commission or the Department of State to ensure needed access to such levees.

AMENDMENT NO. 2709, AS MODIFIED

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

DEPARTMENT OF STATE INSPECTOR GENERAL

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

(b) 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 State 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 State.

AMENDMENT NO. 2703

(Purpose: To increase by $8,000,000 the amount appropriated or otherwise made available for th eOverseas Private Investment Corporation under the heading ''Program Account'', and to provide an offset)

On page 410, between lines 15 and 16, insert the following:

OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 699B. (a) The amount appropriated or otherwise made available by title II for the Overseas Private Investment Corporation under the heading ''PROGRAM ACCOUNT'' is hereby increased by $8,000,000.

(b) The amount appropriated or otherwise made available by title V for ''CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION'' is hereby reduced by $8,000,000.

AMENDMENT NO. 2723

(Purpose: To provide funds for the repair or replacement of the Nogales Wash Flood Control Project and the International Outfall Interceptor)

On page 219, line 26, before the period insert the following: Provided further, that of the funds appropriated under this heading, up to $400,000 should be made available for the repair or replacement of the Nogales Wash Flood Control Project and International Outfall Interceptor.

AMENDMENT NO. 2727

(Purpose: To require increased transparency and accountability at the World Bank)

On page 368, beginning on line 16 strike ''and (4)'' and insert in lieu thereof

(4) the World Bank has made publicly available the Department of Institutional Integrity's November 23, 2005 ''Report of Investigation into Reproductive and Child Health I Project Credit N0180 India'' and any subsequent detailed implementation review, and is implementing the recommendations of the Department of Institutional Integrity regarding this project, including recommendations concerning the prosecution of individuals engaged in corrupt practices; and

AMENDMENT NO. 2726

(Purpose: Regarding the establishment of a United States-Egypt Friendship Endowment, and for other purposes)

Insert where appropriate:

UNITED STATES-EGYPT FRIENDSHIP ENDOWMENT

SEC. ____. Of the funds appropriated by this Act and prior Acts making appropriations for foreign operations, export financing, and related programs under the heading ''Economic Support Fund'' that are available for assistance for Egypt, up to $500,000,000 may be made available for an endowment to further social, economic and political reforms in Egypt: Provided, That the Secretary of State shall consult with the Committees on Appropriations on the establishment of such an endowment and appropriate benchmarks for the uses of these funds.

AMENDMENT NO. 2725

(Purpose: To require increased transparency and accountability regarding foreign assistance)

On page 369, line 8 after the period, insert the following:

(d) NATIONAL BUDGET TRANSPARENCY.—(1) None of the funds appropriated by this Act may be made available for assistance for the central government of any country that fails to make publicly available on an annual basis its national budget, to include income and expenditures.

(2) The Secretary of State may waive subsection(d)(1) on a country-by-country basis if the Secretary reports to the Committees on Appropriations that to do so is important to the national interests of the United States.

(3) The reporting requirement pursuant to section 585(b) of Public Law 108–7 regarding fiscal transparency and accountability in countries whose central governments receive United States foreign assistance shall apply to this Act.

AMENDMENT NO. 2728

(Purpose: To prohibit assistance for Iraq, and to require a report on the extent that the Government of Iraq is committed to combating corruption in Iraq, and for other purposes)

Insert where appropriate:

IRAQ

SEC. ____. (a) None of the funds appropriated or otherwise made available by this Act may be made available for assistance for Iraq.

(b) Not later than 30 days after enactment of this Act the Secretary of State shall submit a report to the Committees on Appropriations detailing the extent to which the Government of Iraq is committed to combating corruption in Iraq and the specific actions and achievements of the Government of Iraq in combating corruption, to include a list of those senior Iraqi leaders who have been credibly alleged to be engaged in corrupt practices and activities.

(c) Notwithstanding any other provision of law, policy, or regulation, none of the funds made available in this Act or any other Act making appropriations for foreign operations export financing and related programs assistance for Iraq may be made available for unless the Secretary of State, in consultation with the Secretary of Defense, certifies to the Committees on Appropriations that the Departments of State and Defense are providing the Committees on Appropriations, including relevant staff, regular, full and unfettered access to programs in Iraq for the purposes of conducting oversight.

(d) Subsections (a) and (c) shall not apply to the ninth and thirteenth provisos under the heading ''Economic Support Fund'' in this Act.

AMENDMENT NO. 2730

(Purpose: To require the Department of State to establish visa processing operations in Iraq)

''CONSULAR OPERATIONS

SEC. . (a) The Secretary of State shall establish visa processing facilities in Iraq within 180 days of enactment of this Act in which aliens may apply and interview for admission to the United States.

(b) The Secretary of State shall report to the Congress no later than 30 days after enactment of this Act on funding and security requirements for consular operations in Iraq in fiscal year 2008.''

AMENDMENT NO. 2731

(Purpose: Technical amendment relating to the health work force in developing counties)

AMENDMENT NO. 2733, AS MODIFIED

On page 255, after the period, insert the following:

Provided further, That of the funds appropriated under this heading, not less than $10,000,000 should be made available for (1) programs to locate and identify persons missing as a result of armed conflict, violations of human rights, or natural disasters; (2) to assist governments in meeting their obligations regarding missing persons; and (3) to support investigations and prosecutions related to war crimes, crimes against humanity, genocide and other crimes under international law

AMENDMENT NO. 2734

(Purpose: To provide a United States contribution to the International Commission Against Impunity in Guatemala)

On page 254, line 16, after the comma insert the following:

''not less than $4,000,000 should be made available for a United States contribution to the International Commission Against Impunity in Guatemala,''

AMENDMENT NO. 2735

(Purpose: To provide flexibility for the use of aircraft provided to Colombia, and for other purposes)

On page 266, line 14, strike ''feasible'' and insert in lieu thereof ''practicable and that aerial eradication will not contribute to a significant loss of biodiversity''.

On page 267, line 17 delete ''determines'' and insert in lieu thereof ''certifies to the Committees on Appropriations''.

On page 267, line 18, strike ''feasible'' and insert in lieu thereof ''practicable''.

On page 268, line 10, after the period insert the following:

''(f) Rotary and fixed wing aircraft supported with funds appropriated under this heading for assistance for Colombia should be used for drug eradication and interdiction including to transport personnel in connection with manual eradication programs, and to provide transport in support of alternative development programs and investigations of cases under the jurisdiction of the Attorney General, the Procuraduria General de la Nacion, and the Defensoria del Pueblo.

On page 268, line 11, strike ''(f)'' and insert in lieu thereof ''(g), and on page 268, line 19, strike ''(g)'' and insert in lieu thereof ''(h)''.

On page 268, line 14, after ''certifies'' insert ''to the Committees on Appropriations''.

AMENDMENT NO. 2736

(Purpose: To limit contamination of natural water sources and protect food security)

On page 268, line 4, strike ''or'' and insert in lieu thereof the following:

'', disrupt or contaminate natural water sources, reduce local food security, or cause''

AMENDMENT NO. 2737

(Purpose: To expand the existing human rights certification to assistance for the Bolivian police)

On page 268, line 12, after ''military'' insert ''and police''.

On page 268, line 14, strike ''military is'' and insert in lieu thereof ''military and police are''.

On page 268, line 16, strike ''military's''.

On page 268, line 17, after ''in'' insert ''of the military and police''.

On page 268, line 17, after ''military'' and before ''personnel'' insert ''and police''.

AMENDMENT NO. 2738

(Purpose: To condition assistance relating to the Western Sahara)

On page 277, line 17, after the colon, insert the following:

Provided further, that of the funds appropriated under this heading that are available for assistance for Morocco, not more than $2,000,000 may be obligated until the Secretary of State certifies and reports to the Committees on Appropriations that Moroccan Government authorities in the territory of the Western Sahara have (1) ceased to persecute, detain, and prosecute individuals for peacefully expressing their opinions regarding the status and future of the Western Sahara and for documenting violations of human rights; and (2) provided unimpeded access to internationally recognized human rights organizations, journalists, and representatives of foreign governments to the Western Sahara:

AMENDMENT NO. 2740

(Purpose: Technical amendment relating to unobligated balances)

On page 286, line 14, strike ''REPORT''.

AMENDMEMENT NO. 2741

(Purpose: To increase the limitation on representational expenses for the Inter-American Foundation)

On page 287, line 19, strike ''$2,000'' and insert in lieu thereof ''$4,000''.

AMENDMENT NO. 2742

(Purpose: Technical amendment relating to Nepal)

On page 306, line 20, after ''Mexico'' insert '', Nepal,''.

AMENDMENT NO. 2743

(Purpose: To provide a United States contribution for assistance for civilian victims in Afghanistan)

On page 309, line 23, after the comma insert the following: ''$2,000,000 should be made available for a United States contribution to the North Atlantic Treaty Organization/International Security Assistance Force Post-Operations Humanitarian Relief Fund,''

AMENDMENT NO. 2744

(Purpose: To prohibit assistance for countries that the President determines grant sanctuary to any individual or group which has committed a gross violation of human rights)

On page 312, line 11, after ''terrorism'' insert ''or other gross violation of human rights''.

AMENDMENT NO. 2746

(Purpose: To provide authority for assistance to former combatants)

On page 326, line 18, after the period insert the following:

''(o) DEMOBILIZATION, DISARMAMENT, AND REINTEGRATION ASSISTANCE.—Notwithstanding any other provision of law, policy or regulation, funds appropriated by this Act and prior acts making appropriations for foreign operations, export financing, and related programs may be made available to support programs to demobilize, disarm, and reintegrate into civilian society former combatants of foreign governments or organizations who have renounced involvement or participation in such organizations.

AMENDMENT NO. 2747

(Purpose: To prohibit prior approval of foreign governments relating to assistance for democracy, human rights and governance activities)

On page 326, line 18, insert the following:

(o) NONGOVERNMENTAL ORGANIZATIONS.—With respect to the provisions of assistance for democracy, human rights and governance activities, the organizations implementing such assistance and the specific nature of that assistance shall not be subject to the prior approval by the government of any foreign country.

AMENDMENT NO. 2748

(Purpose: Technical amendment relating to Presidential discretion)

On page 335, line 7, strike ''the waiver authority of subsection (b) is exercised'' and insert in lieu thereof ''the President makes a determination pursuant to subsection (b)''.

AMENDMENT NO. 2749

(Purpose: Clarification relating to assistance for Central and South America)

On page 341, line 9, strike ''and Brazil'' and insert in lieu thereof the following:

''Brazil, Latin America and Caribbean Regional, Central America Regional, and South America Regional''

AMENDMENT NO. 2750

(Purpose: Technical amendment relating to a certification for assistance for Colombia)

On page 348, line 3, after ''and'' insert ''subsequently certifies and''

On page 348, line 3, strike ''certification and''.

On page 348, line 8, after ''Defense'' insert '', the Attorney General''.

On page 350, line 12, strike ''Colombian Government is ensuring that the''.

On page 350, line 16, strike ''the Colombian Armed Forces''.

On page 350, line 21, after ''and'' insert ''subsequently certifies and''.

On page 350, line 21, strike ''certification and''.

AMENDMENT NO. 2751

(Purpose: Technical amendment relating to illegal armed groups)

On page 353, line 2, strike ''determines and''.

On page 353, line 2, after ''certifies'' insert ''and reports''.

AMENDMENT NO. 2752

(Purpose: Technical amendment relating to Sudan)

On page 366, line 4, after ''certifies'' insert ''and reports''.

AMENDMENT NO. 2753

(Purpose: Technical amendment relating to monitoring of assistance)

On page 371, line 26, strike ''describing'' and insert in lieu thereof ''detailing''.

AMENDMENT NO. 2754, AS MODIFIED

On page 377, line 6, after the comma insert ''not less than $2,000,000 should be made available for wildlife conservation and protected area management in the Boma-Jonglei landscape of Southern Sudan, and''

AMENDMENT NO. 2755

(Purpose: Technical amendment relating to Uzbekistan)

On page 380, line 26, strike ''have been credibly alleged to'' and insert in lieu thereof ''the Secretary has credible evidence to believe''

AMENDMENT NO. 2756

(Purpose: Technical amendment relating to assistance for the countries of Central Asia)

On page 383, line 4, strike ''he'' and insert in lieu thereof ''the Secretary''.

On page 383, line 14, strike ''6'' and insert in lieu thereof ''12''.

AMENDMENT NO. 2757

(Purpose: Technical amendment relating to a coordinator of activities relating to indigenous peoples internationally)

On page 388, line 11, strike '', guidelines''.

On page 388, line 11, after ''goals,'' insert ''guidelines,''.

On page 388, line 16, strike ''executing'' and insert in lieu thereof ''implementing''.

AMENDMENT NO. 2758

(Purpose: Technical amendment relating to demobilization assistance for Colombia)

On page 390, line 20, strike ''against human rights defenders''.

AMENDMENT NO. 2759

(Purpose: To clarify conditions on assistance for Indonesia)

On page 393, line 1, strike ''provided a copy of its written plans to effectively address the following, and a copy of each plan has been provided with the report'', and insert in lieu thereof ''written plans to effectively''.

On page 393, line 4, before ''accountability'' insert ''provide''.

On page 393, line 6, ''to allow public access to Papua and West Irian Jaya'' and insert in lieu thereof ''allow public access to West Papua''.

On page 393, line 8, strike ''to''.

AMENDMENT NO. 2760

(Purpose: To clarify conditions on military assistance for Guatemala)

On page 393, line 12, strike everything after ''(a)'' through the period on page 394, line 15, and insert in lieu thereof the following:

''Funds appropriated by this Act under the heading ''International Military Education and Training'' that are available for assistance for Guatemala, other than for expanded international military education and training, may be made available only for the Guatemalan Air Force and Navy: Provided, That such funds may be made available only if the

Secretary of State certifies that the Guatemalan Air Force and Navy are respecting human rights and are cooperating with civilian judicial investigations and prosecutions of military personnel who have been credibly alleged to have committed violations of human rights.

(b) Of the funds appropriated by this Act under the heading ''Foreign Military Financing Program'', not more than $500,000 may be made available for the Guatemalan Air Force and Navy: Provided, That such funds may be made available only if the Secretary of State certifies that the Guatemalan Air Force and Navy are respecting human rights and are cooperating with civilian judicial investigations and prosecutions of military personnel who have been credibly alleged to have committed violations of human rights, and the Guatemalan Armed Forces are fully cooperating with the International Commission Against Impunity in Guatemala.''

AMENDMENT NO. 2761

(Purpose: To restrict assistance for countries that recruit child soldiers)

On page 395, line 1, strike ''security'' and insert lieu thereof the following: ''governmental armed forces or government-supported armed groups, including paramilitaries, militias, or civil defense forces,''.

On page 395, line 7, after ''to'' insert the following: ''demobilize children from its forces or from government-supported armed groups and''.

AMENDMENT NO. 2762, AS MODIFIED

On page 395, line 24, after the semi-colon insert ''(2) the Philippine Government is implementing a policy of promoting military personnel who demonstrate professionalism and respect for human rights, and is investigating and prosecuting military personnel and others who have been credibly alleged to have committed extrajudicial executions or other violations of human rights.''

On page 396, line 1, strike ''(2)'' and insert in lieu thereof ''(3)''.

AMENDMENT NO. 2764

(Purpose: To add conditions relating to assistance for Sri Lanka)

On page 397, line 24, after ''that'' insert ''(1)''.

On page 398, line 3, after ''soldiers'' insert ''; (2) the Sri Lankan Government has provided unimpeded access to humanitarian organizations and journalists to Tamil areas of the country; and (3) the Sri Lankan Government has agreed to the establishment of a field presence of the Office of the United Nations High Commissioner for Human Rights in Sri Lanka.''.

AMENDMENT NO. 2765

(Purpose: Technical amendment relating to the Millennium Challenge Corporation)

On page 402, line 22, after ''the'' insert ''transparent and''.

AMENDMENT NO. 2766

(Purpose: To deny visas for officials of foreign governments and their families who have been involved in corruption relating to the extraction of natural resources)

At the appropriate place in the bill insert the following:

ANTI-KLEPTOCRACY

SEC. _____. (a) In furtherance of the National Strategy to Internationalize Efforts Against Kleptocracy and Presidential Proclamation 7750, not later than 90 days after the date of enactment of this Act the Secretary of State shall send to the appropriate congressional committees a list of officials of the governments of Angola, Burma, Cambodia, Equatorial Guinea, Democratic Republic of the Congo, and the Republic of the Congo, and their immediate family members, who the Secretary has credible evidence to believe have been involved in corruption relating to the extraction of natural resources in their countries.

(b) Not later than 10 days after the list described in subsection (a) is submitted to the appropriate congressional committees, the following sanctions shall apply:

(1) Any individual on the list submitted under subsection (a) shall be ineligible for a visa to enter the United States.

(2) No property or interest in property belonging to an individual on the list submitted under subsection (a), or to a member of the immediate family of such individual if the property is effectively under the control of such individual, may be transferred, paid, exported, withdrawn, or otherwise dealt with, if the property is within the United States or within the possession or control of a United States person, including the overseas branch of such person, or after the date of the enactment of this Act comes within the control of such person.

(3) No United States person may engage in financial transactions with an individual on the list submitted under subsection (a), or with a member of the immediate family of such individual if the transaction will benefit an individual on the list submitted under subsection (a).

AMENDMENT NO. 2767, AS MODIFIED

On page 255, line 5, before the period, insert the following:

''*Provided further,* That of the funds appropriated under this heading, not more than $500,000 should be made available for the Department of Energy's National Nuclear Security Administration to support initiatives which bring together public officials and private individuals from nations involved in the Six-Party Talks for informal discussions on resolving the North Korea nuclear issue:''

AMENDMENT NO. 2769, AS MODIFIED

At the appropriate place in the bill, add the following new section:

UGANDA

SEC. _____. (a) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing a strategy for substantially enhancing United States efforts to resolve the conflict between the Lord's Resistance Army (LRA) and the Government of Uganda (GOU), including—

(1) direct and sustained participation by the United States in confidence-building measures in furtherance of the peace process;

(2) increased diplomatic pressure on the Democratic Republic of the Congo (to eliminate the LRA's current safe haven) and on Sudan;

(3) brokering direct negotiations between the GOU and the leaders of the LRA on personal security arrangements; and

(4) financial support for disarmament, demobilization, and reintegration to provide mid-level LRA commanders incentives to return to civilian life.

(b) Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $5,000,000 shall be made available to implement the strategy described in subsection (a).

AMENDMENT NO. 2692, AS MODIFIED

On page 410, between lines 15 and 16, insert the following:

COMPREHENSIVE NUCLEAR THREAT REDUCTION AND SECURITY PLAN

SEC. 699B. (a) Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress a comprehensive nuclear threat reduction and security plan, in classified and unclassified forms—

(1) for ensuring that all nuclear weapons and weapons-usable material at vulnerable sites are secure by 2012 against the threats that terrorists have shown they can pose;

(2) for working with other countries to ensure adequate accounting and security for such materials on an ongoing basis thereafter; and

(3) for making security improvements to ensure, to the maximum extent possible, that the existing U.S. nuclear weapons stockpile and weapons-usable material are protected from the threats terrorists have shown they can pose.

(b) For each element of the accounting and security effort described under subsection (a)(2), the plan shall—

(1) clearly designate agency and departmental responsibility and accountability;

(2) specify program goals, with metrics for measuring progress, estimated schedules, and specified milestones to be achieved;

(3) provide estimates of the program budget requirements and resources to meet the goals for each year;

(4) provide the strategy for diplomacy and related tools and authority to accomplish the program element;

(5) provide a strategy for expanding the financial support and other assistance provided by other countries, particularly Russia, the European Union and its member states, China, and Japan, for the purposes of securing nuclear weapons and weapons-usable material worldwide;

(6) outline the progress in and impediments to securing agreement from all countries that possess nuclear weapons or weapons-usable material on a set of global nuclear security standards, consistent with their obligation to comply with United Nations Security Council Resolution 1540;

(7) describe the steps required to overcome impediments that have been identified; and

(8) describe global efforts to promulgate best practices for securing nuclear materials.

(c) Sense of the Senate. The Administration shall not sign any agreement with the Russian Federation on low enriched uranium that does not include a requirement that a portion of the low enriched uranium be derived from highly enriched uranium.

AMENDMENT NO. 2784

(Purpose: to exclude aliens who have engaged in or advocated terrorist activity on behalf of or received military-type training from a Tier I or II terrorist organization from eligibility for relief from terrorism-related immigration bars)

Section 694 of the bill is amended to read as follows:

SEC. 694. (a) AMENDMENT TO AUTHORITY TO DETERMINE THE BAR TO ADMISSION INAPPLICABLE.—Section 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)) is amended to read as follows:

''The Secretary of State, after consultation with the Attorney General and the Secretary of Homeland Security, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may determine in such Secretary's sole unreviewable discretion that subsection (a)(3)(B) shall not apply with respect to an alien within the scope of that subsection or that subsection (a)(3)(B)(vi)(III) shall not apply to a group within the scope of that subsection, except that no such waiver may be extended to an alien who is within the scope of subsection (a)(3)(B)(i)(II), no such waiver may be extended to an alien who is a member or representative of, has voluntarily and knowingly engaged in or endorsed or espoused or persuaded others to endorse or espouse or support terrorist activity on behalf of, or has

voluntarily and knowingly received military-type training from a terrorist organization that is described in subclause (I) or (II) of subsection (a)(3)(B)(vi), and no such waiver may be extended to a group that has engaged terrorist activity against the United States or another democratic country or that has purposefully engaged in a pattern or practice of terrorist activity that is directed at civilians. Such a determination shall neither prejudice the ability of the United States Government to commence criminal or civil proceedings involving a beneficiary of such a determination or any other person, nor create any substantive or procedural right or benefit for a beneficiary of such a determination or any other person. Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of Title 28, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review such a determination or revocation except in a proceeding for review of a final order of removal pursuant to section 1252 of this title, and review shall be limited to the extent provided in section 1252(a)(2)(D). The Secretary of State may not exercise the discretion provided in this clause with respect to an alien at any time during which the alien is the subject of pending removal proceedings under section 1229a of this title.''.

(b) AUTOMATIC RELIEF FOR THE HMONG AND OTHER GROUPS THAT DO NOT POSE A THREAT TO THE UNITED STATES.—For purposes of section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)), the Karen National Union/Karen Liberation Army (KNU/KNLA), the Chin National Front/Chin National Army (CNF/CNA), the Chin National League for Democracy (CNLD), the Kayan New Land Party (KNLP), the Arakan Liberation Party (ALP), the Mustangs, the Alzados, the Karenni National Progressive Party, and appropriate groups affiliated with the Hmong and the Montagnards shall not be considered to be a terrorist organization on the basis of any act or event occurring before the date of enactment of this section. Nothing in this subsection may be construed to alter or limit the authority of the Secretary of State or the Secretary of Homeland Security to exercise his discretionary authority pursuant to 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)).''.

(c) TECHNICAL CORRECTION.—(1) IN GENERAL.—Section 212(a)(3)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(ii)) is amended by striking ''Subclause (VII)'' and replacing it with ''Subclause (IX)''.

(d) DESIGNATION OF THE TALIBAN AS A TERRORIST ORGANIZATION.—For purposes of section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)), the Taliban shall be considered to be a terrorist organization described in subclause (I) of clause (vi) of that section.

(e) REPORT ON DURESS WAIVERS.

The Secretary of Homeland Security shall provide to the Committees on the Judiciary of the United States Senate and House of Representatives a report, not less than 180 days after the enactment of this Act and every year thereafter, which may include a classified annex if appropriate, describing—

(1) the number of individuals subject to removal from the United States for having provided material support to a terrorist group who allege that such support was provided under duress;

(2) a breakdown of the types of terrorist organizations to which the individuals described in paragraph (1) have provided material support;

(3) a description of the factors that the Department of Homeland Security considers when evaluating duress waivers; and

(4) any other information that the Secretary believes that the Congress should consider while overseeing the Department's application of duress waivers.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this section, and these amendments and sections 212(a)(3)(B) and 212(d)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B) and 1182(d)(3)(B)), has amended by these sections, shall apply to—

(A) removal proceedings instituted before, on, or after the date of enactment of this section; and

(B) acts and conditions constituting a ground for inadmissibility, excludability, deportation, or removal occurring or existing before, on, or after such date.

AMENDMENT NO. 2785

(Purpose: To provide funding for secondary wastewater treatment, consistent with the Committee report)

On page 219, line 26, before the period insert: '',of which up to $66,000,000 shall be made available only for construction in the United States of secondary wastewater treatment capability.''

AMENDMENT NO. 2786

(Purpose: To express the sense of the Senate regarding actions needed on the part of the Government of Egypt to promote the rule of law and reduce the smuggling of weapons into Gaza)

On page 410, between lines 15 and 16, insert the following:

RULE OF LAW AND BORDER SECURITY IN EGYPT

SEC. 699B. (a) The Senate makes the following findings:

(1) Fighting in Gaza during the summer of 2007 demonstrated that the terrorist organization Hamas, which unlawfully seized control over Gaza in June 2007, has been able to achieve a dramatic increase in the quantity and sophistication of arms at its disposal.

(2) Without these arms, the terrorist organization would not have been able to seize control over the Gaza territory.

(3) There is substantial evidence that a significant proportion of these arms were smuggled across the border between Gaza and Egypt.

(4) The Egyptian military is a capable force, made possible in substantial part by a close relationship with the United States.

(5) Concurrent with the escalation of dangerous arms smuggling across the border between Egypt and Gaza has been a retrogression in the rule of law in Egypt.

(6) This loss of hard-earned ground has been characterized by reports of harsh reaction by the Government of Egypt to dissent, including the jailing of political opponents.

(7) The United States has provided aid to Egypt in excess of $28,000,000,000 over the past three decades.

(b) The Senate—

(1) reaffirms its long-standing friendship with the people of Egypt;

(2) believes that our friendship with Egypt requires the Senate to address such vital policy concerns;

(3) urges the Government of Egypt to make concrete and measurable progress on restoring the rule of law, including improving the independence of the judiciary and improving criminal procedures and due process rights and halting the cross-border flow of arms to Gaza;

(4) believes it is the best interest of Egypt, the region, and the United States that Egypt takes prompt action to demonstrate progress on these matters; and

(5) urges the Department of State to work vigorously and expeditiously with the Government of Egypt and the Government of Israel to bring the border between Egypt and Gaza border under effective control.

AMENDMENT NO. 2787

(Purpose: Technical amendment relating to the office of Private and Voluntary Cooperation)

On page 245, line 17, strike ''may'' and insert in lieu thereof ''should''.

AMENDMENT NO. 2788

(Purpose: Technical amendment relating to the Democracy Fund)

On page 262, line 16, before ''institutions'' insert ''organizations and''.

AMENDMENT NO. 2789

(Purpose: To enable the Department of State to respond to a critical shortage of passport processing personnel)

On page 211, line 20, insert after ''purposes:'' the following: ''*Provided further,* That during fiscal year 2008, foreign service annuitants may be employed, notwithstanding section 316.401 of title 5, Code of Federal Regulations, pursuant to waivers under section 824(g)(1)(C)(ii) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)(1)(C)(ii)):''.

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

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, before we go to third reading, I wish to thank Senator GREGG for his tireless efforts on this bill and the Members of the Appropriations Committee which passed this bill originally 28 to 1. I will say more about Senator GREGG's staff and my staff tomorrow so as not to hold up third reading.

Mr. GREGG. Mr. President, I join with Senator LEAHY and thank him for the fair and open way he has pursued this bill. I thank his staff again, as I did earlier, for their great work, and my staff, obviously, also. It has been a very fair and open process, and I very much appreciate his treatment of the Republican membership in this exercise.

ACCELERATING RFA FOR SOILS, WATER, AND ECOSYSTEM SERVICES CRSP

Mr. INOUYE. Mr. President, I would like to discuss with the Senator from Vermont an issue that has major implications for food security and environmental protection in developing countries and the United States.

Over the last decade, the Soils Management CRSP has performed admirably with the University of Hawaii serving as the management entity. It is through my relationship with the University of Hawaii that I have learned that this program has successfully developed globally applicable science-based principles and tested them on a site-specific basis in more than 22 developing countries in Africa, Asia, and Latin America. This has enabled users to access decision support tools to diagnose problems at specific locations in any country, and prescribe alternative solutions to correct them.

While the Soils Management CRSP has been successful during its planned 10-year life, I am pleased that the U.S. Agency for International Development will build on the accomplishments of this program and seek a broader scope

for a succeeding CRSP. The Agency correctly perceives that, while sound soil management is critical to food security, sustainable natural resources management, and economic growth and progress in the developing world, soil resources must be managed in the context of all resources in the ecosystem. I support the establishment and operation of the Soil, Water, and Ecosystem Services CRSP.

My concern is that the Agency does not plan to compete the new Soil, Water, and Ecosystem Services CRSP until 2009. With a likely 2-year interruption of research activity, the useful elements of expiring CRSPs are likely to be compromised and continuity of resource management research will not be forthcoming.

To circumvent these problems, I ask your support in encouraging the Agency to accelerate a request for applications, RFA, for a Soil, Water, and Ecosystem Services CRSP through established competitive processes. Conducting the RFA in fiscal year 2008 will minimize the loss in program continuity associated with recently expired CRSPs such as the Soils Management CRSP. Acceleration will minimize risks to food security and protection of the environment in developing countries and in the United States. An earlier competition for the new CRSP will go a long way toward preserving the momentum and expertise of the collaborative network of researchers involved in recently completed CRSPs.

I believe that the committee recommendation for funds for Collaborative Research Support Programs in 2008 is sufficient to accommodate a request for applications—RFA—for a Soil, Water, and Ecosystem Services CRSP in 2008. I also emphasize that my interest is in a more comprehensive resource management CRSP solicited through established competitive processes based solely on merit and abilities to deliver science-based recommendations.

Mr. LEAHY. I thank the Senator from Hawaii for bringing this issue to my attention. I agree about the importance of continuity and momentum in natural resource management research. I will work to ensure that your concerns are communicated to the Administrator of the U.S. Agency for International Development and that the Agency is encouraged to utilize funds appropriated for 2008 to accelerate the RFA process for a Soil, Water, and Ecosystems Services CRSP in 2008.

Mr. INOUYE. I thank my colleague for his consideration and support of the Soil, Water, and Ecosystem Services CRSP.

PASSPORT SERVICES OFFICES

Mr. PRYOR. Mr. President, I would like to engage the chairman of the Senate Appropriations State, Foreign Operations Subcommittee in a brief colloquy regarding the situation at the State Department's Passport Services Offices. Like many Members on both sides of the Hill, my office in recent months has been deluged by constituents who have had tremendous difficulties getting passports in time for trips they have planned, often many months in advance. I appreciate the fact that the subcommittee has responded to this situation by providing additional resources to the Department to address the passport backlog.

Freedom and ease of travel to foreign destinations is extremely important to the competitiveness of American business as well as for individual recreational and family needs. Many American businesses, including a significant part of the American travel industry, depend on passport services companies to obtain necessary travel documents for their employees and customers in an expedited fashion so they can travel not just when they want to but when they need to. Passport services firms also assist individual citizens when they are not located near one of the regional passport offices, have physical disabilities, or simply cannot get off work to make a personal visit to the passport office.

The number of passport issuances nationally has grown by more than 130 percent in recent years. At the same time, the demand of U.S. citizens and corporations for the expedited services of passport services companies has never been greater. However, in recent years regional Passport Services Offices have limited the number of ''slots,'' or applications, that individual passport services companies can submit on a daily basis. The reductions at all the regional offices collectively have reduced nationally the number of applications individual companies can submit by over 40 percent. It is now clear that the recent problems with passport delays faced by the traveling public as a whole are related to the problems faced by passport services companies in the last few years: lack of resources and improper allocation of resources by the Department.

Instead of creating more work, passport services companies assist passport services' adjudicators by using barcode computer technology, ensuring application forms and supporting documents are filled out accurately and completely, and improving efficiency and decreasing confusion at passport acceptance facilities nationwide by thoroughly preparing applicants before acceptance agents.

Leading travel industry representatives have formally expressed strong support for efforts to allow passport services companies to submit more applications. The American Society of Travel Agents, Cruise Lines International Association, the National Business Travel Association, the Travel Business Roundtable, and the Travel Industry Association of America have all written the Department of State expressing unqualified support for the industry's request for more slots for individual companies.

I would like to ask the distinguished chairman of the subcommittee, is it true that the committee has provided the Department $40 million over the President's budget request to enhance passport operations?

Mr. LEAHY. That is true. I would say to my colleague from Arkansas that this subcommittee is not satisfied with the performance of the Department in the last few months with respect to the adjudication and distribution of passports in a timely fashion. We recognize that a tremendous number of dedicated public servants at all levels of the State Department have been putting in long hours trying to get rid of the backlog in passports. We think it is very important, however, especially as the deadline for implementation of the Western Hemisphere Travel Initiative gets closer, that the Department be better prepared to handle spikes in demand for passports and to disseminate better information about the procedures and options available for getting expedited passports.

Mr. PRYOR. Increasing the number of daily applications individual passport service companies can submit is an essential component of meeting the personal and business travel needs of American citizens who require special assistance. Because these companies submit applications to the exact specifications of Passport Services, allowing individual firms to submit more applications daily would enable Passport Services to adjudicate a greater number of applications more efficiently.

As the chairman may know, Arkansas is now home to a passport processing facility that is working on all cylinders helping to eliminate the backlog. The Washington Regional Agency of Passport Services already has staff dedicated exclusively to processing applications submitted by passport services companies. Does the chairman/ranking member of the subcommittee agree that we should encourage the consideration of a similar approach in all regional offices to facilitate the daily increase in applications for passport services firms and recommend Passport Services expand one of its regional offices to provide significantly expanded dedicated services to passport service companies?

Mr. LEAHY. I agree that we should encourage the Department to consider providing such dedicated infrastructure, especially if it will help to alleviate the backlogs that have occurred all over the country.

Mr. PRYOR. I thank the chairman of the subcommittee for his attention to this issue.

EXTRAJUDICIAL KILLINGS IN THE PHILIPPINES

Mrs. BOXER. Mr. President, as chair of the Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs, I remain deeply concerned about reports of extrajudicial killings in the Philippines.

The people of the United States and the Philippines enjoy a close friendship that is deeply valued on both sides. Our nations have a strong bond that is supported and celebrated by the 3 million

Americans of Philippine ancestry that live in the United States today. California alone is home to more than 1 million Filipino Americans.

Because of the close ties between our two nations and our two militaries, it is essential that the government of Gloria Arroyo take strong action to end the killings and punish those who have committed abuses.

Over the past 6 years, hundreds of extrajudicial killings have taken place throughout the Philippines. Those targeted have included journalists, religious leaders, political figures, human rights activists, and union leaders.

For too long, the Government of the Philippines has not taken sufficient action to address extrajudicial killings and bring those responsible to justice.

Last year, pressure from international human rights groups, foreign governments, and political leaders forced the government of President Arroyo to launch an investigation into the killings that was headed by retired Supreme Court Justice Jose Melo. The Melo Commission report, which was made public early this year, found that the killings of activists appear to be part of an ''orchestrated plan'' and that the Philippine National Police has made little progress in investigating or prosecuting cases.

Philip Alston, the U.N. Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions has stated that the Philippine Armed Forces were in ''a state of almost total denial'' on the need to address ''the significant number of killings which have been convincingly attributed to them'' and that a ''culture of impunity'' exists within the Philippine justice system.

In response, the Philippine Government has announced that it is taking steps to address these abuses. President Arroyo has said herself that ''these killings will be resolved and the military will continue to be a vanguard for freedom.''

Last week in Manila, hundreds of relatives and supporters of those who are missing or killed marched to demand action and justice. One of the marchers carried a picture of her son, an activist who was reportedly abducted from a mall last April by seven armed persons who identified themselves as police officers. The car used in the abduction was traced to a vehicle impounded at a Philippine military base. Despite an order from the Supreme Court, the military has not released the missing activist.

During a hearing I chaired in March on this issue, a bishop from the United Church of Christ in the Philippines testified that, ''with such an appalling death toll of extrajudicial killings in our country at this time of the Arroyo administration, nobody could ever claim that she or he is not afraid and is safe. I admit that I have that fear . . . ''

I am very pleased that Senator LEAHY has included language in the Senate State Department and Foreign Operations appropriations bill that fences $2 million of military assistance on the condition that the Secretary of State certifies that the Philippine Government is implementing the recommendations of the U.N. Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, that the Philippine military is not engaging in acts of intimidation or violence against members of legal organizations that advocate for human rights, and that the Government is investigating and prosecuting those who have committed extrajudicial killings.

This binding legislative language is critical. I hope that Secretary Rice is able to produce a report that states that the Philippine Government is taking real action and the Philippine military is no longer responsible for the deaths of innocent persons.

Senator LEAHY, if the Philippine Government fails to meet the three conditions contained in this act, will you work with me to place additional limitations on future U.S. military assistance to the Philippines?

Mr. LEAHY. I share Senator BOXER's concern about extrajudicial violence in the Philippines and will continue to monitor this situation carefully. I will consider additional limitations on future U.S. military assistance if the Philippine Government fails to adequately address this issue.

Mr. MCCAIN. Mr. President, I support amendment No. 2708 that would prevent contributions to organizations that perform or promote abortion as a method of family planning. I was unable to be in attendance for this vote. However, if I had been present, I would have voted in favor of this amendment. Similarly, I support amendment No. 2707 that would prohibit funding of organizations that support coercive abortion. If I had been present, I would have voted in favor of this amendment.

I oppose amendment No. 2719 that would rescind the ''Mexico City Policy'' in its entirety, and, had I been present, I would have voted against it.

Life is the most important gift each of us is given, and I believe that abortion unfairly takes the innocent life of an unborn child who deserves protection, morally and legally. For this reason, I oppose abortion, except in the case of rape, incest or when the life of the mother is endangered.

The ''Mexico City Policy'' denies U.S. population assistance funds to private organizations that campaign to legalize abortion in foreign countries, or which otherwise promote abortion as a method of family planning. I believe that we must be committed to protecting the life of unborn children, and I do not support the expenditure of U.S. taxpayer dollars for the purposes of funding abortions, whether inside or outside the United States. While I understand the need for family planning services, particularly in developing countries, and support efforts to meet these needs, I do not believe that abortion is an appropriate form of birth control. For this reason, I oppose the allocation of taxpayer money to organizations that promote and provide abortion services.

Mr. CORNYN. Mr. President, the increasing instability along the Texas/Mexico border is of great concern to me. U.S. citizens who live in the border communities of my home State are caught in the crossfire of drug cartels engaged in illegal trafficking of drugs, weapons, cash, and people.

Nuevo Laredo, a city across the river from Laredo, TX, has been caught up in a violent turf war between rival drug gangs fighting for billion-dollar smuggling routes into the United States. This issue is relevant because many people are missing as a result of the violence in Nuevo Laredo, including over 20 U.S. citizens.

One tragic example involves Brenda Cisneros and her friend Yvette Martinez a 27-year-old mother of two young girls. On September 17, 2004, the two women were celebrating Brenda's 23rd birthday at a concert across the border in Nuevo Laredo. Neither has been seen since.

The ongoing drug wars in Nuevo Laredo are spilling over into Laredo and nearby communities in the United States. I fear the threat of violence to our citizens who live and work in border regions will only continue to escalate. This condition is unacceptable and Mexico must act immediately to end this situation.

Federal, state, and local law enforcement officials along the border routinely seize guns, ammunition, drugs, and illegal aliens. Additionally, Border Patrol agents face hundreds of assaults each year ranging from shootings, to rock throwing, to attempts to run them over.

In August 2005, I sent a letter to the Attorney General requesting that additional resources be allocated to remedy this situation. The Attorney General and the administration quickly took action to protect the people of Texas by sending a Violent Crime Impact Team to address the violence, particularly the problem of missing persons.

However, as I noted in a letter to Tony Garza, the U.S. Ambassador to Mexico, ''the good work of U.S. law enforcement will never be enough without serious commitment and strong efforts from Mexico.''

Since April 2006, I have been working with Ambassador Garza to encourage the Mexican government to help U.S. law enforcement and increase Mexico's efforts in locating the numerous missing persons from the Laredo area. I have also met with other top-level Mexican officials and urged them to allocate more resources toward finding the missing persons, and to coordinate efforts with the United States. It is clear that Mexico must do more to crack down on violence along the border.

This legislation provides funds for international narcotics control and law enforcement. The purpose of this provision is to assist foreign countries in

combating narcotics, gangs, terrorism, and crime. The House has already passed this bipartisan bill, and we must ensure the programs we are funding are focused in the right direction by including explicit language.

According to the House Judiciary Committee report, the committee ''continues to support a strong United States counternarcotics assistance program in order to protect United States communities from the ravages of drugs.'' Furthermore, the House Judiciary Committee recommendation includes $27.5 million for programs in Mexico to support the fight against human, drug, and weapon smuggling.

The amendment I am offering today ensures that a portion of this funding will be allocated for locating the many missing Americans who have been lost in the battles between drug cartels. It is simply unacceptable to allow U.S. citizens to become casualties of the violent war being waged by drug gangs in Mexico.

The truth is that, just as the violence and instability on the border is a serious problem for both countries, the solution lies both with the United States and Mexico. It will take all of our efforts and Mexico's efforts combined to win the battle against border violence.

Any legislation that appropriates funding for programs to combat drug smuggling in Mexico must also allocate resources to combat the fallout of drug trafficking. My amendment simply goes one step further in protecting our communities from the turmoil surrounding the narcotics conflict by facilitating the return of missing Americans to their loved ones.

Mr. CONRAD. Mr. President, I rise to offer for the record, the Budget Committee's official scoring of H.R. 2764, the Department of State, Foreign Operations, and Related Agencies Appropriations Act for fiscal year 2008.

The bill, as reported by the Senate Committee on Appropriations, provides $34.2 billion in discretionary budget authority for fiscal year 2008, which will result in new outlays of $17.1 billion. When outlays from prior-year budget authority are taken into account, discretionary outlays for the bill will total $33.5 billion.

The Senate-reported bill is at the subcommittee's 302(b) allocation for budget authority and is $5 million below its allocation for outlays.

The reported bill includes provisions that make changes in mandatory programs—CHIMPS—that result in an increase in direct spending over the 9-year period, 2009–2017. These provisions are subject to the point of order established by section 209 of the 2008 budget resolution.

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. 2764, DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED AGENCIES APPROPRIATIONS, 2008

[Spending comparisons—Senate Reported Bill (in millions of dollars)]

	General purpose
Senate-Reported Bill:	
Budget Authority	34,243
Outlays	33,511
Senate 302(b) allocation:	
Budget Authority	34,243
Outlays	33,516
House-passed bill:	
Budget Authority	34,243
Outlays	33,201
President's Request:	
Budget Authority	34,943
Outlays	32,748
Senate-Reported Bill Compared To	
Senate 302(b) allocation:	
Budget Authority	0
Outlays	−5
House-passed bill:	
Budget Authority	0
Outlays	310
President's Request:	
Budget Authority	−700
Outlays	763

Mr. MCCONNELL. Mr. President, I would like to reiterate my longstanding opposition to any amendments or modifications to the Mexico City policy, the Kemp-Kasten amendment, or any exceptions on the use of funds as authorized in Public Law 108–25, the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003. Some provisions related to these items are included in the State and Foreign Operations Appropriations bill that the Senate is prepared to pass, and I anticipate that if this language remains part of the final measure, the bill will draw a veto threat from the administration. Although I will support this bill in the spirit of moving this process forward, I look forward to working with my colleagues and Members of the House to ensure that the final version of the bill can be signed by the President and does not undermine these critical pro-life and pro-family provisions.

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

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

The bill was read the third time.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I had a question of the manager or the ranking member. We have been waiting now a long time, and we have just heard that things are settled. I am not sure anybody knows what that means. I don't. I hate to ask other Senators if they do.

Might I ask, procedurally, does this mean when we finish this vote tonight we are through?

Mr. LEAHY. Mr. President, if I might answer my friend, the senior Senator from New Mexico, it is my understanding from the leadership that this will be the final vote tonight. I understand the leadership has scheduled something for tomorrow morning, but this will be the final vote tonight.

Mr. GREGG. Mr. President, I would say if the Senator is suggesting we adjourn sine die, I could support that.

Mr. LEAHY. Mr. President, I am advised by the leader there will be one vote tomorrow at 10:15.

Mr. DOMENICI. On a different matter.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that the Senate insist on its amendment, request a conference with the House, and that the Chair be authorized to appoint conferees.

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

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

The yeas and nays have been ordered.

The clerk will call the roll.

The 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 Idaho (Mr. CRAIG), and the Senator from Arizona (Mr. MCCAIN).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 81, nays 12, as follows:

[Rollcall Vote No. 325 Leg.]

YEAS—81

Akaka	Feinstein	Murray
Alexander	Grassley	Nelson (FL)
Allard	Gregg	Nelson (NE)
Baucus	Hagel	Pryor
Bayh	Harkin	Reed
Bennett	Hatch	Reid
Bingaman	Hutchison	Roberts
Bond	Inouye	Rockefeller
Boxer	Johnson	Salazar
Brown	Kennedy	Sanders
Bunning	Kerry	Schumer
Burr	Klobuchar	Sessions
Byrd	Kohl	Shelby
Cantwell	Kyl	Smith
Cardin	Landrieu	Snowe
Carper	Lautenberg	Specter
Casey	Leahy	Stabenow
Cochran	Levin	Stevens
Coleman	Lieberman	Sununu
Collins	Lott	Tester
Conrad	Lugar	Thune
Crapo	Martinez	Vitter
Dole	McCaskill	Voinovich
Domenici	McConnell	Warner
Dorgan	Menendez	Webb
Durbin	Mikulski	Whitehouse
Feingold	Murkowski	Wyden

NAYS—12

Barrasso	Corker	Enzi
Brownback	Cornyn	Graham
Chambliss	DeMint	Inhofe
Coburn	Ensign	Isakson

NOT VOTING—7

Biden	Dodd	Obama
Clinton	Lincoln	
Craig	McCain	

The bill (H.R. 2764), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate insists on its amendments, requests a conference with the House, and the Chair appoints the following conferees.

The Acting President pro tempore appointed Mr. LEAHY, Mr. INOUYE, Mr. HARKIN, Ms. MIKULSKI, Mr. DURBIN, Mr. JOHNSON, Ms. LANDRIEU, Mr. REED, Mr. BYRD, Mr. GREGG, Mr. MCCONNELL, Mr. SPECTER, Mr. BENNETT, Mr. BOND, Mr. BROWNBACK, Mr. ALEXANDER, and Mr. COCHRAN conferees on the part of the Senate.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

COLLEGE COST REDUCTION AND ACCESS ACT—CONFERENCE REPORT

Mr. KENNEDY. Mr. President, I submit a report of the committee of conference on the bill (H.R. 2669) and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on 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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, signed by a majority of the conferees of both Houses.

The ACTING PRESIDENT pro tempore. The Senate will proceed to the consideration of the conference report.

(The conference report is printed in the proceedings of the House in the RECORD of today, September 6, 2007.)

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

ORDERS FOR FRIDAY, SEPTEMBER 7, 2007

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 8:55 a.m., Friday, September 7; that on Friday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that the Senate then resume consideration of the conference report to accompany H.R. 2669, as provided for under a previous order.

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

ORDER FOR ADJOURNMENT

Mr. KENNEDY. Mr. President, I now ask unanimous consent that following the statement of Senator ENZI—I will make my statement in the morning—the Senate stand adjourned under the previous order.

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

Mr. KENNEDY. I thank the Chair.

TRIBUTE TO ED McGAFFIGAN

Mr. BINGAMAN. Mr. President, let me speak as in morning business about a dear friend who died this last Sunday, and that is Ed McGaffigan. Ed has been a member of the Nuclear Regulatory Commission now for over 10 years. He is the longest serving member of the Nuclear Regulatory Commission in the history of our country. Prior to that, he was a staff member in my office working with me on foreign policy issues, on defense policy issues, on science and technology issues. The country has lost a great public servant, and we have all lost a great friend with the passing of Ed McGaffigan.

When I first came to the Senate in 1983, I was appointed to the Armed Services Committee, and I have remained on that committee for essentially 20 years. When I first got here, I needed the help, obviously, of someone who knew something about foreign policy and defense policy, and I called Professor Joe Nye at the Harvard's Kennedy School to ask if he could recommend anyone. His immediate response to me was: There is a young man working in the White House Science Office named Ed McGaffigan. I would recommend Ed without any reservation. If you could persuade Ed to work for you in this capacity, you would be extremely well served. As it happened, I was able to persuade Ed to do that in 1983.

He worked with me on defense issues and foreign policy issues and science and technology issues for 13½ years. Then he moved on and was appointed by President Clinton to the Nuclear Regulatory Commission. He was appointed to a term on the Nuclear Regulatory Commission and then reappointed to a second term by President Clinton and reappointed once again by President Bush.

I will always be grateful to Professor Nye for his immediate and superb recognition of Ed. Ed had many virtues. He was a man of great faith. He was faithful to his God, of course, his family, his job, and his country. He was known for his love of his family, his wife Peggy, and his children, Eddie and Meggy. He saw his job as public service. He made a decision early in his career to pursue public service. He worked in the State Department, he worked in the White House science office, he worked in the Senate, and he worked as a member of the Nuclear Regulatory Commission. In each position, he demonstrated great ability and uncompromising integrity.

Ed made it his business to understand whatever the issue was at hand better than anybody else. He had the intellectual capacity and the determination to do exactly that. He sought expert advice, but he was not one who would accept any advice at face value. He was trained as a physicist; he was a physicist. He had an extremely keen mind, and he was in the enviable position of being able to be his own expert, having his own expert views on many subjects.

The second advantage I would cite for Ed in his public service was his courage. He employed that courage time and again when he stepped up to be the teller of truth. One recent column described him as a ''debunker of hype.'' There was another story that was written about Ed this week, where he was referred to as a ''feisty advocate for nuclear technology.'' I can see how someone might interpret his statements and actions that way, but, in fact, Ed saw himself not as an advocate for a particular technology—nuclear or any other—but instead as a person who was unafraid to tell the truth even when that went against the popular view, even when it meant dispelling widely shared myths.

Ed had the intellectual ability and the courage to accomplish a tremendous amount. There was no question or surprise when he chose to use that intellectual ability and courage to face the illness that did finally claim his life. He did all of the reading that was doable on the subject of that illness. He asked hard questions. He took in the answers, and he managed his life for the last 8 years in the best way possible.

As sometimes happens with cancer—which is what ultimately prevailed—there are days of remission and there are also days of illness. Recently, he enjoyed a reprieve from the pain and discomfort that was caused by the disease and the treatment. Bob Simon and Sam Fowler of the Energy Committee and myself were fortunate to have lunch with Ed in the Senate diningroom in June. It was a typical meeting with Ed. He was focused on the future, on how to accomplish the important work of the Nuclear Regulatory Commission. He was a devoted public servant to the end of his days. He achieved an enormous amount. Much of his ability to achieve in these final months and throughout his career, of course, was due to the superb work of his staff at the Nuclear Regulatory Commission. They deserve great credit, as well, for helping him in these final months. Ed must have been one of the few hospice patients in the country who continued to work 4 days a week. As far as I know, he is the only hospice patient to testify before the Senate in July.

Ed made the most of the reprieve he was granted, but this last week his illness came forward and he died on Sunday. He was buried in Arlington, VA, today. The Senate is a poorer place for his passing, and the country has lost a great public servant. We have all lost a very good friend.

IRAQ

Mr. SCHUMER. Mr. President, I rise today to discuss Iraq, as I have every day this week that we have been here. First, I know we all have the deepest gratitude and respect for the sacrifice of the brave men and women serving our country so valiantly in Iraq. Make no mistake about it, the troops are doing their job. I am concerned, however, that their mission is not worthy of their great sacrifice, especially the President's surge.

The surge, despite earlier reports this week, has failed to meet the objectives set out by the President. And the President can't change that fact by changing the goal. He is now claiming progress in Iraq as evidence that the surge—directed at Baghdad—is working. While the President has claimed progress in Anbar, it was not the surge that brought the momentary calm to this region, because the surge was focused mainly on Baghdad, and the difficult process of political reconciliation. Its objective, as stated by the President himself, was to create breathing room for the central Iraqi Government to make political progress.

Our brave troops have been in Anbar for years and years, doing the first-rate job they always do in what is a very difficult environment. Now, however, some elements of the local population, and some of their leaders, have made common cause with the brave men and women of our military. They have cooperated with our troops out of distaste for the brutal methods of al-Qaida. While this is a welcome and helpful development, it is neither the foundation upon which a successful long-term strategy can be launched, nor is it a result of the surge, which was targeted mainly at Baghdad and the national Iraqi political process.

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 the Iraqi citizens. The Shiites, the Sunnis, and the Kurds still despise each other. They dislike each other more than they like any central government. We have heard about success in the past in Baghdad, and we have heard about success in Fallujah, and they vanish like the wind because the fundamentals on the ground haven't changed.

Now, at a time when the American people are crying out for a change in course, some are pointing to a temporary situation in one province—Anbar—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, and the warlords in Anbar Province have no relationship with the central government whatsoever. The Shiites, the Kurds, and the Sunnis, as I have stated, dislike each other far more than they like or want any central government, and these two facts doom the administration's policy to failure.

We should not have our brave soldiers fighting a civil war caught between rival political and religious factions. We desperately need a change in course, a change in course that recognizes the political situation on the ground, and I urge that this body move forward to do just that.

CHANGES TO S. CON. RES. 21

Mr. CONRAD. Mr. President, section 306 of S. Con. Res. 21, the 2008 budget resolution, permits the chairman of the Senate Budget Committee to revise the aggregates, allocations, and other appropriate levels for legislation that would make higher education more accessible and more affordable, provided that the legislation does not worsen the deficit over the period of the total of fiscal years 2007 through 2012 or the period of the total of fiscal years 2007 through 2017.

I find that the conference report for H.R. 2669, the College Cost Reduction and Access Act, satisfies the conditions of the deficit-neutral reserve fund for higher education. Therefore, pursuant to section 306, I am adjusting the aggregates in the 2008 budget resolution, as well as the allocation provided to the Senate Health, Education, Labor, and Pensions Committee.

I ask unanimous consent that the following revisions to S. Con. Res. 21 be printed in the RECORD.

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

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008.—S. CON. RES. 21; REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 306 DEFICIT-NEUTRAL RESERVE FUND FOR HIGHER EDUCATION

[In billions of dollars]

Section 101:	
(1)(A) Federal Revenues:	
FY 2007	1,900.340
FY 2008	2,022.084
FY 2009	2,121.502
FY 2010	2,176.951
FY 2011	2,357.680
FY 2012	2,494.753
(1)(B) Change in Federal Revenues:	
FY 2007	−4.366
FY 2008	−28.712
FY 2009	14.576
FY 2010	13.230
FY 2011	−36.870
FY 2012	−102.343
(2) New Budget Authority:	
FY 2007	2,371.470
FY 2008	2,503.114
FY 2009	2,524.848
FY 2010	2,579.138
FY 2011	2,697.407
FY 2012	2,734.883
(3) Budget Outlays:	
FY 2007	2,294.862
FY 2008	2,469.527
FY 2009	2,570.800
FY 2010	2,607.889
FY 2011	2,703.174
FY 2012	2,716.580

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008.—S. CON. RES. 21; REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 306 DEFICIT-NEUTRAL RESERVE FUND FOR HIGHER EDUCATION

[In millions of dollars]

Current Allocation to Senate Health, Education, Labor, and Pensions Committee:	
FY 2007 Budget Authority	12,922
FY 2007 Outlays	13,144
FY 2008 Budget Authority	10,608
FY 2008 Outlays	10,024
FY 2008–2012 Budget Authority	56,565
FY 2008–2012 Outlays	54,185
Adjustments:	
FY 2007 Budget Authority	−4,890
FY 2007 Outlays	−4,890
FY 2008 Budget Authority	−176
FY 2008 Outlays	−842
FY 2008–2012 Budget Authority	5,754
FY 2008–2012 Outlays	4,888
Revised Allocation to Senate Health, Education, Labor, and Pensions Committee:	
FY 2007 Budget Authority	8,032
FY 2007 Outlays	8,254
FY 2008 Budget Authority	10,432
FY 2008 Outlays	9,182
FY 2008–2012 Budget Authority	62,319
FY 2008–2012 Outlays	59,073

RECONCILIATION PROVISIONS—H.R. 2669

Mr. CONRAD. Mr. President, as chairman of the Committee on the Budget, pursuant to section 313 of the Congressional Budget Act of 1974, I submit to the Senate the following list of reconciliation provisions considered to be extraneous under the Byrd rule, to be printed in the RECORD.

PROVISIONS OF THE CONFERENCE REPORT ACCOMPANYING H.R. 2669, THE COLLEGE ACCESS AND COST REDUCTION ACT, WHICH ARE EXTRANEOUS PURSUANT TO THE BYRD RULE

None.

VOTE EXPLANATION

Mr. WEBB. Mr. President, I ask unanimous consent to have printed in the RECORD my letter to Senator BYRD regarding my absence for rollcall vote No. 315.

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

U.S. SENATE,
Washington, DC, September 6, 2007.

Hon. ROBERT C. BYRD,
President Pro Tempore, U.S. Senate, Washington, DC.

DEAR MR. PRESIDENT: Mr. President, due to my presence at a critically important Armed Services Committee hearing regarding the Iraq war, I was unavoidably absent during rollcall vote No. 315. This vote concerned Senator Brown's amendment No. 2673 to the Military Construction-Veterans Affairs Appropriations bill. I was questioning committee witnesses at the time the floor vote was called, and I abbreviated my questioning in order to arrive for the vote. However, I arrived on the floor shortly after the vote concluded. Had I been present, I would have supported Senator Brown's amendment, which I cosponsored. That amendment prohibits the Department of Veterans Affairs from outsourcing certain VA jobs to private contractors.

Sincerely,

JIM WEBB,
U.S. Senator.

HONORING OUR ARMED FORCES

MASTER SERGEANT SCOTT M. CARNEY

Mr. GRASSLEY. Mr. President, it is with great sorrow that I speak today in honor of a fallen soldier. American hero MSG Scott M. Carney was killed in military operations on August 24, 2007. My deepest sympathy and prayers go out to Scott's wife Jeni and twin sons Jacob and Justin. I also express sincere sympathy and gratitude to his parents Geneva and John Carney and his brothers and sister.

An Ankeny, IA, resident, Scott was killed during a humvee rollover near Herat, Afghanistan. Scott was a member of the Iowa National Guard's 2nd Brigade Combat Team, 34th Division out of Boone, IA. Scott enlisted in the U.S. Army in 1989 and had been a member of the 2nd Brigade Combat Team since 2004.

Scott will be fondly remembered and missed dearly. His wife described Scott by saying he ''died doing what he loved, serving his country and protecting the freedom that we enjoy and providing the people of Afghanistan with the opportunity for freedom.'' I know I speak on behalf of all Iowans when I express gratitude for Scott's 18 years of military service. While I speak today with great sorrow, I also speak with great pride; pride in having soldiers like Scott, willing to make the ultimate sacrifice.

A fellow soldier lent an apt description of Scott when he said ''the Army was his life. He loved his family dearly and was a great family member. He was also part of the team.'' I ask all Americans to spend a moment today in prayerful gratitude for the family of a true American patriot, fallen hero MSG Scott M. Carney.

MATTHEW SHEPARD ACT OF 2007

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On the night of August 9, 2007, three friends with developmental disabilities were verbally assaulted by four teens as they left a Cheektowaga, NY, restaurant. Two of the friends, a 22-year-old local man and his 19-year-old girlfriend, got into their vehicle and began to drive away. The teens continued to taunt the couple with derogatory names for the developmentally disabled. The four youths drove after the couple in two cars, reportedly swerving repeatedly at the victims' car and nearly hitting it. The disabled couple's car crashed as they tried to turn onto the Cheektowaga Thruway, causing significant damage to their vehicle. According to witnesses, the crash happened after the victim sped up to get away from the attackers' vehicles. The teens sped away, but thanks to witnesses and restaurant surveillance tapes, the police were able to apprehend the teens. Three of them were charged with perpetrating a hate crime.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Matthew Shepard Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

ILLICIT GLOBAL SMALL ARMS TRADE

Mr. FEINGOLD. Mr. President, illegally traded small arms and light weapons are cheap and readily available in many areas of the world. These weapons contribute to instability and violence in developing regions, creating fertile breeding grounds for rogue actors, undisciplined militias, and even terrorists. Confronting the threat of global terrorism requires a multifaceted approach which should include efforts to curb the illegal small arms trade while promoting programs that destroy surplus and obsolete weapons so they are taken out of circulation world-wide.

The M–16 and the AK–47, both automatic rifles, and shoulder launched surface-to-air missiles, called Man-Portable Air Defense Systems, or MANPADS, are the most commonly traded weapons in the estimated $1 billion a year illegal arms trade. I am not talking about legal and vetted government to government transfers; I am talking about the illicit arms trade that results in these weapons ending up, frequently, in the most lawless regions of the world and in places where they could be used to attack U.S. troops.

I have just returned from a trip to Africa, where I saw firsthand the devastating toll these weapons have had in eastern Democratic Republic of Congo, DRC, as well as in northern Uganda. The eastern part of DRC, despite that country's successful election last summer, is rife with instability and small arms are the weapons of choice. I saw how they are used to destabilize communities and how they wreak havoc on innocent civilians. I visited a center for ex-combatants in Bunia, in the Ituri region of North Kivu, and saw the newly disarmed soldiers beginning the process of ''re-entering'' life without a weapon. The U.N. agency running this program had already removed the child soldiers but many of the former soldiers I saw looked exceedingly young. They couldn't have been much older than 18 or 20 and yet there they were receiving a second chance at life—a chance to live free of violence.

In Iraq, the illicit small arms trade supplies insurgent groups that continue to hamper U.S.-led efforts to stabilize and rebuild the country. In Afghanistan, illegally obtained small arms are used by warlords to attack U.S. troops and maintain areas of refuge for terrorists. Much of the recent violence that has plunged Somalia into chaos has been carried out by extremists with automatic rifles. In Colombia, narcoterrorist paramilitary operations, including kidnappings and the murder of hostages, are fueled by a steady flow of small arms that are smuggled into the country. The influx of small arms into Darfur, much of which is in violation of a U.N. arms embargo, has helped perpetuate the conflict between the Sudanese government, associated Janjaweed militias, and the numerous rebel factions. Many other countries in sub-Saharan Africa—including Angola, and Liberia—have been profoundly impacted as they became victims to decades of brutal war perpetuated by these illegal arms flows.

I am pleased that the President requested, the House passed, and the Senate Appropriations Committee has provided, over $44 million for the Small Arms and Light Weapons Destruction Program in Fiscal Year 2008. This is a significant increase for a much-needed and very successful initiative. Indeed, since 2001, this program has helped 25 countries destroy over 1 million weapons that might have otherwise have been used to create unrest and chaos.

The fight against global terrorism remains the highest national security priority of the United States. The illegal global trade and ensuing use of small arms and light weapons clearly destabilizes regions that extremists and terrorists can then use as safe havens in which to operate. The United States must do all it can to curtail the illegal small arms trade world-wide while it works to simultaneously eliminate the conditions that breed extremism and instability. The Small Arms and Light Weapons Destruction Program is a critical component in that fight.

ADDITIONAL STATEMENTS

TRIBUTE TO SUN YET WONG

• Mr. AKAKA. Mr. President, today the National Reconnaissance Office, NRO, is honoring two individuals, Dr. Paul G. Kaminski and Mr. Sun Yet Wong, who have made significant contributions to the discipline of national reconnaissance. They will be inducted as members of Pioneer Hall. This prestigious award bestowed to 71 people is the NRO's highest honor.

Of these two individuals, I am honored to know Mr. Wong and I wish to congratulate him on being selected by the NRO for the 2007 Class of Pioneers. The work of technological revolutionaries, such as Mr. Sun Yet Wong, has made significant and lasting contributions to the discipline of national reconnaissance, and has set the stage for future advancements in the field. His efforts have helped advance technology by contributing to the effectiveness of

NRO satellite systems. Today, the NRO continues to build on his revolutionizing successes.

Mr. Wong's career in national reconnaissance began in 1955 and continues to the present day. Although he is being honored with this award because of his outstanding work and contributions to the effectiveness of NRO satellite systems, Mr. Wong has been a major contributor to a number of technological advancements. Among his achievements, Mr. Wong was the key designer of support equipment for ground-test deployment of satellite solar panels whose application overcame a structural on-orbit deployment anomaly. He also introduced the use of a synthetic lubricant to stabilize and extend the life of control movement gyroscopes used on NRO satellites. He currently works as a consultant for TriSept Corporation and Boeing Space Systems.

Mr. Wong is a true pioneer who continues to revolutionize technology. Again, I commend him for all that he has done and wish him the very best in future endeavors. ●

NEW MEXICO MAINSTREET ACCREDITATIONS

● Mr. DOMENICI. Mr. President, today I recognize several cities in New Mexico that have recently received national accreditation for completing the Main Street Four-Point Approach. The National Trust Main Street Center recently named nine cities' Main Street projects as being nationally accredited. Those nine communities include Artesia, Clayton, Clovis, Hobbs, Las Cruces, Las Vegas, Los Alamos, Raton, and Silver City.

The work that has been done in these communities to preserve the history of downtown, as well as bring it into the 21st century, is to be honored. Main streets are a big part of every community's history. They provide a look into the past, and with these revitalizations, a positive look into the future. Downtown used to be the hub of a city. With the invention of the automobile, cities have spread out and often no longer have just one central area of activity. With these new improvements to local main streets, towns are beginning to experience businesses returning to these areas. These towns have been able to marry the past with the present. They are honoring old businesses that have been in downtown areas for years, while encouraging new businesses to open their doors in this district. The success of their efforts is evident by this award.

I congratulate these cities on the good work they are doing to bring the main street appeal back into their communities.●

30TH ANNUAL ENCHANTED CIRCLE CENTURY TOUR

● Mr. DOMENICI. Mr. President, today I recognize the Red River Chamber of Commerce and the Red River Bike Club for putting on another Enchanted Circle Century Tour. This year marks the 30th anniversary of this legendary bicycle tour around northeast New Mexico.

This 100 mile tour begins in Red River, and then passes through Questa, Taos, Angel Fire, Eagle Nest and Black Lake before finishing back in Red River. What better way to see the breathtaking Sangre de Cristo Mountains than on a bicycle? This tour has given many residents and visitors of New Mexico the opportunity to experience our State in a new way. It is not for the faint of heart though. It takes incredible strength to overcome the elevation, elements, and endurance challenge this tour presents. The September 8 start will be a major milestone for this community, and it is my hope that this tradition continues for at least another 30 years.●

HONORING MARY McALENEY

● Ms. SNOWE. Mr. President, today I commend a Mainer who has gone above and beyond the call of duty in public service to our State and the Nation. On June 30 of this year, Mary McAleney retired from her position as district director of the U.S. Small Business Administration's Maine district Office after serving in that capacity for 9 dedicated years. Her retirement from this post is a loss to all of Maine's 151,000 small businesses. Mary has always worked with the best interests of Maine's small businesses in mind, and her efforts on behalf of our State's small firms has been widely praised. In March of this year, the Maine Small Business Development Centers named Mary their Small Business Champion for her tireless efforts to serve Mainers. Her commitment to, and enthusiasm for, small enterprises has impressed all who have had the privilege of working with her.

I will never forget when, in the spring of 2006 following devastating flooding in York County, Mary helped to organize a tour for me of the damage. On very short notice, she made arrangements to visit numerous businesses affected by the flooding, rallying business leaders to stay optimistic and begin the recovery process. Over the years, Mary proved time and again that she could be relied upon in times of crisis to assist small businesses in need, and as a Mainer herself, she knew exactly how to be helpful, knew the right person to call, and found a way to get results.

Mary's public service began with her work as a staffer in the Maine Legislature. Leaving Augusta, Mary came to Washington to work for former Senate Majority Leader George Mitchell, where she served as chief of staff. Prior to her appointment to the Maine SBA, Mary served as district director for the Massachusetts SBA from 1995 to 1998. Without any doubt, it is clear from the first time Mary meets anyone that Mary McAleney's passion is Maine! She grew up in eastern Maine, in the town of Vanceboro, where she undoubtedly learned the value of sustaining a rural economy, and realized the challenges many Mainers from rural areas of the State face in order to support a family. Throughout the years, Mary has demonstrated this zeal by her remarkable ability to work with people from all sides of the spectrum, because she is among them in spirit and determination.

The State of Maine owes a debt of gratitude to Mary McAleney for the outstanding work she has done fighting for Maine's small businesses. While she will be sorely missed at the SBA, I know Mary will continue her distinguished service to Maine in innovative and beneficial ways. I wish my good friend continued success and offer my sincere appreciation for her devotion to Maine's small business community.

Thank you, Mr. President, for affording me the opportunity to speak about this truly exceptional Mainer and American.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:04 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 954. An act to designate the facility of the United States Postal Service located at 365 West 125th Street in New York, New York, as the ''Percy Sutton Post Office Building''.

H.R. 3052. An act to designate the facility of the United States Postal Service located at 954 Wheeling Avenue in Cambridge, Ohio, as the ''John Herschel Glenn, Jr. Post Office Building''.

H.R. 3062. An act to authorize appropriations to provide for South Pacific exchanges, provide technical and other assistance to countries in the Pacific region through the United States Agency for International Development, and authorize appropriations to provide Fulbright Scholarships for Pacific island students.

H.R. 3106. An act to designate the facility of the United States Postal Service located at 805 Main Street in Ferdinand, Indiana, as the ''Staff Sergeant David L. Nord Post Office''.

H.R. 3218. An act to designate a portion of Interstate Route 395 located in Baltimore, Maryland, as ''Cal Ripken Way''.

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

H. Con. Res. 165. Concurrent resolution supporting the goals and ideals of National Teen Driver Safety Week.

H. Con. Res. 181. Concurrent resolution recognizing and commending all volunteers and other persons who provide support to the families and children of members of the Armed Forces, including National Guard and Reserve personnel, who are deployed in service to the United States.

MEASURES REFERRED

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

H.R. 954. An act to designate the facility of the United States Postal Service located at 365 West 125th Street in New York, New York, as the ''Percy Sutton Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3052. An act to designate the facility of the United States Postal Service located at 954 Wheeling Avenue in Cambridge, Ohio, as the ''John Herschel Glenn, Jr. Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3062. An act to authorize appropriations to provide for South Pacific exchanges, provide technical and other assistance to countries in the Pacific region through the United States Agency for International Development, and authorize appropriations to provide Fulbright Scholarships for Pacific Island students; to the Committee on Foreign Relations.

H.R. 3106. An act to designate the facility of the United States Postal Service located at 805 Main Street in Ferdinand, Indiana, as the ''Staff Sergeant David L. Nord Post Office''; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 165. Concurrent resolution supporting the goals and ideals of National Teen Driver Safety Week; to the Committee on Commerce, Science, and Transportation.

H. Con. Res. 181. Concurrent resolution recognizing and commending all volunteers and other persons who provide support to the families and children of members of the Armed Forces, including National Guard and Reserve personnel, who are deployed in service to the United States; to the Committee on Armed Services.

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–2974. A communication from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Designation of the State of New Mexico Under the Federal Meat Inspection Act and the Poultry Products Inspection Act'' (RIN0583–AD29) received on August 3, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2975. A communication from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Prohibition of the Use of Specified Risk Materials for Human Food and Requirements for the Disposition of Non-Ambulatory Disabled Cattle; Prohibition of the Use of Certain Stunning Devices Used to Immobilize Cattle During Slaughter'' (RIN0583–AC88) received on August 3, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2976. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Milk Income Loss Contract Program'' (RIN0560–AH73) received on September 5, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2977. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Emergency Conservation Program'' (RIN0560–AH71) received on September 5, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2978. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the annual report of the National Security Education Program for fiscal years 2005 and 2006; to the Committee on Armed Services.

EC–2979. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, a report on the approved retirement of Lieutenant General Jeffrey B. Kohler, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–2980. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Taxpayer Identification Numbers'' (DFARS Case 2006–D037) received on September 5, 2007; to the Committee on Armed Services.

EC–2981. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Congressional Notification of Architect-Engineer Services/Military Family Housing Contracts'' (DFARS Case 2006–D015) received on September 5, 2007; to the Committee on Armed Services.

EC–2982. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Security-Guard Functions'' (DFARS Case 2006–D050) received on September 5, 2007; to the Committee on Armed Services.

EC–2983. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Limitation on Contracts for the Acquisition of Certain Services'' (DFARS Case 2006–D054) received on September 5, 2007; to the Committee on Armed Services.

EC–2984. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report entitled, ''Report to Congress on Sustainable Ranges''; to the Committee on Armed Services.

EC–2985. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Catastrophic Act Reporting; Records Preservation Program and Appendices'' (RIN3133–AD24) received on August 14, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2986. A communication from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Cuban Assets Control Regulations, Burmese Sanctions Regulations, Sudanese Sanctions Regulations, and Iranian Transactions Regulations'' (31 CFR Parts 515, 537, 538, and 560) received on September 4, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2987. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Technical Corrections to the Export Administration Regulations'' (RIN0694–AE07) received on August 27, 2007; to the Committee on Banking , Housing, and Urban Affairs.

EC–2988. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((Docket No. FEMA–7985)(72 FR 44416)) received on September 5, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2989. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Management Official Interlocks'' (RIN3064–AD13) received on August 27, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2990. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' (72 FR 38488) received on August 3, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2991. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' (72 FR 38492) received on August 3, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2992. A communication from the Assistant to the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Truth in Lending'' (Docket No. R–1291) received on August 3, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2993. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' (72 FR 38488) received on August 3, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2994. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' (72 FR 41634) received on September 5, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2995. A communication from the Associate General Counsel, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Public Housing Operating Fund Program; Revised Transition Funding Schedule for Calendar Years 2007 Through 2012'' (RIN2577–AC72) received on September 5, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2996. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security,

transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' (72 FR 46397) received on September 5, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2997. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' (72 FR 46396) received on September 5, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2998. A communication from the Associate General Counsel, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Community Development Block Grant Program; Small Cities Program'' (RIN2506–AC16) received on September 5, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2999. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((Docket No. FEMA–7983)(72 FR 40766)) received on September 5, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–3000. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' (72 FR 46394) received on September 5, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–3001. A communication from the Secretary of Transportation, transmitting, pursuant to law, an annual report relative to the accomplishments made under the Airport Improvement Program during fiscal year 2006; to the Committee on Commerce, Science, and Transportation.

EC–3002. A communication from the Senior Legal Advisor, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Service Rules for the 698–806 MHz Band and Public Safety Spectrum Requirements'' ((WT Docket No. 06–150)(FCC 07–132)) received on September 4, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3003. A communication from the Chief of the Policy Division, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Review of the Emergency Alert System'' ((EB Docket No. 04–296)(FCC 07–109)) received on September 4, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3004. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Waukomis, Oklahoma'' (MB Docket No. 06–46) received on September 4, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3005. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Charleston and Englewood, Tennessee'' (MB Docket No. 05–273) received on September 4, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3006. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Telecommunications Services Inside Wiring Customer Premises Equipment and Implementation of the Cable Television Consumer Protection and Competition Act of 1992: Cable Home Wiring'' (FCC 07–111) received on September 4, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3007. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''IP-Enabled Services; Implementation of Sections 255 and 251(a)(2) of the Telecommunications Act of 1934; Access to Telecommunications Services; Telecommunications Equipment and Customer Premises Equipment by Persons with Disabilities; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities: The Use of N11 Codes and Other Abbreviated Dialing Arrangements'' (FCC 07–110) received on September 4, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3008. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Second Report and Order, Digital Audio Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service'' ((FCC 07–33) (MM Docket No. 99–325)) received on September 4, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3009. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Emergency Rule Extension to Supersede the Previously Published 2007 Summer Flounder Specifications'' (RIN0648–AT60) received on August 27, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3010. A communication from the Secretary of the Federal Maritime Commission, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Permit Optional Method of Filing Form FMC–18, Application for a License as an Ocean Transportation Intermediary'' ((RIN3072–AC32) (Docket No. 07–08)) received on September 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3011. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch and Rougheye Rockfish in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XB45) received on August 27, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3012. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Parts and Accessories Necessary for Safe Operations: Surge Brake Requirements'' (RIN2126–AA91) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3013. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Tire Pressure Monitoring Systems Phase-in; Response to Petitions for Reconsideration'' (RIN2127–AJ90) received on August 3, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3014. A communication from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, a report relative to the impact of Hurricanes Katrina, Rita, and Wilma on fisheries; to the Committee on Commerce, Science, and Transportation.

EC–3015. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Trawl Catcher Vessels Participating in the Rockfish Entry Level Fishery in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XB81) received on September 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3016. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Revise Electronic Reporting Software and Hardware Requirements'' (RIN0648–AV13) received on September 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3017. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries off West Coast States; Highly Migratory Species Fisheries; Vessel Marking Requirements'' (RIN0648–AU73) received on September 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3018. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, an annual report on Federal participation in the development and use of voluntary consensus standards; to the Committee on Commerce, Science, and Transportation.

EC–3019. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Economic Exclusive Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (RIN0648–XB96) received on September 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3020. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Temporary Rule; Closure of Quota Period I Fishery for Spiny Dogfish'' (RIN0648–XB95) received on September 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3021. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel Lottery in Areas 542 and 543'' (RIN0648–XC08) received on September 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3022. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Economic Exclusive Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (RIN0648–XC02) received on September 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3023. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''End

of the 2007 Pacific Whiting Primary Seasons for the Catcher-Processor, Mothership and Shore-Based Sectors'' (RIN0648–XB00) received on September 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3024. A communication from the Chairman, Office of Proceedings, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Rail Fuel Surcharges'' (RIN2140–AA83) received on September 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3025. A communication from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report relative to the activities performed by the agency that are not inherently governmental functions; to the Committee on Commerce, Science, and Transportation.

EC–3026. A communication from the Under Secretary of Energy (Science), transmitting, pursuant to law, a report relative to the feasibility of promoting collaborations between universities on energy projects; to the Committee on Energy and Natural Resources.

EC–3027. A communication from the Under Secretary of Energy (Science), transmitting, pursuant to law, a report relative to the improvement of inter-laboratory exchange of scientific and technical personnel; to the Committee on Energy and Natural Resources.

EC–3028. A communication from the Under Secretary of Energy (Science), transmitting, pursuant to law, a report relative to educational programs at the Department's research and development facilities; to the Committee on Energy and Natural Resources.

EC–3029. A communication from the Assistant Administrator for Power Marketing Liaison, Department of Energy, transmitting, pursuant to law, a report relative to the use of Federal power allocations by Indian tribes; to the Committee on Energy and Natural Resources.

EC–3030. A communication from the Director, Office of Electricity Delivery and Energy Reliability, Department of Energy, transmitting, pursuant to law, a report relative to the designation of corridors for oil, gas, and hydrogen pipelines and electricity transmission in eleven states; to the Committee on Energy and Natural Resources.

EC–3031. A communication from the Under Secretary of Energy (Science), transmitting, pursuant to law, a report relative to the assessment of certain energy and water related issues; to the Committee on Energy and Natural Resources.

EC–3032. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled, ''Annual Energy Review 2006''; to the Committee on Energy and Natural Resources.

EC–3033. A communication from the Chairman, Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to progress made in the construction of the Alaska natural gas pipeline; to the Committee on Energy and Natural Resources.

EC–3034. A communication from the Assistant Secretary of Energy (Energy Efficiency and Renewable Energy), transmitting, pursuant to law, a report relative to failures to comply with deadlines for new or amended energy conservation standards; to the Committee on Energy and Natural Resources.

EC–3035. A communication from the Acting Assistant Secretary, Office of Fossil Energy, Department of Energy, transmitting, pursuant to law, a report entitled, ''An Assessment of the Methane Hydrate Research Program and An Assessment of the 5-Year Research Plan of the Department of Energy''; to the Committee on Energy and Natural Resources.

EC–3036. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled, ''Section 992 Report on Equal Employment Opportunity Practices at the Department of Energy National Laboratories''; to the Committee on Energy and Natural Resources.

EC–3037. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled, ''Inventory of Assessed Federal Coal Resources and Restrictions to Their Development''; to the Committee on Energy and Natural Resources.

EC–3038. A communication from the Acting Assistant Secretary, Office of Fossil Energy, Department of Energy, transmitting, pursuant to law, a report entitled, ''Development of America's Strategic Unconventional Fuels Resources''; to the Committee on Energy and Natural Resources.

EC–3039. 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; Minnesota'' (FRL No. 8464–8) received on September 3, 2007; to the Committee on Energy and Natural Resources.

EC–3040. 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; New Mexico; Prevention of Significant Deterioration and New Source Review'' (FRL No. 8463–3) received on September 3, 2007; to the Committee on Energy and Natural Resources.

EC–3041. 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; Kentucky: Volatile Organic Compound Definition Updates'' (FRL No. 8464–2) received on September 3, 2007; to the Committee on Energy and Natural Resources.

EC–3042. 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; North Carolina: Mecklenburg County Regulations'' (FRL No. 8465–4) received on September 3, 2007; to the Committee on Energy and Natural Resources.

EC–3043. 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; New Hampshire; Revised Carbon Monoxide Maintenance Plan for Nashua'' (FRL No. 8463–6) received on September 3, 2007; to the Committee on Energy and Natural Resources.

EC–3044. 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 ''Determination of Attainment, Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Correction'' (FRL No. 8464–3) received on September 3, 2007; to the Committee on Energy and Natural Resources.

EC–3045. 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 ''Residues of Quaternary Ammonium Compounds di-n-Alkyl dimethyl Ammonium chloride, Exemption from the Requirement of a Tolerance'' (FRL No. 8146–7) received on September 3, 2007; to the Committee on Energy and Natural Resources.

EC–3046. 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 ''Update of Continuous Instrumental Test Methods: Technical Amendments'' (RIN2060–AO09) received on September 3, 2007; to the Committee on Energy and Natural Resources.

EC–3047. 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; Medicare Integrity Program, Fiscal Intermediary and Carrier Functions, and Conflict of Interest Requirements'' (RIN0938–AN72) received on August 27, 2007; to the Committee on Finance.

EC–3048. 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; Home Health Prospective Payment System Refinement and Rate Update for Calendar Year 2008'' ((RIN0938–AO32)(Docket No. CMS–1541–FC)) received on August 27, 2007; to the Committee on Finance.

EC–3049. 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 ''Hospital Conditions of Participation: Laboratory Services'' ((RIN0938–AJ29)(Docket No. CMS–3014–IFC)) received on August 27, 2007; to the Committee on Finance.

EC–3050. 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 ''Limitations on Setoff under Sections 6402 and 6411'' (Rev. Rul. 2007–51) received on September 5, 2007; to the Committee on Finance.

EC–3051. 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 ''Obsolescence of Rev. Rul. 78–369'' (Rev. Rul. 2007–53) received on September 5, 2007; to the Committee on Finance.

EC–3052. 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 ''Definition of a Liability under Section 6402(a) and 6411(b)'' (Rev. Rul. 2007–52) received on September 5, 2007; to the Committee on Finance.

EC–3053. 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 ''Poker Tournament Withholding Rules'' (Rev. Proc. 2007–57) received on September 5, 2007; to the Committee on Finance.

EC–3054. 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 Ruling: Rulings Declared Obsolete'' (Rev. Rul. 2007–60) received on September 4, 2007; to the Committee on Finance.

EC–3055. A communication from the Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the Attorney Advisor Program'' (RIN0960–AG49) received on September 5, 2007; to the Committee on Finance.

EC–3056. A communication from the Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Temporary Extension of Attorney Fee Payment System to Title XVI; 5-Year Demonstration Project Extending Fee Withholding and Payment Procedures to Eligible Non–Attorney Representatives; Definition of Past-due Benefits; and Assessment for Fee Payment Services'' (RIN0960–AG35) received on September 5, 2007; to the Committee on Finance.

EC–3057. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to post-liberation Iraq covering the period of June 15, 2007, through August 15, 2007; to the Committee on Foreign Relations.

EC–3058. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, correspondence from the Speaker of the National Assembly of the State of Kuwait; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment and with a preamble:

S. Res. 134. A resolution designating September 2007 as ''Adopt a School Library Month''.

S. Res. 282. A resolution supporting the goals and ideals of a National Polycystic Kidney Disease Awareness Week to raise public awareness and understanding of polycystic kidney disease and to foster understanding of the impact polycystic kidney disease has on patients and future generations of their families.

S. Res. 288. A resolution designating September 2007 as ''National Prostate Cancer Awareness Month''.

S. Res. 292. A resolution designating the week beginning September 9, 2007, as ''National Assisted Living Week''.

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.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Richard A Jones, of Washington, to be United States District Judge for the Western District of Washington.

Sharion Aycock, of Mississippi, to be United States District Judge for the Northern District of Mississippi.

Michael David Credo, of Louisiana, to be United States Marshal for the Eastern District of Louisiana for the term of four years.

Esteban Soto III, of Maryland, to be United States Marshal for the District of Puerto Rico for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. LUGAR (for himself and Mr. BIDEN):

S. 2020. A bill to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2010, to rename the Tropical Forest Conservation Act of 1998 as ''The Tropical Forest and Coral Conservation Act of 2007'', and for other purposes; to the Committee on Foreign Relations.

By Mr. WYDEN (for himself, Mr. THUNE, Mr. COLEMAN, Ms. KLOBUCHAR, Mrs. DOLE, Mr. VITTER, and Ms. COLLINS):

S. 2021. A bill to provide $50,000,000,000 in new transportation infrastructure funding through bonding to empower States and local governments to complete significant infrastructure projects across all modes of transportation, including roads, bridges, rail and transit systems, ports, and inland waterways, and for other purposes; to the Committee on Finance.

By Mr. JOHNSON (for himself, Mr. NELSON of Nebraska, Mr. CONRAD, Mr. BAUCUS, Mr. TESTER, and Mr. DORGAN):

S. 2022. A bill to prohibit the closure or relocation of any county office of the Farm Service Agency until at least one year after the enactment of an Act to provide for the continuation of agricultural programs for fiscal years after 2007; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BAYH (for himself and Mr. LUGAR):

S. 2023. A bill to designate the facility of the United States Postal Service located at 805 Main Street in Ferdinand, Indiana, as the ''Staff Sergeant David L. Nord Post Office''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON of Florida (for himself and Mr. LEVIN):

S. 2024. A bill to provide for interregional primary elections and caucuses for the selection of delegates to political party Presidential nominating conventions; to the Committee on Rules and Administration.

By Mr. AKAKA (by request):

S. 2025. A bill to amend title 38, United States Code, to clarify the eligibility criteria for special monthly pension; to the Committee on Veterans' Affairs.

By Mr. AKAKA (by request):

S. 2026. A bill to amend title 38, United States Code, chapter 11, to clarify that an award of benefits based on a regulatory presumption established pursuant to 28 U.S.C. section 1116 after September 30, 2002, cannot be made effective earlier than the date the regulatory presumption was established; and to clarify that the presumption of herbicide exposure provided by 38 U.S.C. section 1116(f) applies only to veterans who served in Vietnam on land or on Vietnam's inland waterways and not to those who served only in waters offshore or in airspace above; to the Committee on Veterans' Affairs.

By Mr. AKAKA (by request):

S. 2027. A bill to amend title 38, United States Code, chapter 5, to authorize the Secretary of Veterans Affairs to establish and promote programs and activities honoring veterans and to authorize the next of kin of a deceased veteran to wear the veteran's awards and decorations under certain circumstances; to the Committee on Veterans' Affairs.

By Ms. LANDRIEU:

S. 2028. A bill to require the State of Louisiana to match Federal funding to fully address the Road Home Program shortfall; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRASSLEY (for himself, Mr. KOHL, Mr. KENNEDY, Mrs. MCCASKILL, Mr. SCHUMER, and Ms. KLOBUCHAR):

S. 2029. A bill to amend title XI of the Social Security Act to provide for transparency in the relationship between physicians and manufacturers of drugs, devices, or medical supplies for which payment is made under Medicare, Medicaid, or SCHIP; to the Committee on Finance.

By Mr. REID (for Mr. OBAMA (for himself and Mr. FEINGOLD)):

S. 2030. A bill to amend the Federal Election Campaign Act of 1971 to require reporting relating to bundled contributions made by persons other than registered lobbyists; to the Committee on Rules and Administration.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. DOLE (for herself and Mr. BURR):

S. Res. 309. A resolution commending the Appalachian State University Mountaineers of Boone, North Carolina, for pulling off one of the greatest upsets in college football history; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 37

At the request of Mr. DOMENICI, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 37, a bill to enhance the management and disposal of spent nuclear fuel and high-level radioactive waste, to assure protection of public health safety, to ensure the territorial integrity and security of the repository at Yucca Mountain, and for other purposes.

S. 185

At the request of Mr. SPECTER, the name of the Senator from Arkansas (Mr. PRYOR) was addedl as a cosponsor of S. 185, a bill to restore habeas corpus for those detained by the United States.

S. 453

At the request of Mr. LEAHY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S. 453, a bill to prohibit deceptive practices in Federal elections.

S. 507

At the request of Mr. CONRAD, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 507, a bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services.

S. 573

At the request of Ms. STABENOW, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 573, a bill to amend the Federal

Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 584

At the request of Mrs. LINCOLN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 584, a bill to amend the Internal Revenue Code of 1986 to modify the rehabilitation credit and the low-income housing credit.

S. 597

At the request of Mrs. FEINSTEIN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 597, a bill to extend the special postage stamp for breast cancer research for 2 years.

S. 625

At the request of Mr. KENNEDY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 625, a bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products.

S. 662

At the request of Ms. SNOWE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 662, a bill to authorize the Secretary of the Interior to conduct a special resource study to evaluate resources at the Harriet Beecher Stowe House in Brunswick, Maine, to determine the suitability and feasibility of establishing the site as a unit of the National Park System, and for other purposes.

S. 691

At the request of Mr. CONRAD, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 691, a bill to amend title XVIII of the Social Security Act to improve the benefits under the Medicare program for beneficiaries with kidney disease, and for other purposes.

S. 771

At the request of Mr. HARKIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 771, a bill to amend the Child Nutrition Act of 1966 to improve the nutrition and health of school children by updating the definition of ''food of minimal nutritional value'' to conform to current nutrition science and to protect the Federal investment in the national school lunch and breakfast programs.

S. 772

At the request of Mr. KOHL, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 772, a bill to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads.

S. 803

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 803, a bill to repeal a provision enacted to end Federal matching of State spending of child support incentive payments.

S. 805

At the request of Mr. DURBIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 805, a bill to amend the Foreign Assistance Act of 1961 to assist countries in sub-Saharan Africa in the effort to achieve internationally recognized goals in the treatment an prevention of HIV/AIDS and other major diseases and the reduction of maternal and child mortality by improving human health care capacity and improving retention of medical health professionals in sub-Saharan Africa, and for other purposes.

S. 860

At the request of Mr. SMITH, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 860, a bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

S. 970

At the request of Mr. DURBIN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 970, a bill to impose sanctions on Iran and on other countries for assisting Iran in developing a nuclear program, and for other purposes.

S. 1035

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1035, a bill to amend the Immigration and Nationality Act to reduce fraud and abuse in certain visa programs for aliens working temporarily in the United States.

S. 1090

At the request of Ms. STABENOW, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1090, a bill to amend the Agriculture and Consumer Protection Act of 1973 to assist the neediest of senior citizens by modifying the eligibility criteria for supplemental foods provided under the commodity supplemental food program to take into account the extraordinarily high out-of-pocket medical expenses that senior citizens pay, and for other purposes.

S. 1175

At the request of Mr. DURBIN, the names of the Senator from Connecticut (Mr. DODD) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 1175, a bill to end the use of child soldiers in hostilities around the world, and for other purposes.

S. 1233

At the request of Mr. AKAKA, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1233, a bill to provide and enhance intervention, rehabilitative treatment, and services to veterans with traumatic brain injury, and for other purposes.

S. 1332

At the request of Mr. KENNEDY, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1332, a bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs.

S. 1338

At the request of Mr. ROCKEFELLER, the name of the Senator from Colorado (Mr. SALAZAR) 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. 1459

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. WYDEN) 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. 1514

At the request of Mr. DODD, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1514, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 1553

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 1553, a bill to provide additional assistance to combat HIV/AIDS among young people, and for other purposes.

S. 1621

At the request of Mr. CONRAD, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1621, a bill to amend the Internal Revenue Code of 1986 to treat certain farming business machinery and equipment as 5-year property for purposes of depreciation.

S. 1627

At the request of Mrs. LINCOLN, the name of the Senator from Arkansas (Mr. PRYOR) 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. 1638

At the request of Mr. LEAHY, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 1638, a bill to adjust the salaries of Federal justices and judges, and for other purposes.

S. 1661

At the request of Mr. DORGAN, the name of the Senator from Minnesota

(Mr. COLEMAN) 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. 1731

At the request of Mr. CORNYN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1731, a bill to provide for the continuing review of unauthorized Federal programs and agencies and to establish a bipartisan commission for the purposes of improving oversight and eliminating wasteful Government spending.

S. 1760

At the request of Mr. BROWN, the name of the Senator from Mississippi (Mr. COCHRAN) 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. 1833

At the request of Mr. NELSON of Florida, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1833, a bill to amend the Consumer Product Safety Act to require third-party verification of compliance of children's products with consumer product safety standards promulgated by the Consumer Product Safety Commission and for other purposes.

S. 1924

At the request of Mr. CARPER, the name of the Senator from Georgia (Mr. ISAKSON) 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. 1944

At the request of Mr. LAUTENBERG, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1944, a bill to provide justice for victims of state-sponsored terrorism.

S. 1951

At the request of Mr. LEAHY, his name was added as a cosponsor 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. 1958

At the request of Mr. CONRAD, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1958, a bill to amend title XVIII of the Social Security Act to ensure and foster continued patient quality of care by establishing facility and patient criteria for long-term care hospitals and related improvements under the Medicare program.

S. 1964

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1964, a bill to amend title XVIII of the Social Security Act to establish new separate fee schedule areas for physicians' services in States with multiple fee schedule areas to improve Medicare physician geographic payment accuracy, and for other purposes.

S. 2017

At the request of Mr. BINGAMAN, the names of the Senator from Maine (Ms. SNOWE), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 2017, a bill to amend the Energy Policy and Conservation Act to provide for national energy efficiency standards for general service incandescent lamps, and for other purposes.

AMENDMENT NO. 2664

At the request of Mr. SANDERS, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 2664 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.

AMENDMENT NO. 2673

At the request of Mr. WEBB, his name was added as a cosponsor of amendment No. 2673 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Mr. THUNE, Mr. COLEMAN, Ms. KLOBUCHAR, Mrs. DOLE, Mr. VITTER, and Ms. COLLINS):

S. 2021. A bill to provide $50,000,000,000 in new transportation infrastructure funding through bonding to empower States and local governments to complete significant infrastructure projects across all modes of transportation, including roads, bridges, rail and transit systems, ports, and inland waterways, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Mr. President, despite the record transportation funding that Congress provided in the 2005 Transportation Reauthorization bill, SAFETEA–LU, our Nation's infrastructure is being stressed to the breaking point. Our ports and rail lines are at or near capacity. Our highways are clogged. The tragedy in Minneapolis last month showed the entire country that our bridges are in desperate need of repair.

The American Society of Civil Engineers has noted that over the next 5 years $1.6 trillion in investment is needed from all levels of government to keep our Nation's current transportation system up to date. To put that into perspective, our Nation's infrastructure needs roughly six times as much funding as was included in SAFETEA–LU.

The question is ''Where do we find the transportation funding that our country needs to meet our transportation and our economic needs?''

Senator THUNE's and my answer is to invest in America.

Everyone agrees that our country's infrastructure needs are tremendous. Everyone agrees that our country needs to invest more in transportation. What Congress hasn't been able to agree on is where to find the money. Gas taxes just don't generate enough revenues to even begin to satisfy highway and transit needs.

In this budget climate, pots of extra Federal money are not just sitting around waiting to be used, and States surely don't have any extra money either. Most have budget deficits. All the conventional funding sources are coming up short, so Senator THUNE and I think it is time to think outside the box and outside the trust funds. The Federal Government is about the only entity in the country that does not borrow money for capital projects, but in this climate it should and it must.

Senator THUNE and I have come up with a creative approach to provide $50 billion of additional new funding for transportation projects our country desperately needs by issuing Build America Bonds. Our country's needs are so great that we think funding should be made available that is in addition to SAFETEA–LU.

Our legislation is not a substitute for fixing the transportation trust fund. We still must address that problem, and next year we must start on a new transportation bill. Our legislation is meant to provide extra money on top of regular transportation funding.

This money could not be earmarked by Congress. This will not fund any Senator's pet project. This money will be controlled by the States, and used for the projects they think are most critical.

An annual amount of approximately $500 million from trade fees will be placed in an Infrastructure Finance Account and invested for the life of the bonds, which will generate more than enough to repay the entire $50 billion principal amount.

That means the only cost to the Government is the ''interest portion'' on the bonds, which is in the form of tax credits. With this funding mechanism, as little as $2 billion a year could generate the $50 billion in funding for transportation infrastructure. I call that a very smart investment in our country's infrastructure.

This investment is badly needed.

Citizens stuck in traffic choking on exhaust need relief. Truckers who need to detour miles out of their way to avoid weight-limited bridges need relief. As our economy struggles with stagnating wages, the loss of even basic health benefits for many, and a mortgage market that is spiraling downward, the American worker needs relief.

The U.S. Department of Transportation estimates that each $1 billion of funding for transportation directly produces nearly 50,000 jobs. So under the Wyden/Thune proposal the $50 billion of new transportation funding will provide critical economic stimulus that will create up to 2.5 million family wage jobs.

This is an economic stimulus idea that will generate more funding for the economy now. It will create jobs. It is a chance for the Federal Government to hold up its end of the bargain with our States.

Mr. THUNE. Mr. President, today, Senator WYDEN and I are introducing an important piece of legislation that seeks to address the significant transportation infrastructure needs that exist across the country. The Build America Bonds Act would provide $50 billion in infrastructure investment for all states across the country.

This legislation is a slightly modified version of bills that Senator WYDEN and others advocated in previous Congresses. While the Federal Government has allocated record funding levels to States under the Transportation reauthorization bill that Congress passed in 2005, the need for infrastructure improvements far exceeds available Federal and State funding sources.

For instance, the American Society of Civil Engineers has noted that over the next 5 years, $1.6 trillion in investment is needed from all levels of government to keep our Nation's current transportation system up to date. To put this into perspective, this funding level is roughly six times larger than what is currently being spent.

Our legislation, the Build America Bonds Act, is not intended to replace the current user-fee structure the highway trust fund relies on today—it would be a supplemental funding stream that would allow States to address the backlog of important highway, bridge, rail, and waterway projects that exist in every State across the country.

The funding under our legislation would not be earmarked by Congress—it would be distributed directly to States. Further, this much needed funding would create over 2 million jobs, spur significant economic growth, save lives by making much needed improvements to transportation problems that exist from coast to coast and keep our economy moving.

Our legislation is cosponsored by Senators COLEMAN, KLOBUCHAR, DOLE, VITTER, and COLLINS. In addition, the Build America Bonds Act enjoys the broad support of a diverse group of business, labor and transportation groups, including: Associated General Contractors of America, AGC, American Association of State Highway and Transportation Officials, AASHTO; U.S. Chamber of Commerce; National Association of Manufacturers, NAM; National Construction Alliance—a coalition of the Laborers, Carpenters, and Operating Engineers Unions; American Highway Users Alliance; and many others.

By Mr. NELSON of Florida (for himself and Mr. LEVIN):

S. 2024. A bill to provide for interregional primary elections and caucuses for the selection of delegates to political party Presidential nominating conventions; to the Committee on Rules and Administration.

Mr. NELSON of Florida. Mr. President, I am proposing today and will file legislation to create a comprehensive and nationwide process for voters to select nominees every 4 years for President of the United States. This legislation will establish six Presidential primary dates—the first one in March of a Presidential election year, two in April, two in May, and one in June.

Each of these contests would feature at least one State from six different regions, six geographic regions around the country. The order of States within each region would rotate every 4 years—every Presidential election. That order would be determined at the beginning by lot in order to determine the sequence. And then the next Presidential election, the ones who had gone first in March would then go to the end of the line and they would be in June, and the list would move up.

It would give voters in the larger States a strong voice in selecting the nominees over that 4-month period while also giving the citizens in the smaller States a fair say, instead of the present system we have now where the small States are the ones that have an inordinate influence in selecting the nominees of the two great parties.

So in this legislation, by featuring States from each of the six regions, there will be racial, ethnic, economic, and regional diversity on each of the primary dates. And, of course, it has a much more rational proposal for an agenda, in that you start in March and it concludes in June of the Presidential election year, instead of this chaotic situation we have now with States trying to get ahead of each other, with them starting now as early as the early part of January and with it being frontloaded so that, in effect, we may find the Presidential nominee decided by the middle of February.

I am introducing this legislation with my colleague Senator LEVIN of Michigan. It is our experience as Senators from Florida and Michigan that we have seen firsthand how unfair and undemocratic our Presidential primary system has become. I might say this legislation tracks Senator LEVIN's brother's legislation filed in the House of Representatives, Congressman SANDY LEVIN. Our bill is going to try to approach a rational way of selecting the nominees for President of the United States instead of this chaotic system we have now.

Now, neither bill is going to fix the current controversy we have over the sequence of the contest in Iowa, Nevada, New Hampshire, and South Carolina. For that, a short-term fix is certainly needed. What we have now is this chaotic situation where all the small States are trying to get ahead of each other. This certainty is needed to resolve the fix created by several States moving their 2008 primaries ahead of some of the other States. In my State, the Republican legislature of Florida—signed into law by a Republican Governor—moved the Florida primary from March to January 29. In Senator LEVIN's State, a Democratic legislature—signed into law by a Democratic Governor—moved its primary to January 15. What we may find is that other States may follow suit with a big jump.

I have proposed to the Democratic National Committee that it allow, for this particular Presidential cycle, the traditional first-in-the-Nation States to move ahead of my State on January 29; and, instead, the party leaders have decided that Florida's votes are not going to count in the 2008 Presidential primary. The DNC said Florida's earlier primary, which was signed into law by our Governor, would alter the sequence of Iowa, Nevada, New Hampshire, and South Carolina. So last month, the party officials decided to strip Florida of its 210 delegates to the national convention. That means that this country's fourth largest State will have no say in picking the Democratic Presidential nominee. Well, that is simply unacceptable.

Florida still has several weeks to find a solution for the DNC that it will accept; or, as I have suggested, legal action may be necessary. It is a case of fundamental rights versus the rules of a political party. And as to our right to vote, and to have that vote count, there can be no debate. I want to say that again. As to our right to vote, and to have that vote count, there can be no debate.

Senator LEVIN and I will work hard to ensure that the controversy over the respective positions of Florida and Michigan in the primary schedule are resolved; and, for the long term, our legislation would bring order to the next and all future Presidential primary seasons. It would ensure that no one State has a disproportionate influence on the selection of the nominees. By introducing this bill today, we want to begin a broader discussion about achieving lasting reform.

With the experience we have had in Florida, in the disputed Presidential election in 2000, and again 6 years later, with there having been an ''undervote'' of 18,000 votes in a congressional election in one county in Florida, Sarasota County, the sensitivity in Florida of having the right to vote and to have that ballot count, and to have that ballot count as intended, is paramount, and it is highly sensitive in the State of Florida. For a political party to punish a State for stepping out of line is the height of insensitivity in understanding that those votes are critical and that people know their sacred right of the ballot is protected. We

intend to see that the right to have their votes counted, and counted as they intend, is preserved.

In the meantime, we have to bring rationality to this process. The regional primary system set up in this legislation Senator LEVIN and I are introducing today is a suggested approach so that by the year 2012 we will have order in selecting our Presidential nominees instead of the chaos we find ourselves in now.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD, as follows:

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

S. 2024

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fair and Representative Presidential Primaries Act of 2007''.

SEC. 2. INTERREGIONAL PRIMARY ELECTIONS AND CAUCUSES.

(a) SELECTION OF DELEGATES TO CONVENTIONS.—The delegates to each national convention for the nomination of candidates of a political party for the offices of President and Vice President shall be selected by primary election or by caucus, as provided by State law. Such State law shall conform to the requirements of the national political executive committee and the national nominating convention of the political party involved.

(b) TIMING OF PRIMARY ELECTIONS AND CAUCUSES.—

(1) IN GENERAL.—In each region described in subsection (c), the primary elections and caucuses (as the case may be) in a subregion (comprised of a State or a group of States) shall be conducted on each of the following days of each Presidential election year: the second Tuesday in March, the first Tuesday in April, the fourth Tuesday in April, the second Tuesday in May, the fourth Tuesday in May, and the second Tuesday in June.

(2) INITIAL ORDER OF PRIMARIES AND CAUCUSES.—For the first Presidential election with respect to which this Act applies, the Election Assistance Commission shall determine by lot the order of subregions in each region for conduct of primary elections and caucuses by the States under paragraph (1).

(3) ORDER OF PRIMARIES AND CAUCUSES FOR SUBSEQUENT ELECTIONS.—The subregions determined under paragraph (2) to be first in order for the first Presidential election to which this Act applies shall be last in order with respect to the next such election, and the other subregions shall advance in the order accordingly. The order shall change with respect to subsequent elections in a like manner.

(4) SPECIAL RULES FOR DISTRICT OF COLUMBIA, PUERTO RICO, AND TERRITORIES.—Any primary election or caucus for the District of Columbia shall be conducted on the same day as a primary election or caucus for the State of Maryland. Any primary election or caucus for the Commonwealth of Puerto Rico shall be conducted on the same day as a primary election or caucus for the State of Florida. Any primary election or caucus for any other territory, possession, or other entity entitled under the rules of a political party to delegate representation at the national convention of that party shall be conducted on the same day as a primary election or caucus for the States of Alaska and Hawaii.

(c) ESTABLISHMENT OF REGIONS.—The regions (designated by number) and the subregions (designated by letter) referred to in subsection (b) are as follows:

(1) Region 1: (A) Maine, New Hampshire, Vermont; (B) Massachusetts; (C) Connecticut, Rhode Island; (D) Delaware, New Jersey; (E) New York; (F) Pennsylvania.

(2) Region 2: (A) Maryland; (B) West Virginia; (C) Missouri; (D) Indiana; (E) Kentucky; (F) Tennessee.

(3) Region 3: (A) Ohio; (B) Illinois; (C) Michigan; (D) Wisconsin; (E) Iowa; (F) Minnesota.

(4) Region 4: (A) Texas; (B) Louisiana; (C) Arkansas, Oklahoma; (D) Colorado; (E) Kansas, Nebraska; (F) Arizona, New Mexico.

(5) Region 5: (A) Virginia; (B) North Carolina; (C) South Carolina; (D) Florida; (E) Georgia; (F) Mississippi, Alabama.

(6) Region 6: (A) California; (B) Washington; (C) Oregon; (D) Idaho, Nevada, Utah; (E) Montana, North Dakota, South Dakota, Wyoming; (F) Hawaii, Alaska.

SEC. 3. ENFORCEMENT.

The Attorney General may bring a civil action in any appropriate United States district court for such declaratory or injunctive relief as may be necessary to carry out this Act.

SEC. 4. REGULATIONS.

The Election Assistance Commission shall prescribe such regulations as may be necessary to carry out this Act.

SEC. 5. DEFINITION.

As used in this Act, the term ''State law'' means the law of a State, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or possession of the United States.

SEC. 6. EFFECTIVE DATE.

This Act shall apply with respect to Presidential elections taking place more than 2 years after the date of the enactment of this Act.

By Ms. LANDRIEU:

S. 2028. A bill to require the State of Louisiana to match Federal funding to fully address the Road Home Program shortfall; to the Committee on Banking, Housing, and Urban Affairs.

Ms. LANDRIEU. Mr. President, I come to the floor today to speak about an important issue that will determine the success of long-term recovery efforts in the gulf coast. As you know gulf coast was devastated in 2005 by two of the most powerful storms to ever hit the U.S. in recorded history Hurricanes Katrina and Rita. We also experienced the unprecedented disaster of having a major metropolitan city, the city of New Orleans, under up to 20 feet of water for 2 weeks when there were 28 separate levee failures which flooded 12,000 acres, or 80 percent of New Orleans following Katrina.

I strongly believe that the Congress can provide vast amounts of tax credits, grants, loans, and waivers but all these benefits will not spur recovery if we cannot get people back into their homes. That is where recovery must start and end. In Louisiana alone, for example, we had over 20,000 businesses destroyed. However, businesses cannot open their doors if their workers have nowhere to live. Louisiana also had 875 schools destroyed. Again, teachers cannot come back to school and teach our children if they do not have a roof over their heads. So a fundamental piece of recovery in the gulf coast is to allow disaster victims to return home and rebuild.

Today, I am proud to introduce legislation which is extremely important to the recovery in the State of Louisiana. This is because, over the past few months, we have learned that the Road Home is facing a shortfall of billions of dollars due to various reasons. There is certainly more than enough blame to go around for the mistakes in the creation and management of the Road Home program, and fixing them will be a shared responsibility. But a significant initial flaw can be found in the inadequate and unfairly distributed funding which represented all the administration was willing to commit towards Louisiana recovery. At this stage, the funding shortfall threatens to stall recovery in Louisiana and leave homeowners without the vital funds they need to rebuild their homes. To address this important issue, the bill we introduce today includes an authorization of funds so that if the State of Louisiana puts up $1 billion towards the Road Home shortfall, additional funds necessary to shore up the program would be available. I strongly believe this bill will serve as a hand up, not a hand out. The State of Louisiana shares a financial obligation to address the shortfall and this bill would hold it accountable, but with the State meeting their obligation the Federal Government also would step in to help.

In closing, let me reiterate that this bill addresses one of the most fundamental needs following a disaster: the need to return home. Whether residents live in million dollar mansions, rental housing, or public housing they all share a desire to return to their communities and, in particular, their homes. I urge my colleagues to support this important legislation as now these disaster victims are counting on the Congress for action.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2028

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Louisiana Road Home Act''.

SEC. 2. ROAD HOME PROGRAM SHORTFALL.

There are authorized to be appropriated such sums as may be necessary for the State of Louisiana to carry out the Road Home Program, provided that as of June 1, 2007, the State of Louisiana has provided at least $1,000,000,000 for such Program.

By Mr. GRASSLEY (for himself, Mr. KOHL, Mr. KENNEDY, Mrs. MCCASKILL, Mr. SCHUMER, and Ms. KLOBUCHAR):

S. 2029. A bill to amend title XI of the Social Security Act to provide for transparency in the relationship between physicians and manufacturers of

drugs, devices, or medical supplies for which payment is made under Medicare, Medicaid, or SCHIP; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, a month ago I outlined an important issue affecting all Americans who take prescription drugs or use medical devices—the need for greater transparency in the money that drug and device companies hand out to doctors. Today, I am pleased to introduce the Physician Payments Sunshine Act, along with Senator KOHL, chairman of the Special Committee on Aging. This legislation will bring much needed transparency to the financial relationships that exist between the drug and device industries and doctors.

There is no question that the drug and device industries have an intricate network of financial ties with practicing physicians. These financial relationships can take many forms. They can include speaking honoraria, consulting fees, free travel to exotic locations for conferences, or funding for research. Drug and device companies spend billions and billions of dollars every year marketing their products. A good amount of this money goes directly to doctors in the form of these payments.

This practice, and the lack of transparency around it, can obscure the most important question that exists between doctor and patient: What is best for the patient?

As the editorial board of the Des Moines Register wrote recently, and I quote, ''Your doctor's hands may be in the till of a drug company. So how can you know whether the prescription he or she writes is in your best interest, or the best interest of a drug company?'' That is an excellent question. Currently, the public has no way of knowing whether their doctor has taken payments from the drug and device industries, and I intend to change that—not just for Iowans but for all Americans.

Payments to a doctor can be big or small. They can be a simple dinner after work or they can add up to tens of thousands and even hundreds of thousands of dollars each year. That is right—hundreds of thousands of dollars for one doctor. It is really pretty shocking.

Companies wouldn't be paying this money unless it had a direct effect on the prescriptions doctors write, and the medical devices they use. Patients, of course, are in the dark about whether their doctor is receiving this money.

The Physician Payments Sunshine Act sheds light on these hidden payments and obscured interests through the best disinfectant of all: sunshine. This is a short bill, and a simple one. This bill requires drug and device manufacturers to disclose to the Secretary of Health and Human Services, on a quarterly basis, anything of value given to doctors, such as payments, gifts, honoraria, or travel. Along with the money, these companies will have to report the name of the physician, the value and the date of the payment or gift, its purpose, and what, if anything, was received in exchange. This bill then requires the Department of Health and Human Services to make the information available to the public through a searchable web site.

And this bill has some teeth, too. If a company fails to report, the Physician Payments Sunshine Act imposes a penalty ranging from $10,000 to $100,000 for each violation.

Many States are ahead of the curve on this and have passed, or are currently considering, similar measures. In 1993, Minnesota required the Nation's first public disclosure of gifts and payments from wholesale drug distributors. Vermont passed a similar law in 2003, although much of the information is not publicly available. More recently, the District of Columbia, Maine, and West Virginia have followed suit in requiring disclosure, though not all make the information available to the public through a web site. The General Assembly in my home State of Iowa may soon be requiring disclosure as well.

But this kind of information shouldn't be available only to Americans who happen to be lucky enough to live in a State already addressing this problem. On the contrary, this information should be accessible to all Americans across the country and it should be updated in a timely manner. I propose to my colleagues that now is the time to act.

I realize that some critics, including many of the drug and device companies, are going to say that creating this sort of national database is too time consuming and too expensive. I can hear the complaints already. But let me remind you again—the drug companies are already reporting their payments to doctors in Minnesota and other States. Companies already have this information available. We aren't requiring them to go out and obtain it—we are just asking them to share it with the American people.

Perhaps even more telling is that at least one industry leader has taken the goal of increased transparency into its own hands. Although it is not making its payments to doctors publicly available, Eli Lilly has taken important steps to meet the public's demand for increased sunshine. In response to my investigation of drug company payments for continuing medical education, Eli v Lilly voluntarily created a web site that details payments they make to organizations like patient groups and hospitals. I commend Eli Lilly for taking the lead on that issue, and I look forward to working with them on my latest effort.

This bill is careful not to burden small businesses—it applies only to companies with annual revenues over $100 million. It is the largest companies who are driving this practice, and for whom disclosure would be least burdensome.

Further, during a meeting on a separate matter with officials from Glaxo Smith Kline in early August, my staff brought up the idea of drug companies reporting payments to physicians. I am happy to say that Dr. Moncef Slaoui, the chairman of research and evelopment for Glaxo Smith Kline, said that he was also interested in a little sunshine. In fact, here are his exact words: ''We're happy for transparency.'' I would like to commend Dr. Slaoui for his comments and I look forward to working with him and leaders at other companies on this bill.

It is not only industry leaders who are leading the way on the issue of increased transparency—some of America's best medical schools are taking steps to prevent conflicts of interest among their physicians. In fact, the Yale University School of Medicine, the University of Pennsylvania, and the Stanford University Medical School have gone so far as to prohibit certain gifts and payments altogether.

So let me be clear. This bill does not regulate the business of the drug and device industries. I say, let the people in the industry do their business. After all, they have the training and the skill to get that job done. Just keep the American people apprised of the business you are doing and how you are doing it. Let a little bit of sunshine in to this world of financial relationships—it is, after all, the best disinfectant.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 309—COMMENDING THE APPALACHIAN STATE UNIVERSITY MOUNTAINEERS OF BOONE, NORTH CAROLINA, FOR PULLING OFF ONE OF THE GREATEST UPSETS IN COLLEGE FOOTBALL HISTORY

Mrs. DOLE (for herself and Mr. BURR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 309

Whereas, on September 1, 2007, the Appalachian State University Mountaineers of the National Collegiate Athletic Association (NCAA) Football Championship Subdivision (Division 1–AA) beat the University of Michigan Wolverines, ranked 5th nationally, of the NCAA Football Bowl Subdivision (Division 1–A) by a score of 34–32 in front of 109,000 spectators at ''The Big House'' in Ann Arbor, Michigan;

Whereas no Division 1–AA team has ever previously beaten a nationally ranked Division 1–A team;

Whereas quarterback Armanti Edwards threw for 227 yards and 3 touchdowns while rushing for 62 yards and 1 touchdown;

Whereas the Mountaineers' receiving core combined for 227 yards of offense with 2 touchdowns from Dexter Jackson and 1 from Hans Batichon;

Whereas the defense forced 2 critical turnovers in the 2nd half (1 fumble recovery and 1 interception) to guide the Mountaineers toward victory;

Whereas Appalachian State was trailing 32–31 when Brian Quick blocked a Michigan

field goal, setting up what would become the game-winning drive;

Whereas kicker Julian Rauch put a 24-yard field goal through the uprights to move the Mountaineers ahead 34–32 with 26 seconds left in the game;

Whereas Corey Lynch dramatically blocked a Wolverine field goal attempt in the final seconds of the game to seal the victory for the Appalachian State Mountaineers;

Whereas the victory was the 15th straight win for the Mountaineers, which is currently the longest winning streak in the Nation; and

Whereas head coach Jerry Moore put together a masterful game plan and was carried off the field by his players in victory: Now, therefore, be it

Resolved, That the Senate—

(1) applauds the Appalachian State University Mountaineers football team for its upset over the University of Michigan Wolverines and for demonstrating that an underdog anywhere can be victorious with hard work and a great deal of heart;

(2) recognizes the hard work and preparation of the players, head coach Jerry Moore, and the assistant coaches and support personnel who all played critical roles in this historic victory; and

(3) requests the Secretary of the Senate to transmit an enrolled copy of the resolution to—

(A) Dr. Kenneth E. Peacock, Chancellor of Appalachian State University;

(B) Charles Cobb, Athletic Director of the University; and

(C) Jerry Moore, Head Coach.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2689. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes.

SA 2690. Mr. REID (for Mr. OBAMA) submitted an amendment intended to be proposed by Mr. REID to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2691. Mr. LIEBERMAN (for himself, Mr. BROWNBACK, Mr. KYL, Mr. COLEMAN, Mr. GRAHAM, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2692. Mr. REID (for Mr. OBAMA (for himself, Mr. HAGEL, and Mr. DOMENICI)) submitted an amendment intended to be proposed by Mr. REID to the bill H.R. 2764, supra.

SA 2693. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2694. Mr. MARTINEZ (for himself, Mr. MENENDEZ, Mr. ENSIGN, Mr. NELSON, of Florida, and Mr. LAUTENBERG) proposed an amendment to the bill H.R. 2764, supra.

SA 2695. Mr. MARTINEZ (for himself, Mr. NELSON, of Florida, and Mr. MENENDEZ) proposed an amendment to the bill H.R. 2764, supra.

SA 2696. Mr. MARTINEZ proposed an amendment to the bill H.R. 2764, supra.

SA 2697. Mr. MARTINEZ proposed an amendment to the bill H.R. 2764, supra.

SA 2698. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2699. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2700. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2701. Mr. BROWN (for himself, Mr. BROWNBACK, Mr. DURBIN, and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2702. Mr. KYL (for himself, Mr. LIEBERMAN, Ms. COLLINS, and Mr. ENSIGN) submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2703. Mr. ALEXANDER (for himself and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2704. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2705. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2706. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2707. Mr. BROWNBACK (for himself, Mr. MARTINEZ, Mr. VITTER, and Mr. COLEMAN) proposed an amendment to the bill H.R. 2764, supra.

SA 2708. Mr. BROWNBACK (for himself, Mr. CORKER, Mr. MARTINEZ, Mr. VITTER, and Mr. COLEMAN) proposed an amendment to the bill H.R. 2764, supra.

SA 2709. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 2764, supra.

SA 2710. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2711. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2712. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2713. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2714. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table .

SA 2715. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table .

SA 2716. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2717. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2718. Mr. BINGAMAN (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2719. Mrs. BOXER (for herself, Ms. SNOWE, Ms. COLLINS, Mrs. CLINTON, Ms. CANTWELL, Mr. MENENDEZ, Mr. DODD, Mr. LAUTENBERG, Mrs. FEINSTEIN, Mr. FEINGOLD, Mrs. MURRAY, Ms. MIKULSKI, and Mr. OBAMA) proposed an amendment to the bill H.R. 2764, supra.

SA 2720. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2721. Mr. DODD (for himself, Mrs. FEINSTEIN, Mr. CORKER, Mr. COLEMAN, Mr. LAUTENBERG, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2722. Mr. DODD submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2723. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2724. Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2725. Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2726. Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2727. Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2728. Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2729. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2730. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2731. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2732. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2733. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2734. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2735. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2736. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2737. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2738. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2739. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2740. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2741. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2742. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2743. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2744. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2745. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2746. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2747. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2748. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2749. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2750. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2751. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2752. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2753. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2754. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2755. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2756. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2757. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2758. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2759. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2760. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2761. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2762. Mr. LEAHY (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2763. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2764. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2765. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2766. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2767. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2768. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2769. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2770. Mrs. CLINTON (for herself and Mr. BINGAMAN) submitted an amendment intended to be proposed by her to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2771. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2772. Mrs. DOLE submitted an amendment intended to be proposed by her to the bill H.R. 2764, supra.

SA 2773. Mr. COBURN proposed an amendment to the bill H.R. 2764, supra.

SA 2774. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2775. Mr. LUGAR (for himself and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2776. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2777. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2778. Mr. LEAHY (for Mr. BIDEN (for himself and Mr. LUGAR)) submitted an amendment intended to be proposed by Mr. LEAHY to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2779. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2780. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2781. Mr. LEVIN (for himself, Mr. BROWNBACK, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2782. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2783. Mr. WYDEN (for himself, Mr. ALEXANDER, Mr. KERRY, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2784. Mr. LEAHY (for Mr. KYL (for himself and Mr. COLEMAN)) proposed an amendment to the bill H.R. 2764, supra.

SA 2785. Mr. LEAHY proposed an amendment to the bill H.R. 2764, supra.

SA 2786. Mr. LEAHY (for Mr. KYL (for himself, Mr. LIEBERMAN, Ms. COLLINS, and Mr. ENSIGN)) proposed an amendment to the bill H.R. 2764, supra.

SA 2787. Mr. LEAHY proposed an amendment to the bill H.R. 2764, supra.

SA 2788. Mr. LEAHY proposed an amendment to the bill H.R. 2764, supra.

SA 2789. Mr. LEAHY (for Mr. BIDEN (for himself and Mr. LUGAR)) proposed an amendment to the bill H.R. 2764, supra.

TEXT OF AMENDMENTS

SA 2689. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 232, between lines 16 and 17, insert the following:

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SEC. 117. (a) The amount appropriated or otherwise made available by this title under the heading ''COMMISSION ON SECURITY AND COOPERATION IN EUROPE'' is hereby increased by $333,000.

(b) The amount appropriated or otherwise made available by this title for the Department of State under the heading ''DIPLOMATIC AND CONSULAR PROGRAMS'' is hereby reduced by $333,000.

SA 2690. Mr. REID (for Mr. OBAMA) submitted an amendment intended to be proposed by Mr. REID to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 410, between lines 15 and 16, insert the following:

RESTRICTIONS RELATED TO FEDERAL TAX LIABILITY

SEC. 699B. 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.

SA 2691. Mr. LIEBERMAN (for himself, Mr. BROWNBACK, Mr. KYL, Mr. COLEMAN, Mr. GRAHAM, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

SUPPORT FOR DEMOCRACY, THE RULE OF LAW, AND GOVERNANCE IN IRAN

SEC. 699B. Of the amount appropriated or otherwise made available by title III for other bilateral economic assistance under the heading ''ECONOMIC SUPPORT FUND'', $75,000,000 shall be made available for programs of the Bureau of Near Eastern Affairs of the Department of State to support democracy, the rule of law, and governance in Iran.

SA 2692. Mr. REID (for himself, Mr. HAGEL, and Mr. DOMENICI) submitted an amendment intended to be proposed by Mr. REID to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

COMPREHENSIVE NUCLEAR THREAT REDUCTION AND SECURITY PLAN

SEC. 699B. (a) Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress a comprehensive nuclear threat reduction and security plan, in classified and unclassified forms—

(1) for ensuring that all nuclear weapons and weapons-usable material at vulnerable sites are secure by 2012 against the threats that terrorists have shown they can pose; and

(2) for working with other countries to ensure adequate accounting and security for such materials on an ongoing basis thereafter.

(b) For each element of the accounting and security effort described under subsection (a)(2), the plan shall—

(1) clearly designate agency and departmental responsibility and accountability;

(2) specify program goals, with metrics for measuring progress, estimated schedules, and specified milestones to be achieved;

(3) provide estimates of the program budget requirements and resources to meet the goals for each year;

(4) provide the strategy for diplomacy and related tools and authority to accomplish the program element;

(5) provide a strategy for expanding the financial support and other assistance provided by other countries, particularly Russia, the European Union and its member

states, China, and Japan, for the purposes of securing nuclear weapons and weapons-usable material worldwide;

(6) outline the progress in and impediments to securing agreement from all countries that possess nuclear weapons or weapons-usable material on a set of global nuclear security standards, consistent with their obligation to comply with United Nations Security Council Resolution 1540;

(7) describe the steps required to overcome impediments that have been identified; and

(8) describe global efforts to promulgate best practices for securing nuclear materials.

SA 2693. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ___. COOPERATION WITH THE GOVERNMENT OF MEXICO.

(a) COOPERATION REGARDING BORDER SECURITY.—The Secretary of State, in cooperation with the Secretary of Homeland Security and representatives of Federal, State, and local law enforcement agencies that are involved in border security and immigration enforcement efforts, shall work with the appropriate officials from the Government of Mexico to improve coordination between the United States and Mexico regarding—

(1) improved border security along the international border between the United States and Mexico;

(2) the reduction of human trafficking and smuggling between the United States and Mexico;

(3) the reduction of drug trafficking and smuggling between the United States and Mexico;

(4) the reduction of gang membership in the United States and Mexico;

(5) the reduction of violence against women in the United States and Mexico; and

(6) the reduction of other violence and criminal activity.

(b) COOPERATION REGARDING EDUCATION ON IMMIGRATION LAWS.—The Secretary of State, in cooperation with other appropriate Federal officials, shall work with the appropriate officials from the Government of Mexico to carry out activities to educate citizens and nationals of Mexico regarding eligibility for status as a nonimmigrant under Federal law to ensure that the citizens and nationals are not exploited while working in the United States.

(c) COOPERATION REGARDING CIRCULAR MIGRATION.—The Secretary of State, in cooperation with the Secretary of Labor and other appropriate Federal officials, shall work with the appropriate officials from the Government of Mexico to improve coordination between the United States and Mexico to encourage circular migration, including assisting in the development of economic opportunities and providing job training for citizens and nationals in Mexico.

(d) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit a report to Congress describing the actions taken by the United States and Mexico pursuant to this section.

SA 2694. Mr. MARTINEZ (for himself, Mr. MENENDEZ, Mr. ENSIGN, Mr. NELSON of Florida, and Mr. LAUTENBERG) proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

CUBA DEMOCRACY ASSISTANCE PROGRAM

SEC. 699B. (a) The amount appropriated or otherwise made available by title III under the subheading ''ECONOMIC SUPPORT FUND'' under the heading ''OTHER BILATERAL ECONOMIC ASSISTANCE'' is hereby increased by $30,700,000 and such amount shall be available for the Cuba democracy assistance program to assist the pro-democracy movement in Cuba and shall be in addition to any other amounts appropriated or made available for such purposes.

(b) The amount appropriated or otherwise made available by title I for the Department of State and Related Agency under the subheading ''DIPLOMATIC AND CONSULAR PROGRAMS'' under the heading ''ADMINISTRATION OF FOREIGN AFFAIRS'' for expenses of general administration is hereby decreased by $30,700,000.

SA 2695. Mr. MARTINEZ (for himself, Mr. NELSON of Florida, and Mr. MENENDEZ) proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

INTERNATIONAL BROADCASTING OPERATIONS TO CUBA

SEC. 699B. (a) The amount appropriated or otherwise made available by title I under the subheading ''INTERNATIONAL BROADCASTING OPERATIONS'' under the heading ''BROADCASTING BOARD OF GOVERNORS'' is hereby increased by $5,019,000 and such amount shall be available for the international broadcasting operations to Cuba and is in addition to any other amounts available for broadcasting operations to Cuba under title I.

(b) The amount appropriated or otherwise made available by title I for the Department of State and Related Agency under the subheading ''DIPLOMATIC AND CONSULAR PROGRAMS'' under the heading ''ADMINISTRATION OF FOREIGN AFFAIRS'' for expenses of general administration is hereby decreased by $5,019,000.

SA 2696. Mr. MARTINEZ proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

Beginning on page 266, line 13, strike ''manual eradication'' and all that follows through ''municipalities where security permits'' on page 267, line 12, and insert the following: ''manual eradication in such areas is not practical or poses an unacceptable risk to government security forces, as determined based on consultations with appropriate authorities of the Government of Colombia: *Provided*, That not more than 20 percent of such funds may be made available unless the Secretary of State certifies to the Committees on Appropriations that: (1) the herbicide is being used in accordance with EPA label requirements for comparable use in the United States and with Colombian laws; and (2) the herbicide, in the manner it is being used, does not pose unreasonable risks or adverse effects to humans or the environment including endemic species: *Provided further*, That such funds may not be made available unless the Secretary of State certifies to the Committees on Appropriations that complaints of harm to health or licit crops caused by such aerial eradication are thoroughly evaluated and fair compensation is being paid in a timely manner for meritorious claims, and the Secretary submits a report to the Committees on Appropriations detailing all claims, evaluations, and compensation paid during the twelve month period prior to the date of enactment of this Act: *Provided further*, That such funds may not be made available for such purposes unless programs are being implemented by the United States Agency for International Development, the Government of Colombia, or other organizations, in consultation and coordination with local communities, to provide alternative sources of income in areas where conditions exist for successful alternative development and security permits''.

SA 2697. Mr. MARTINEZ proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

AERIAL ERADICATION OF COCA IN COLOMBIA

SEC. 699B. (a) The amount appropriated or otherwise made available by title III under the heading ''ANDEAN PROGRAMS'' for the Department of State and available for aerial eradication of coca in Colombia is hereby increased by $30,000,000.

(b) The amount appropriated or otherwise made available by title I for the Department of State under the heading ''DIPLOMATIC AND CONSULAR PROGRAMS'' and available for expenses of general administration is hereby reduced by $30,000,000.

SA 2698. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs 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. _____. None of the funds made available in this Act may be used to provide reimbursement to employees for amounts paid as taxes on income (including self-employment income) to the United States.

SA 2699. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 410, between lines 15 and 16, insert the following:

SEC. 699B. ADVANCE MARKET COMMITMENTS.

(a) PURPOSE.—The purpose of this section is to improve global health by creating a competitive market for future vaccines through advance market commitments.

(b) AUTHORITY TO NEGOTIATE.—

(1) IN GENERAL.—The Secretary of the Treasury should enter into negotiations with

the appropriate officials of the International Bank for Reconstruction and Development, the International Development Association, and the Global Alliance for Vaccines and Immunization, the member nations of such entities, and other interested parties for the purpose of establishing advance market commitments to purchase vaccines and microbicides to combat neglected diseases.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report on the status of the negotiations to create advance market commitments under this section to—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Appropriations of the House of Representatives;

(D) the Committee on Foreign Affairs of the House of Representatives; and

(E) the Committee on Financial Services of the House of Representatives.

(c) REQUIREMENTS.—The Secretary of the Treasury should work with the entities referred to in subsection (b) to ensure that—

(1) there is an international framework for the establishment and implementation of advance market commitments; and

(2) such commitments include—

(A) legally binding contracts for product purchase that include a fair market price for a guaranteed number of treatments to ensure that the market incentive is sufficient;

(B) clearly defined and transparent rules of competition for qualified developers and suppliers of the product;

(C) clearly defined requirements for eligible vaccines to ensure that they are safe and effective;

(D) dispute settlement mechanisms; and

(E) sufficient flexibility to enable the contracts to be adjusted in accord with new information related to projected market size and other factors while still maintaining the purchase commitment at a fair price.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2009 through 2014 to fund an advance market commitment pilot program for pneumococcal vaccines.

(2) AVAILABILITY.—Amounts appropriated pursuant to this subsection shall remain available until expended without fiscal year limitation.

SA 2700. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 231, strike lines 1 through 7.

SA 2701. Mr. BROWN (for himself, Mr. BROWNBACK, Mr. DURBIN, and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 210, line 24, strike ''$3,885,375,000'' and insert ''$3,820,375,000''.

On page 211, line 10, strike ''$364,905,000'' and insert ''$299,905,000''.

On page 238, line 18, strike ''$6,531,425,000'' and insert ''$6,621,425,000''.

On page 239, line 17, strike ''$634,675,000 for other infectious diseases;'' and insert ''$724,675,000 for other infectious diseases, including $200,000,000 for tuberculosis control, of which $15,000,000 shall be used for the Global TB Drug Facility;''.

On page 282, line 13, strike ''$90,000,000'' and insert ''$65,000,000''.

SA 2702. Mr. KYL (for himself, Mr. LIEBERMAN, Ms. COLLINS, and Mr. ENSIGN) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 410, between lines 15 and 16, insert the following:

RULE OF LAW AND BORDER SECURITY IN EGYPT

SEC. 699B. (a) The Senate makes the following findings:

(1) Fighting in Gaza during the summer of 2007 demonstrated that the terrorist organization Hamas, which unlawfully seized control over Gaza in June 2007, has been able to achieve a dramatic increase in the quantity and sophistication of arms at its disposal.

(2) Without these arms, the terrorist organization would not have been able to seize control over the Gaza territory.

(3) There is substantial evidence that a significant proportion of these arms were smuggled across the border between Gaza and Egypt.

(4) The Egyptian military is a highly capable, well-trained force, made possible in substantial part by a close relationship with the United States.

(5) Concurrent with the escalation of dangerous arms smuggling across the border between Egypt and Gaza has been a retrogression in the rule of law in Egypt.

(6) This loss of hard-earned ground has been characterized by reports of harsh reaction by the Government of Egypt to dissent, including the jailing of political opponents.

(7) The United States has provided aid to Egypt in excess of $28,000,000,000 over the past three decades.

(b) The Senate—

(1) reaffirms its long-standing friendship with the people of Egypt;

(2) believes that our friendship with Egypt requires the Senate to address such vital policy concerns;

(3) urges the Government of Egypt to make concrete and measurable progress on restoring the rule of law, including improving the independence of the judiciary and improving criminal procedures and due process rights and halting the cross-border flow of arms to Gaza;

(4) believes it is the best interest of Egypt, the region, and the United States that Egypt takes prompt action to demonstrate progress on these matters; and

(5) urges the Department of State to work vigorously and expeditiously with the Government of Egypt and the Government of Israel to bring the border between Egypt and Gaza border under effective control.

SA 2703. Mr. ALEXANDER (for himself and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 699B. (a) The amount appropriated or otherwise made available by title II for the Overseas Private Investment Corporation under the heading ''PROGRAM ACCOUNT'' is hereby increased by $8,000,000.

(b) The amount appropriated or otherwise made available by title V for ''CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION'' is hereby reduced by $8,000,000.

SA 2704. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds appropriated or otherwise made available by this Act for multilateral economic assistance under the heading ''CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION'' may be made available for the World Bank for malaria control or prevention programs.

SA 2705. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

SAVING CHILDREN'S LIVES

SEC. 699B. (a) The amount appropriated or otherwise made available by title III for bilateral economic assistance under the heading ''GLOBAL HEALTH PROGRAMS'' and available for child survival and maternal health is hereby increased by $76,763,000.

(b) The amount appropriated or otherwise made available by title III for bilateral economic assistance under the heading ''GLOBAL HEALTH PROGRAMS'' for other infectious diseases and available for the President's Malaria Initiative is hereby increased by $30,000,000.

(c) The amount appropriated or otherwise made available by title V under the heading ''GLOBAL ENVIRONMENT FACILITY'' is hereby reduced by $106,763,000.

SA 2706. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 311, strike lines 20 through 22 and insert the following:

(6) has adopted and is implementing a policy to publish on a publicly available web site all program reviews, program evaluations, internally and externally commissioned audits, and inspector general reports and findings, not later than 7 days after they are received by the Global Fund Secretariat, except that such information as determined necessary by the Inspector General to protect the identity of whistleblowers or other informants to investigations and reports of the Inspector General, or proprietary information, may be redacted from such documents; and

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SA 2707. Mr. BROWNBACK (for himself, Mr. MARTINEZ, Mr. VITTER, and Mr. COLEMAN) proposed an amendment

to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 240, beginning on line 4, strike ''*Provided*'' and all that follows through ''sterilization:'' on line 9 and insert ''*Provided further*, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President, supports, or participates in the management of, a program of coercive abortion or involuntary sterilization:''.

SA 2708. Mr. BROWNBACK (for himself, Mr. CORKER, Mr. MARTINEZ, Mr. VITTER, and Mr. COLEMAN) proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 308, beginning on line 18, strike ''health:'' and all that follows through page 309, line 4, and insert ''health.''.

SA 2709. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

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

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

(b) 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 State 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 State.

SA 2710. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 367, beginning on line 15, strike ''UNDP is—'' and all that follows through line 22 and insert the following: ''UNDP—

(1) is giving adequate and appropriate access to information to the United States Mission to the United Nations regarding UNDP's programs and activities, as requested, including in North Korea and Burma;

(2) is conducting appropriate oversight of UNDP programs and activities globally;

(3) has increased transparency by making UNDP financial documents available to United Nations member states;

(4) has implemented the whistleblower protection policy established by the United Nations Secretariat in December 2005; and

(5) has undertaken an investigation of all UNDP programs globally by an external independent investigator.

SA 2711. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 410, between line 15 and 16, insert the following:

WITHHOLDING OF UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS DEVELOPMENT PROGRAM

SEC. 699B. For each fiscal year, the Secretary of State shall withhold from the United States contribution to the United Nations Development Program (UNDP) an amount equal to the sum of all amounts authorized for such fiscal year by the leadership of the United Nations for ''national execution'' by any country, or transference of cash or in-kind contributions to a government of any country, that—

(1) is subject to sanctions imposed by the United Nations Security Council;

(2) is not in compliance with its nonproliferation obligations or has illicit procurement networks pertaining to nuclear, chemical, or biological weapons programs and technologies;

(3) is subject to sanctions imposed by the United States Government;

(4) is designated by the Secretary of State as a state sponsor of terrorism;

(5) is known by the Department of the Treasury to support or engage in the counterfeiting of United States currency; or

(6) is barred by United States law, including any executive order, from receiving United States foreign assistance.

SA 2712. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between line 15 and 16, insert the following:

WITHHOLDING OF UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS HUMAN RIGHTS COUNCIL

SEC. 699B. (a) The Senate makes the following findings:

(1) The severe loss of credibility of the United Nations Human Rights Commission, whose members have included Libya, Sudan, and Cuba, led United Nations Secretary-General Kofi Annan to remark in 2005 that the Human Rights Commission was ''casting a shadow on the reputation of the United Nations system as a whole'' and to call for the creation of a new United Nations human rights institution.

(2) Calls for the reform of United Nations human rights institutions led to a proposal for a new Human Rights Council to replace the Human Rights Commission, which was adopted by the United Nations General Assembly on March 15, 2006, in General Assembly Resolution 60/251 (2006).

(3) The United States voted against General Assembly Resolution 60/251 (2006) because the proposed structure of the Human Rights Council did not contain provisions designed to address the fundamental flaws of its predecessor body, such as a requirement that members of the Council be democracies that respect human rights.

(4) The United States chose not to run in the elections for membership in the Human Rights Council in 2006 and 2007 for fear that the Council would reflect the same patterns as the Human Rights Commission.

(5) The stated purpose of the Human Rights Council is to objectively and non-selectively promote and protect human rights in the entire world, and therefore in all 192 Member States of the United Nations.

(6) The Human Rights Council is composed of 47 members, 24 of which are considered ''free democracies'' by Freedom House in its 2007 ''Freedom in the World'' report.

(7) The current members of the Human Rights Council include countries such as Cuba, Angola, Azerbaijan, and Saudi Arabia.

(8) During the first year of operation of the Human Rights Council, which included 5 regular sessions and 4 special sessions, the only country in the world that was directly condemned as a violator of human rights was Israel.

(9) In its first year of operation, the Human Rights Council passed only 12 state-specific resolutions: 9 resolutions that condemned the Government of Israel, and 3 resolutions on Sudan that did not condemn the Government of Sudan.

(10) Freedom House lists 19 countries in its 2007 ''Freedom in the World'' report as the ''Worst of the Worst'' regimes that violate human rights, yet none of these countries has been the subject of a resolution by the Human Rights Council except for Sudan.

(11) During its first year, the Human Rights Council held 4 special sessions to address the most egregious and urgent human rights issues, with 3 sessions dedicated to Israel and 1 session dedicated to Sudan.

(12) The Human Rights Council special session on Sudan held in December 2006 resulted in the appointment of an assessment mission to Darfur led by Nobel Peace Prize Laureate Jody Williams, and this assessment mission submitted a report (referred to in this section as the ''Williams Report'') to the Human Rights Council in March 2007 that concluded that the Government of Sudan was responsible for ''large-scale international crimes in Darfur''.

(13) The Human Rights Council has not condemned the Government of Sudan in spite of the Williams Report and the numerous reports documenting the human rights violations of the Government of Sudan compiled by the United Nations High Commissioner for Human Rights.

(14) On June 19, 2007, the Human Rights Council adopted governing rules that further discredit the Council's operations, including—

(A) the establishment of only 1 country-specific permanent agenda item for the ''Program of Work'' on ''human rights violations and implications of the Israeli occupation of Palestine and other occupied Arab territories'';

(B) the elimination of the mandates of the special investigators for human rights for Cuba and Belarus, despite extensive reporting by these investigators indicating that there are widespread, systematic violations of human rights taking place in both countries; and

(C) the adoption of measures that limit the independence of operations of the Office of the United Nations High Commissioner for Human Rights and hinder the ability of independent human rights investigators to report findings on human rights abuses.

(b)(1) No funds appropriated or otherwise made available by any Act for fiscal years

2008 or 2009 for contributions to international organizations may be made available to support the United Nations Human Rights Council.

(2) The prohibition under paragraph (1) shall not apply for a fiscal year if, during that fiscal year—

(A) the President determines and certifies to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives that the provision of funds to support the United Nations Human Rights Council is in the national interest of the United States; or

(B) the United States is a member of the Human Rights Council.

SA 2713. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

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

SUPPORT OF FOREIGN LAW ENFORCEMENT EFFORTS TO LOCATE UNITED STATES CITIZENS KIDNAPPED IN AREAS AFFECTED BY VIOLENT DRUG TRAFFICKING

SEC. ____. Funds appropriated or otherwise made available by this title under the heading ''INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT'' shall be available for the support of efforts of foreign law enforcement authorities to locate United States citizens who have been kidnapped in, or are otherwise missing from, areas affected by violent drug trafficking.

SA 2714. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

Section 694 of the bill is amended to read as follows:

SEC. 694. (a) AMENDMENT TO AUTHORITY TO DETERMINE THE BAR TO ADMISSION INAPPLICABLE.—Section 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)) is amended to read as follows:

''The Secretary of State, after consultation with the Attorney General and the Secretary of Homeland Security, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may determine in such Secretary's sole unreviewable discretion that subsection (a)(3)(B) shall not apply with respect to an alien within the scope of that subsection or that subsection (a)(3)(B)(vi)(III) shall not apply to a group within the scope of that subsection, except that no such waiver may be extended to an alien who is within the scope of subsection (a)(3)(B)(i)(II), no such waiver may be extended to an alien who is a member or representative of, has engaged in or endorsed or espoused or persuaded others to endorse or espouse or support terrorist activity on behalf of, or has received military-type training from a terrorist organization that is described in subclause (I) or (II) of subsection (a)(3)(B)(vi), and no such waiver may be extended to a group that has engaged terrorist activity against the United States or another democratic country or that has purposefully engaged in a pattern or practice of terrorist activity that is directed at civilians. Such a determination shall neither prejudice the ability of the United States Government to commence criminal or civil proceedings involving a beneficiary of such a determination or any other person, nor create any substantive or procedural right or benefit for a beneficiary of such a determination or any other person. Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of Title 28, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review such a determination or revocation except in a proceeding for review of a final order of removal pursuant to section 1252 of this title, and review shall be limited to the extent provided in section 1252(a)(2)(D). The Secretary of State may not exercise the discretion provided in this clause with respect to an alien at any time during which the alien is the subject of pending removal proceedings under section 1229a of this title.''.

(b) AUTOMATIC RELIEF FOR THE HMONG AND OTHER GROUPS THAT DO NOT POSE A THREAT TO THE UNITED STATES.—For purposes of section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)), the Karen National Union/Karen Liberation Army (KNU/KNLA), the Chin National Front/Chin National Army (CNF/CNA), the Chin National League for Democracy (CNLD), the Kayan New Land Party (KNLP), the Arakan Liberation Party (ALP), the Mustangs, the Alzados, the Karenni National Progressive Party, and appropriate groups affiliated with the Hmong and the Montagnards shall not be considered to be a terrorist organization on the basis of any act or event occurring before the date of enactment of this section. Nothing in this subsection may be construed to alter or limit the authority of the Secretary of State or the Secretary of Homeland Security to exercise his discretionary authority pursuant to 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)).''.

(c) TECHNICAL CORRECTION.—(1) IN GENERAL.—Section 212(a)(3)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(ii)) is amended by striking ''Subclause (VII)'' and replacing it with ''Subclause (IX)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this section, and these amendments and sections 212(a)(3)(B) and 212(d)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B) and 1182(d)(3)(B)), as amended by these sections, shall apply to—

(A) removal proceedings instituted before, on, or after the date of enactment of this section; and

(B) acts and conditions constituting a ground for inadmissibility, excludability, deportation, or removal occurring or existing before, on, or after such date.

SA 2715. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

Section 694 of the bill is amended to read as follows:

SEC. 694. (a) AMENDMENT TO AUTHORITY TO DETERMINE THE BAR TO ADMISSION INAPPLICABLE.—Section 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)) is amended to read as follows:

''The Secretary of State, after consultation with the Attorney General and the Secretary of Homeland Security, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may determine in such Secretary's sole unreviewable discretion that subsection (a)(3)(B) shall not apply with respect to an alien within the scope of that subsection or that subsection (a)(3)(B)(vi)(III) shall not apply to a group within the scope of that subsection, [except that no such waiver may be extended to an alien who is within the scope of subsection (a)(3)(B)(i)(II), no such waiver may be extended to an alien who is a member or representative of, has engaged in or endorsed or espoused or persuaded others to endorse or espouse or support terrorist activity on behalf of, or has received military-type training from a terrorist organization that is described in subclause (I) or (II) of subsection (a)(3)(B)(vi), and no such waiver may be extended to a group that has engaged terrorist activity against the United States or another democratic country or that has purposefully engaged in a pattern or practice of terrorist activity that is directed at civilians.] Such a determination shall neither prejudice the ability of the United States Government to commence criminal or civil proceedings involving a beneficiary of such a determination or any other person, nor create any substantive or procedural right or benefit for a beneficiary of such a determination or any other person. Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of Title 28, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review such a determination or revocation except in a proceeding for review of a final order of removal pursuant to section 1252 of this title, and review shall be limited to the extent provided in section 1252(a)(2)(D). The Secretary of State may not exercise the discretion provided in this clause with respect to an alien at any time during which the alien is the subject of pending removal proceedings under section 1229a of this title.''.

(b) AUTOMATIC RELIEF FOR THE HMONG AND OTHER GROUPS THAT DO NOT POSE A THREAT TO THE UNITED STATES.—For purposes of section 212(a)(3)(B) of the Immigration and Nationality Act (8 USC 1182(a)(3)(B)), the Karen National Union/Karen Liberation Army (KNU/KNLA), the Chin National Front/Chin National Army (CNF/CNA), the Chin National League for Democracy (CNLD), the Kayan New Land Party (KNLP), the Arakan Liberation Party (ALP), the Mustangs, the Alzados, the Karenni National Progressive Party, and appropriate groups affiliated with the Hmong and the Montagnards shall not be considered to be a terrorist organization on the basis of any act or event occurring before the date of enactment of this section. Nothing in this subsection may be construed to alter or limit the authority of the Secretary of State or the Secretary of Homeland Security to exercise his discretionary authority pursuant to 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)).''.

(c) TECHNICAL CORRECTION.—(1) IN GENERAL.—Section 212(a)(3)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(ii)), is amended by striking ''Subclause (VII)'' and replacing it with ''Subclause (IX)''.

(d) DESIGNATION OF THE TALIBAN AS A TERRORIST ORGANIZATION.—For purposes of section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)), the Taliban shall be considered to be a terrorist organization described in subclause (I) of clause (vi) of that section.

(e) REPORT ON DURESS WAIVERS. The Secretary of Homeland Security shall provide to

the Committees on the Judiciary of the United States Senate and House of Representatives a report, not less than 180 days after the enactment of this Act and every year thereafter, which may include a classified annex if appropriate, describing—

(1) the number of individuals subject to removal from the United States for having provided material support to a terrorist group who allege that such support was provided under duress;

(2) a breakdown of the types of terrorist organizations to which the individuals described in paragraph (1) have provided material support;

(3) a description of the factors that the Department of Homeland Security considers when evaluating duress waivers; and

(4) any other information that the Secretary believes that the Congress should consider while overseeing the Department's application of duress waivers.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this section, and these amendments and sections 212(a)(3)(B) and 212(d)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B) and 1182(d)(3)(B)), as amended by these sections, shall apply to—

(A) removal proceedings instituted before, on, or after the date of enactment of this section; and—

(B) acts and conditions constituting a ground for inadmissibility, excludability, deportation, or removal occurring or existing before, on, or after such date.

SA 2716. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

SAVING CHILDREN'S LIVES

SEC. 699B. (a) The amount appropriated or otherwise made available by title III for bilateral economic assistance under the heading ''GLOBAL HEALTH PROGRAMS'' and available for child survival and maternal health is hereby increased by $48,763,000.

(b) The amount appropriated or otherwise made available by title III for bilateral economic assistance under the heading ''GLOBAL HEALTH PROGRAMS'' for other infectious diseases and available for the President's Malaria Initiative is hereby increased by $30,000,000.

(c) The amount appropriated or otherwise made available by title V under the heading ''GLOBAL ENVIRONMENT FACILITY'' is hereby reduced by $106,763,000.

SA 2717. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs 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. ___. TREATMENT OF CERTAIN NATIONALS OF IRAQ.

(a) RELIGIOUS MINORITY GROUP IN IRAQ DEFINED.—In this section, the term ''religious minority group in Iraq'' means a religious denomination or sect which, according to the International Religious Freedom Report 2006 (released by the Bureau of Democracy, Human Rights, and Labor of the Department of State on September 15, 2006)—

(1) is present in Iraq; and

(2) is comprised of members who constitute not more than 5 percent of the population of Iraq.

(b) CONSIDERATION OF CERTAIN NATIONALS FROM IRAQ AS PRIORITY 2 REFUGEES.—Subject to the numerical limitations established pursuant to section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), the Secretary of State, or a designee of the Secretary, shall present to the Secretary of Homeland Security, and the Secretary of Homeland Security, or a designee of the Secretary, shall adjudicate, any application for refugee status under such section 207 submitted by an applicant who—

(1)(A) is a national of Iraq; or

(B) if the applicant is not a national of any foreign state, last maintained a residence in Iraq;

(2) demonstrates that he or she—

(A) departed from Iraq before January 1, 2007; and

(B) has resided outside Iraq since that date; and

(3) demonstrates that he or she—

(A) provided services for the United States Government within Iraq for at least 12 months after March 1, 2003, as an employee, volunteer, contractor, or employee of a contractor of the United States; or

(B)(i) is a member of a religious minority group in Iraq; and

(ii) has a sibling, son, daughter, parent, grandparent, grandchild, or spouse who is a lawful permanent resident, asylee, refugee, or citizen under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

SA 2718. Mr. BINGAMAN (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 219, line 26, insert after ''authorized'' the following: '', of which, $100,000 may be made available to repair, relocate, or replace fencing along the international border between the United States and Mexico''.

SA 2719. Mrs. BOXER (for herself, Ms. SNOWE, Ms. COLLINS, Mrs. CLINTON, Ms. CANTWELL, Mr. MENENDEZ, Mr. DODD, Mr. LAUTENBERG, Mrs. FEINSTEIN, Mr. FEINGOLD, Mrs. MURRAY, Ms. MIKULSKI, and Mr. OBAMA) proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

REMOVAL OF CERTAIN RESTRICTIVE ELIGIBILITY REQUIREMENTS APPLICABLE TO FOREIGN NONGOVERNMENTAL ORGANIZATIONS

SEC. 699B. Notwithstanding any other provision of law, regulation, or policy, in determining eligibility for assistance authorized under part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), foreign nongovernmental organizations shall not be ineligible for such assistance solely on the basis of health or medical services, including counseling and referral services, provided by such organizations with non-United States Government funds if such services do not violate the laws of the country in which they are being provided and would not violate United States Federal law if provided in the United States, and shall not be subject to requirements relating to the use of non-United States Government funds for advocacy and lobbying activities other than those that apply to United States nongovernmental organizations receiving assistance under part I of such Act.

SA 2720. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs 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 under Title III, Bilateral Economic Assistance, Global Health Programs, insert the following:

''*Provided further*, That none of the funds appropriated under this heading shall be used by the Global AIDS Coordinator to exclude from competition for funding any organization or institution headquartered in the United States that has significant experience in AIDS patient care and treatment.''

SA 2721. Mr. DODD (for himself, Mrs. FEINSTEIN, Mr. CORKER, Mr. COLEMAN, Mr. LAUTENBERG, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

ADDITIONAL PEACE CORPS FUNDING

SEC. 699B. (a) The amount appropriated or otherwise made available by title III under the heading ''PEACE CORPS'' is hereby increased by $10,000,000.

(b) The amount appropriated or otherwise made available by title IV under the heading ''FOREIGN MILITARY FINANCING PROGRAM'' is hereby reduced by $10,000,000.

SA 2722. Mr. DODD submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs 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:

PROHIBITION ON USE OF FUNDS FOR CRUEL, INHUMAN, AND DEGRADING TREATMENT AND PUNISHMENT AND FOR EXTRAORDINARY RENDITIONS

SEC. ____. (a) PROHIBITION ON USE OF FUNDS FOR CRUEL, INHUMAN, AND DEGRADING TREATMENT AND PUNISHMENT.—No funds appropriated or otherwise made available by this Act may be used in contravention of the following laws enacted or regulations prescribed to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations;

(3) Sections 1002 and 1003 of the Detainee Treatment Act of 2005 (10 U.S.C. 801 note; 42 U.S.C. 2000dd).

(b) PROHIBITION ON USE OF FUNDS FOR EXTRAORDINARY RENDITIONS.—No funds appropriated or otherwise made available by this Act may be used for any transfer (commonly referred to as an ''extraordinary rendition'') of any person who is imprisoned, detained, or held, or otherwise in the custody or control of a department, agency, or official of the United States Government, or any contractor of a department or agency of the United States Government, to a country where there are substantial grounds for believing that such person would subjected to torture.

SA 2723. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 219, line 26, before the period insert the following: *Provided further,* That of the funds appropriated under this heading, up to $400,000 should be made available for the repair or replacement of the Nogales Wash Flood Control Project and international outfall interceptor.

SA 2724. Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

Insert where appropriate:

IRAQ

SEC. ____. (a) None of the funds appropriated or otherwise made available by this Act may be made available for assistance for Iraq.

(b) Not later than 30 days after enactment of this Act the Secretary of State shall submit a report to the Committees on Appropriations detailing the extent to which the Government of Iraq is committed to combating corruption in Iraq and the specific actions and achievements of the Government of Iraq in combating corruption, to include a list of those senior Iraqi leaders who have been credibly alleged to be engaged in corrupt practices and activities.

(c) Notwithstanding any other provision of law, policy, or regulation, none of the funds made available in this Act or any other Act may be made available for assistance for Iraq unless the Secretary of State, in consultation with the Secretary of Defense, certifies to the Committees on Appropriations that the Departments of State and Defense are providing the Committees on Appropriations, including relevant staff, regular, full and unfettered access to programs in Iraq for the purposes of conducting oversight.

(d) Subsections (a) and (b) shall not apply to the ninth and thirteenth provisos under the heading ''Economic Support Fund'' in this Act.

SA 2725. Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 369, line 8 after the period, insert the following:

(d) NATIONAL BUDGET TRANSPARENCY.—(1) None of the funds appropriated by this Act may be made available for assistance for the central government of any country that fails to make publicly available on an annual basis its national budget, to include income and expenditures.

(2) The Secretary of State may waive subsection (d)(1) on a country-by-country basis if the Secretary reports to the Committees on Appropriations that to do so is important to the national interests of the United States.

(3) The reporting requirement pursuant to section 585(b) of Public Law 108–7 regarding fiscal transparency and accountability in countries whose central governments receive United States foreign assistance shall apply to this Act.

SA 2726. Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

Insert where appropriate:

UNITED STATES-EGYPT FRIENDSHIP ENDOWMENT

SEC.____. Of the funds appropriated by this Act and prior Acts making appropriations for foreign operations, export financing, and related programs under the heading ''Economic Support Fund'' that are available for assistance for Egypt, up to $500,000,000 may be made available for an endowment to further social, economic and political reforms in Egypt: Provided, That the Secretary of State shall consult with the Committees on Appropriations on the establishment of such an endowment and appropriate benchmarks for the uses of these funds.

SA 2727. Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 368, beginning on line 16 strike ''and (4)'' and insert in lieu thereof:

''(4) the World Bank has made publicly available the Department of Institutional Integrity's November 23, 2005 'Report of Investigation into Reproductive and Child Health I Project Credit N0180 India' and any subsequent detailed implementation review, and is implementing the recommendations of the Department of Institutional Integrity regarding this project, including recommendations concerning the prosecution of individuals engaged in corrupt practices; and''.

SA 2728. Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

Insert where appropriate:

IRAQ

SEC. ____. (a) None of the funds appropriated or otherwise made available by this Act may be made available for assistance for Iraq.

(b) Not later than 30 days after enactment of this Act the Secretary of State shall submit a report to the Committees on Appropriations detailing the extent to which the Government of Iraq is committed to combating corruption in Iraq and the specific actions and achievements of the Government of Iraq in combating corruption, to include a list of those senior Iraqi leaders who have been credibility alleged to be engaged in corrupt practices and activities.

(c) Notwithstanding any other provision on law, policy, or regulation, none of the funds made available in this Act or any other Act making appropriations for foreign operations, export financing and related programs may be made available for assistance for Iraq unless the Secretary of State, in consultation with the Secretary of Defense, certifies to the Committees on Appropriations that the Departments of State and Defense are providing the Committees on Appropriations, including relevant staff, regular, full and unfettered access to programs in Iraq for the purposes of conducting oversight.

(d) Subsections (a) and (c) shall not apply to the ninth and thirteenth provisos under the heading ''Economic Support Fund'' in this Act.

SA 2729. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 213, line 16, strike the period and insert '': *Provided*, That not less than $250,000 shall be made available for the Bureau of Diplomatic Security to develop a comprehensive facility plan to consolidate and expand hard and soft skills training within 400 miles of the District of Columbia.''.

SA 2730. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 232, line 16 insert the following new provision:

''CONSULAR OPERATIONS

SEC. ____. (a) The Secretary of State shall establish visa processing facilities in Iraq within 180 days of enactment of this Act in which aliens may apply and interview for admission to the United States.

(b) The Secretary of State shall report to the Congress no later than 30 days after enactment of this Act on funding and security requirements for consular operations in Iraq in fiscal year 2008.''.

SA 2731. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 244, line 9, before the colon insert '', particularly child survival and maternal health''.

SA 2732. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 244, line 22, strike ''$1,455,000,000'' and insert in lieu thereof ''$1,555,000,000''.

On page 251, line 10, strike ''$3,015,000,000'' and insert in lieu thereof '$2,915,000,000''.

SA 2733. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 253, line 11, after the colon insert the following:

Provided further, That of the funds appropriated under this heading, not less than $10,000,000 should be made available for (1) programs to locate and identify persons missing as a result of armed conflict, violations of human rights, or natural disasters; (2) to assist governments in meeting their obligations regarding missing persons; and (3) to support investigations and prosecutions related to war crimes, crimes against humanity, genocide and other crimes under international law:

SA 2734. Mr. LEAHY. submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 254, line 16, after the comma insert the following: ''not less than $4,000,000 should be made available for a United States contribution to the International Commission Against Impunity in Guatemala,''.

SA 2735. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 266, line 14, strike ''feasible'' and insert in lieu thereof ''practicable and that aerial eradication will not contribute to a significant loss of biodiversity''.

On page 267, line 17 delete ''determines'' and insert in lieu thereof ''certifies to the Committees on Appropriations''.

On page 267, line 18, strike ''feasible'' and insert in lieu thereof ''practicable''.

On page 268, line 10, after the period insert the following:

(f) Rotary and fixed wing aircraft supported with funds appropriated under this heading for assistance for Colombia should be used for drug eradication and interdiction including to transport personnel in connection with manual eradication programs, and to provide transport in support of alternative development programs and investigations of cases under the jurisdiction of the Attorney General, the Procuraduria General de la Nacion, and the Defensoria del Pueblo.

On page 268, line 11, strike ''(f)'' and insert in lieu thereof ''(g)'', and on page 268, line 19, strike ''(g)'' and insert in lieu thereof ''(h)''.

On page 268, line 14, after ''certifies'' insert ''to the Committees on Appropriations''.

SA 2736. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 268, line 4, strike ''or'' and insert in lieu thereof the following: '', disrupt or contaminate natural water sources, reduce local food security, or cause''.

SA 2737. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 268, line 12, after ''military'' insert ''and police''.

On page 268, line 14, strike ''military is'' and insert in lieu thereof ''military and police are''.

On page 268, line 16, strike ''military's''.

On page 268, line 17, after ''in'' insert ''of the military and police''.

On page 268, line 17, after ''military'' and before ''personnel'' insert ''and police''.

SA 2738. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 277, line 17, after the colon, insert the following:

Provided further, That of the funds appropriated under this heading that are available for assistance for Morocco, not more than $2,000,000 may be obligated until the Secretary of State certifies and reports to the Committees on Appropriations that Moroccan Government authorities in the territory of the Western Sahara have (1) ceased to persecute, detain, and prosecute individuals for peacefully expressing their opinions regarding the status and future of the Western Sahara and for documenting violations of human rights; and (2) provided unimpeded access to internationally recognized human rights organizations, journalists, and representatives of foreign governments to the Western Sahara:

SA 2739. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 281, line 26, strike ''infrastructure''

At the appropriate place in the bill, insert the following:

MULTILATERAL DEVELOPMENT BANKS ACCOUNTABILITY

SEC. . (a) Notwithstanding any other provision of law (including any treaty or other international agreement), no court in the United States shall decline on the ground of an immunity accorded under treaty or other international agreement to hear any prosecution or civil action brought against any officer or employee of any multilateral development bank (''MDB'') of which the United States is a member, or any civil action brought against such MDB, in any case involving a claim of sexual abuse or harassment, retaliation for filing a grievance concerning a management practice of such MDB, or retaliation against any person for acting as a whistleblower regarding any activity of such MDB.

(b) In this section, the term ''multilateral development bank'' has the meaning given that term in section 1307 of the International Financial Institutions Act (22 U.S.C. 262m–7) and also includes the European Bank for Reconstruction and Development and the Global Environment Facility.

SA 2740. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 286, line 14, strike ''REPORT''.

SA 2741. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 287, line 19, strike ''$2,000'' and insert in lieu thereof ''$4,000''.

SA 2742. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 306, line 20, after ''Mexico'' insert '', Nepal,''.

SA 2743. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 309, line 23, after the comma insert the following:

''$2,000,000 should be made available for a United States contribution to the North Atlantic Treaty Organization/International Security Assistance Force Post-Operations Humanitarian Relief Fund,''.

SA 2744. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 312, line 11, after ''terrorism'' insert ''or other gross violation of human rights''.

SA 2745. Mr. LEAHY submitted an amendment intended to be proposed by

him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 323, line 4, strike $10,000,000'' and insert in lieu thereof ''$15,000,000''.

On page 323, line 7, after ''environment'' insert '', energy''.

SA 2746. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 326, line 18, after the period insert the following:

(o) DEMOBILIZATION, DISARMAMENT, AND REINTEGRATION ASSISTANCE.—Notwithstanding any other provision of law, policy or regulation, funds appropriated by this Act and prior acts making appropriations for foreign operations, export financing, and related programs may be made available to support programs to demobilize, disarm, and reintegrate into civilian society former combatants of foreign governments or organizations who have renounced involvement or participation in such organizations.

SA 2747. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 326, line 18, insert the following:

(o) NONGOVERNMENTAL ORGANIZATIONS.—With respect to the provision of assistance for democracy, human rights and governance activities, the organizations implementing such assistance and the specific nature of that assistance shall not be subject to the prior approval by the government of any foreign country.

SA 2748. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 335, line 7, strike ''the waiver authority of subsection (b) is exercised'' and insert in lieu thereof ''the President makes a determination pursuant to subsection (b)''.

SA 2749. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 341, line 9, strike ''and Brazil'' and insert in lieu thereof the following:

''Brazil, Latin America and Caribbean Regional, Central America Regional, and South America Regional''.

SA 2750. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 348, line 3, after ''and'' insert ''subsequently certifies and''.

On page 348, line 3, strike ''certification and'',

On page 348, line 8, after ''Defense'' insert '', the Attorney General''.

On page 350, line 12, strike ''Colombian Government is ensuring that the''.

On page 350, line 16, strike ''the Colombian Armed Forces''.

On page 350, line 21, after ''and'' insert ''subsequently certifies and''.

On page 350, line 21, strike ''certification and''.

SA 2751. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 353, line 2, strike ''determines and''.

On page 353, line 2, after ''certifies'' insert ''and reports''.

SA 2752. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 366, line 4, after ''certifies'' insert ''and reports''.

SA 2753. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 371, line 26, strike ''describing'' and insert in lieu thereof ''detailing''.

SA 2754. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 377, line 6, after the comma insert ''not less than $3,000,000 shall be made available for wildlife conservation and protected area management in the Boma-Jonglei landscape of Southern Sudan, and''.

SA 2755. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 380, line 26, strike ''have been credibly alleged to'' and insert in lieu thereof ''the Secretary has credible evidence to believe''.

SA 2756. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 383, line 4, strike ''he'' and insert in lieu thereof ''the Secretary''.

On page 383, line 14, strike ''6'' and insert in lieu thereof ''12''.

SA 2757. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 388, line 11, strike '', guidelines''.

On page 388, line 11, after ''goals,'' insert ''guidelines,''.

On page 388, line 16, strike ''executing'' and insert in lieu thereof ''implementing''.

SA 2758. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 390, line 20, strike ''against human rights defenders''.

SA 2759. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 393, line 1, strike ''provided a copy of its written plans to effectively address the following, and a copy of each plan has been provided with the report'', and insert in lieu thereof ''written plans to effectively''.

On page 393, line 4, before ''accountability'' insert ''provide''.

On page 393, line 6, ''to allow public access to Papua and West Irian Jaya'' and insert in lieu thereof ''allow public access to West Papua''.

On page 393, line 8, strike ''to''.

SA 2760. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 393, line 12, strike everything after ''(a)'' through the period on page 394, line 15, and insert in lieu thereof the following:

''Funds appropriated by this Act under the heading ''International Military Education and Training'' that are available for assistance for Guatemala, other than for expanded international military education and training, may be made available only for the Guatemalan Air Force and Navy: Provided, That such funds may be made available only if the Secretary of State certifies that the Guatemalan Air Force and Navy are respecting human rights and are cooperating with civilian judicial investigations and prosecutions

of military personnel who have been credibly alleged to have committed violations of human rights.

(b) Of the funds appropriated by this Act under the heading ''Foreign Military Financing Program'', not more than $500,000 may be made available for the Guatemalan Air Force and Navy: Provided, That such funds may be made available only if the Secretary of State certifies that the Guatemalan Air Force and Navy are respecting human rights and are cooperating with civilian judicial investigations and prosecutions of military personnel who have been credibly alleged to have committed violations of human rights, and the Guatemalan Armed Forces are fully cooperating with the International Commission Against Impunity in Guatemala.''

SA 2761. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 395, line 1, strike ''security'' and insert in lieu thereof the following: ''governmental armed forces or government-supported armed groups, including paramilitaries, militias, or civil defense forces,''.

On page 395, line 7, after ''to'' insert the following: ''demobilize children from its forces or from government-supported armed groups and''.

SA 2762. Mr. LEAHY (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 395, line 24, after the semi-colon insert ''(2) the Philippine Government is implementing a policy of promoting military personnel who demonstrate professionalism and respect for human rights, and is investigating and prosecuting military personnel and others who have been credibly alleged to have committed extrajudicial executions or other violations of human rights.''

On page 396, strike ''(2)'' and insert in lieu thereof ''(3)''.

SA 2763. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 396, line 5, strike ''Of'' and everything that follows through ''not'' on page 396 line 10, and insert in lieu thereof the following:

''Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' may be made available for assistance for Pakistan if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Pakistan is''

On page 397, line 9, strike ''reports'' and insert in lieu thereof ''does not make the certification''.

On page 397, line 15, after the period insert the following:

''(c) The Secretary may waive the requirements of subsection (a) if she determines that it is important to the national security of the United States, and she submits a report accompanying the waiver to the Committees on Appropriations detailing the reasons why the certification was not made.''

SA 2764. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 397, line 24, after ''that'' insert ''(1)''.

On page 398, line 3, after ''soldiers'' insert ''; (2) the Sri Lankan Government has provided unimpeded access to humanitarian organizations and journalists to Tamil areas of.the country; and (3) the Sri Lankan Government has agreed to the establishment of a field presence of the Office of the United Nations High Commissioner for Human Rights in Sri Lanka.

SA 2765. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 402, line 22, after ''the'' insert ''transparent and''.

SA 2766. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place in the bill insert the following:

ANTI-KLEPTOCRACY

SEC.____. (a) In furtherance of the National Strategy to Internationalize Efforts Against Kleptocracy and Presidential Proclamation 7750, not later than 90 days after the date of enactment of this Act the Secretary of State shall send to the appropriate congressional committees a list of officials of the governments of Angola, Burma, Cambodia, Equatorial Guinea, Democratic Republic of the Congo, and the Republic of the Congo, and their immediate family members, who the Secretary has credible evidence to believe have been involved in corruption relating to the extraction of natural resources in their countries.

(b) Not later than 10 days after the list described in subsection (a) is submitted to the appropriate congressional committees, the following sanctions shall apply:

(1) Any individual on the list submitted under subsection (a) shall be ineligible for a visa to enter the United States.

(2) No property or interest in property belonging to an individual on the list submitted under subsection (a), or to a member of the immediate family of such individual if the property is effectively under the control of such individual, may be transferred, paid, exported, withdrawn, or otherwise dealt with, if the property is within the United States or within the possession or control of a United States person, including the overseas branch of such person, or after the date of the enactment of this Act comes within the control of such person.

(3) No United States person may engage in financial transactions with an individual on the list submitted under subsection (a), or with a member of the immediate family of such individual if the transaction will benefit an individual on the list submitted under subsection (a).

SA 2767. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page , line , after the colon insert the following:

''*Provided,* That of the funds appropriated under this heading, not more than $500,000 should be made available for the Department of Energy's National Nuclear Security Administration to support initiatives which bring together public officials and private individuals from nations involved in the Six-Party Talks for informal discussions on resolving the North Korea nuclear issue:''.

SA 2768. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

SUPERVISION AND ADMINISTRATIVE COSTS

SEC. ____. To the extent not otherwise authorized, supervision and administrative costs associated with a construction project funded with the Iraq Relief and Reconstruction Fund may be obligated at the time a construction contract is awarded or other obligation is made, or, for obligations made during Fiscal Year 2007, by September 30, 2008: Provided, That for purposes of this section, supervision and administrative costs include all in-house Government costs.

SA 2769. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place in the bill, add the following new section:

UGANDA

SEC. . (a) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing a strategy for substantially enhancing United States efforts to resolve the conflict between the Lord's Resistance Army (LRA) and the Government of Uganda (GOU), including—

(1) direct and sustained participation by the United States in confidence-building measures in furtherance of the peace process;

(2) increased diplomatic pressure on the Democratic Republic of the Congo (to eliminate the LRA's current safe haven) and on Sudan;

(3) brokering direct negotiations between the GOU and the leaders of the LRA on personal security arrangements; and

(4) financial support for disarmament, demobilization, and reintegration to provide mid-level LRA commanders inceptives to return to civilian life.

(b) Of the funds appropriated by this Act under the heading ''Economic Support

Fund'', not less than $5,000,000 shall be made available to implement the strategy described in subsection (a).

SA 2770. Mrs. CLINTON (for herself and Mr. BINGAMAN) submitted an amendment intended to be proposed by her to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 318, between lines 9 and 10, insert the following:

(d) Notwithstanding the sixth proviso under the heading ''GLOBAL HEALTH PROGRAMS'' in title III, funds appropriated or otherwise made available by this Act for a United States contribution to the United Nations Population Fund shall be used for the following purposes:

(1) To provide and distribute equipment, medicine and supplies, including safe delivery kits and hygiene kits, to ensure safe childbirth and emergency obstetric care.

(2) To make available supplies of contraceptives for the prevention of unintended pregnancies and the spread of sexually transmitted infections, including HIV/AIDS.

(3) To prevent and treat cases of obstetric fistula.

(4) To reestablish maternal health services in areas where medical infrastructure and such services have been destroyed or limited by natural disasters, armed conflict, or other factors.

(5) To promote abandonment of harmful traditional practices, including female genital mutilation and cutting and child marriage.

(6) To promote the access of unaccompanied women and other vulnerable people to vital services, including access to water, sanitation facilities, food, and health care.

(7) To prevent mother-to-child transmission of HIV.

SA 2771. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 232, between lines 16 and 17, insert the following:

REPORT REGARDING USE OF LEVEES

SEC. 117. Not later than 90 days after the date of enactment of this Act, the United States Commissioner of the International Boundary and Water Commission, in cooperation and coordination with the Secretary of Homeland Security and the Chief of Engineers of the United States Army Corps of Engineers, shall submit to Congress a report regarding the use by U.S. Customs and Border Protection of flood control levees under the control of the International Boundary and Water Commission, which shall—

(1) discuss the purpose and importance of—

(A) any such use of such levees ongoing on the date of enactment of this Act; and

(B) any anticipated such use of such levees after the date of enactment of this Act;

(2) describe the frequency and means of, and approximate number of officers and employees of the U.S. Customs and Border Protection who, access such levees;

(3) describe the level of degradation of such levees as a result of such use; and

(4) identify any formal agreements that may be needed between the Department of Homeland Security and the International Boundary and Water Commission or the Department of State to ensure needed access to such levees.

SA 2772. Mrs. DOLE submitted an amendment intended to be proposed by her to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

SEC. 699B. None of the funds made available in this Act may be expended in violation of section 243(d) of the Immigration and Nationality Act (8 U.S.C. 1253(d)) (relating to discontinuing granting visas to nationals of countries that are denying or delaying accepting aliens removed from the United States).

SA 2773. Mr. COBURN proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

TRANSPARENCY AND ACCOUNTABILITY OF THE UNITED NATIONS

SEC. 699B. (a) Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used by the Department of State as a contribution to the United Nations or any subsidiary body of the United Nations, including any organization that is authorized to use the United Nations logo, until the Secretary of State certifies that the United Nations, such subsidiary body of the United Nations, or such organization, as the case may be, is fully and publicly transparent about all of its spending, including for procurement purposes, that occurred during fiscal year 2007, including the posting on a publicly available web site of—

(1) copies of all contracts, grants, subcontracts, and subgrants awarded or utilized during fiscal year 2007;

(2) copies of all program reviews, audits, budgets, and project progress reports relating to fiscal year 2007; and

(3) any other financial information deemed necessary by the Secretary.

(b) The documents required to be made available under subsection (a) shall be in unredacted form, except that such information as determined necessary by the Secretary to protect the identity of whistleblowers or other informants to investigations and reports and proprietary information may be redacted.

SA 2774. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

RIGHT TO BEAR ARMS

SEC. 699B. None of the funds made available under this Act may be made available to any international organization, agency, or entity (including the United Nations) that requires the registration of, or taxes a gun owned by a citizen of the United States.

SA 2775. Mr. LUGAR (for himself and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 410, between lines 15 and 16, insert the following:

TITLE VII—RECONSTRUCTION AND STABILIZATION CIVILIAN MANAGEMENT

SEC. 701. SHORT TITLE.

This title may be cited as the ''Reconstruction and Stabilization Civilian Management Act of 2007''.

SEC. 702. FINDING; PURPOSE.

(a) FINDING.—Congress finds that the resources of the United States Armed Forces have been burdened by having to undertake stabilization and reconstruction tasks in the Balkans, Afghanistan, Iraq, and other countries of the world that could have been performed by civilians, which has resulted in lengthy deployments for Armed Forces personnel.

(b) PURPOSE.—The purpose of this title is to provide for the continued development, as a core mission of the Department of State and the United States Agency for International Development, of an effective expert civilian response capability to carry out reconstruction and stabilization activities in a country or region that is at risk of, in, or is in transition from, conflict or civil strife.

SEC. 703. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the United States Agency for International Development.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Affairs of the House of Representatives.

(3) DEPARTMENT.—Except as otherwise provided in this title, the term ''Department'' means the Department of State.

(4) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given that term in section 105 of title 5, United States Code.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of State.

SEC. 704. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the civilian element of United States joint civilian-military operations should be strengthened in order to enhance the execution of current and future reconstruction and stabilization activities in foreign countries or regions that are at risk of, in, or are in transition from, conflict or civil strife;

(2) the capability of civilian agencies of the United States Government to carry out reconstruction and stabilization activities in such countries or regions should also be enhanced through a new rapid response corps of civilian experts supported by the establishment of a new system of planning, organization, personnel policies, and education and training, and the provision of adequate resources;

(3) the international community, including nongovernmental organizations, and the United Nations and its specialized agencies, should be further encouraged to participate in planning and organizing reconstruction

and stabilization activities in such countries or regions;

(4) the executive branch has taken a number of steps to strengthen civilian capability, including the establishment of an office headed by a Coordinator for Reconstruction and Stabilization in the Department, the Presidential designation of the Secretary as the interagency coordinator and leader of reconstruction and stabilization efforts, and Department of Defense directives to the military to support the Office of Reconstruction and Stabilization and to work closely with counterparts in the Department of State and other civilian agencies to develop and enhance personnel, training, planning, and analysis;

(5) the Secretary and the Administrator should work with the Secretary of Defense to augment existing personnel exchange programs among the Department, the United States Agency for International Development, and the Department of Defense, including the regional commands and the Joint Staff, to enhance the stabilization and reconstruction skills of military and civilian personnel and their ability to undertake joint operations; and

(6) the heads of other executive agencies should establish personnel exchange programs that are designed to enhance the stabilization and reconstruction skills of military and civilian personnel.

SEC. 705. AUTHORITY TO PROVIDE ASSISTANCE FOR RECONSTRUCTION AND STABILIZATION CRISES.

Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2351 et seq.) is amended by inserting after section 617 the following new section:

"SEC. 618. ASSISTANCE FOR A RECONSTRUCTION AND STABILIZATION CRISIS.

''(a) ASSISTANCE.—

''(1) IN GENERAL.—If the President determines that it is important to the national interests of the United States for United States civilian agencies or non-Federal employees to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife, the President may, in accordance with the provisions set forth in section 614(a)(3), notwithstanding any other provision of law, and on such terms and conditions as the President may determine, furnish assistance to respond to the crisis using funds referred to in paragraph (2).

''(2) FUNDS.—The funds referred to in this paragraph are funds as follows:

''(A) Funds made available under this section, including funds authorized to be appropriated by subsection (d).

''(B) Funds made available under other provisions of this Act and transferred or reprogrammed for purposes of this section.

''(b) SPECIAL AUTHORITIES.—In furtherance of a determination made under subsection (a), the President may exercise the authorities contained in sections 552(c)(2) and 610 without regard to the percentage and aggregate dollar limitations contained in such sections.

''(c) AVAILABILITY OF FUNDS FOR RESPONSE READINESS CORPS.—Of the funds made available for this section in any fiscal year, including funds authorized to be appropriated by subsection (d) and funds made available under other provisions of this Act and transferred or reprogrammed for purposes of this section, $25,000,000 may be made available for expenses related to the development, training, and operations of the Response Readiness Corps established under section 62(c) of the State Department Basic Authorities Act of 1956.

''(d) AUTHORIZATION OF APPROPRIATIONS.—

''(1) AUTHORIZATION.—There is authorized to be appropriated $75,000,000 to provide assistance authorized in subsection (a) and, to the extent authorized in subsection (c), for the purpose described in subsection (c). Such amount is in addition to amounts otherwise made available for purposes of this section, including funds made available under other provisions of this Act and transferred or reprogrammed for purposes of this section.

''(2) REPLENISHMENT.—There is authorized to be appropriated each fiscal year such sums as may be necessary to replenish funds expended under this section.

''(3) AVAILABILITY.—Funds authorized to be appropriated under this subsection shall be available without fiscal year limitation.''.

SEC. 706. OFFICE OF THE COORDINATOR FOR RECONSTRUCTION AND STABILIZATION.

Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651 et seq.) is amended by adding at the end the following new section:

"SEC. 62. RECONSTRUCTION AND STABILIZATION.

''(a) OFFICE OF THE COORDINATOR FOR RECONSTRUCTION AND STABILIZATION.—

''(1) ESTABLISHMENT.—There is established within the Department of State the Office of the Coordinator for Reconstruction and Stabilization.

''(2) COORDINATOR FOR RECONSTRUCTION AND STABILIZATION.—The head of the Office shall be the Coordinator for Reconstruction and Stabilization, who shall be appointed by the President, by and with the advice and consent of the Senate. The Coordinator shall serve at the sole direction of, and report solely to, the Secretary of State or the Deputy Secretary of State and shall have the rank and status of Ambassador at Large.

''(3) FUNCTIONS.—The functions of the Office of the Coordinator for Reconstruction and Stabilization include the following:

''(A) Monitoring, in coordination with relevant bureaus within the Department of State, political and economic instability worldwide to anticipate the need for mobilizing United States and international assistance for the stabilization and reconstruction of countries or regions that are at risk of, in, or are in transition from, conflict or civil strife.

''(B) Assessing the various types of stabilization and reconstruction crises that could occur and cataloging and monitoring the non-military resources and capabilities of Executive agencies that are available to address such crises.

''(C) Planning to address appropriate non-military requirements, such as demobilization, policing, human rights monitoring, and public information, that commonly arise in stabilization and reconstruction crises.

''(D) Coordinating with relevant Executive agencies (as that term is defined in section 105 of title 5, United States Code) to develop interagency contingency plans to mobilize and deploy civilian personnel to address the various types of such crises.

''(E) Entering into appropriate arrangements with other Executive agencies to carry out activities under this section and the Reconstruction and Stabilization Civilian Management Act of 2007.

''(F) Identifying personnel in State and local governments and in the private sector who are available to participate in the Response Readiness Corps established under subsection (c) or to otherwise participate in or contribute to stabilization and reconstruction activities.

''(G) Taking steps to ensure that training of civilian personnel to perform such stabilization and reconstruction activities is adequate and, as appropriate, includes security training that involves exercises and simulations with the Armed Forces, including the regional commands.

''(H) Sharing information and coordinating plans for stabilization and reconstruction activities, as appropriate, with the United Nations and its specialized agencies, the North Atlantic Treaty Organization, nongovernmental organizations, and other foreign national and international organizations.

''(I) Coordinating plans and procedures for joint civilian-military operations with respect to stabilization and reconstruction activities.

''(J) Maintaining the capacity to field on short notice an evaluation team to undertake on-site needs assessment.

''(b) RESPONSE TO STABILIZATION AND RECONSTRUCTION CRISIS.—If the President makes a determination regarding a stabilization and reconstruction crisis under section 618 of the Foreign Assistance Act of 1961, the President may designate the Coordinator, or such other individual as the President may determine appropriate, as the Coordinator of the United States response. The individual so designated, or, in the event the President does not make such a designation, the Coordinator for Reconstruction and Stabilization, shall—

''(1) assess the immediate and long-term need for resources and civilian personnel;

''(2) identify and mobilize non-military resources to respond to the crisis; and

''(3) coordinate the activities of the other individuals or management team, if any, designated by the President to manage the United States response.''.

SEC. 707. RESPONSE READINESS CORPS.

(a) IN GENERAL.—Section 62 of the State Department Basic Authorities Act of 1956 (as added by section 706) is amended by adding at the end the following new subsection:

''(c) RESPONSE READINESS CORPS.—

''(1) IN GENERAL.—The Secretary, in consultation with the Administrator of the United States Agency for International Development and the heads of other appropriate departments and agencies of the United States Government, is authorized to establish and maintain a Response Readiness Corps (hereafter referred to in this subsection as the 'Corps') to provide assistance in support of stabilization and reconstruction activities in foreign countries or regions that are at risk of, in, or are in transition from, conflict or civil strife.

''(2) FEDERAL COMPONENTS.—

''(A) ACTIVE AND STANDBY COMPONENTS.—The Corps shall have active and standby components consisting of United States Government personnel as follows:

''(i) An active component, which should consist of 250 personnel who are recruited, employed, and trained in accordance with this paragraph.

''(ii) A standby component, which should consist of 2000 personnel who are recruited and trained in accordance with this paragraph.

''(B) AUTHORIZED MEMBERS OF STANDBY COMPONENT.—Personnel in the standby component of the Corps may include employees of the Department of State (including Foreign Service Nationals), employees of the United States Agency for International Development, employees of any other executive agency (as that term is defined in section 105 of title 5, United States Code), and employees of the legislative branch and judicial branch of Government—

''(i) who are assigned to the standby component by the Secretary following nomination for such assignment by the head of the department or agency of the United States Government concerned or by an appropriate official of the legislative or judicial branch of Government, as applicable; and

''(ii) who—

''(I) have the training and skills necessary to contribute to stabilization and reconstruction activities; and

''(II) have volunteered for deployment to carry out stabilization and reconstruction activities.

''(C) RECRUITMENT AND EMPLOYMENT.—The recruitment and employment of personnel to the Corps shall be carried out by the Secretary, the Administrator of the United States Agency for International Development, and the heads of the other departments and agencies of the United States Government participating in the establishment and maintenance of the Corps.

''(D) TRAINING.—The Secretary is authorized to train the members of the Corps under this paragraph to perform services necessary to carry out the purpose of the Corps under paragraph (1).

''(E) COMPENSATION.—Members of the active component of the Corps under subparagraph (A)(i) shall be compensated in accordance with the appropriate salary class for the Foreign Service, as set forth in sections 402 and 403 of the Foreign Service Act of 1980 (22 U.S.C. 3962, 3963), or in accordance with the appropriate compensation provisions of title 5, United States Code.

''(3) CIVILIAN RESERVE.—

''(A) CIVILIAN RESERVE.—The Corps shall have a reserve (hereafter referred to in this subsection as the 'Civilian Reserve') consisting of non-United States Government personnel who are trained and available as needed to perform services necessary to carry out the purpose of the Corps under paragraph (1). The Civilian Reserve shall be established by the Secretary, in consultation with the Administrator of the Unites States Agency for International Development and the heads of other appropriate departments and agencies of the United States Government.

''(B) COMPOSITION.—Beginning not later than two years after the date of the enactment of the Reconstruction and Stabilization Civilian Management Act of 2007, the Civilian Reserve shall include at least 500 personnel, who may include retired employees of the United States Government, contractor personnel, nongovernmental organization personnel, State and local government employees, and individuals from the private sector, who—

''(i) have the training and skills necessary to enable them to contribute to stabilization and reconstruction activities;

''(ii) have volunteered to carry out stabilization and reconstruction activities; and

''(iii) are available for training and deployment to carry out the purpose of the Corps under paragraph (1).

''(4) USE OF RESPONSE READINESS CORPS.—

''(A) FEDERAL ACTIVE COMPONENT.—Members of the active component of the Corps under paragraph (2)(A)(i) are authorized to be available—

''(i) for activities in direct support of stabilization and reconstruction activities; and

''(ii) if not engaged in activities described in clause (i), for assignment in the United States, United States diplomatic missions, and United States Agency for International Development missions.

''(B) FEDERAL STANDBY COMPONENT AND CIVILIAN RESERVE.—The Secretary may deploy members of the Federal standby component of the Corps under paragraph (2)(A)(ii), and members of the Civilian Reserve under paragraph (3), in support of stabilization and reconstruction activities in a foreign country or region if the President makes a determination regarding a stabilization and reconstruction crisis under section 618 of the Foreign Assistance Act of 1961.''.

(b) EMPLOYMENT AUTHORITY.—The full-time personnel in the active component of the Response Readiness Corps under section 62(c)(2)(A)(i) of the State Department Basic Authorities Act of 1956 (as added by subsection (a)) are in addition to any other full-time personnel authorized to be employed under any other provision of law.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the status of efforts to establish the Response Readiness Corps under this section. The report should include recommendations for any legislation necessary to implement section 62(c) of the State Department Basic Authorities Act of 1956 (as so added).

SEC. 708. STABILIZATION AND RECONSTRUCTION TRAINING AND EDUCATION.

Section 701 of the Foreign Service Act of 1980 (22 U.S.C. 4021) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection:

''(g) STABILIZATION AND RECONSTRUCTION CURRICULUM.—

''(1) ESTABLISHMENT AND MISSION.—The Secretary, in cooperation with the Secretary of Defense and the Secretary of the Army, is authorized to establish a stabilization and reconstruction curriculum for use in programs of the Foreign Service Institute, the National Defense University, and the United States Army War College.

''(2) CURRICULUM CONTENT.—The curriculum should include the following:

''(A) An overview of the global security environment, including an assessment of transnational threats and an analysis of United States policy options to address such threats.

''(B) A review of lessons learned from previous United States and international experiences in stabilization and reconstruction activities.

''(C) An overview of the relevant responsibilities, capabilities, and limitations of various Executive agencies (as that term is defined in section 105 of title 5, United States Code) and the interactions among them.

''(D) A discussion of the international resources available to address stabilization and reconstruction requirements, including resources of the United Nations and its specialized agencies, nongovernmental organizations, private and voluntary organizations, and foreign governments, together with an examination of the successes and failures experienced by the United States in working with such entities.

''(E) A study of the United States interagency system.

''(F) Foreign language training.

''(G) Training and simulation exercises for joint civilian-military emergency response operations.''.

SEC. 709. SERVICE RELATED TO STABILIZATION AND RECONSTRUCTION.

(a) PROMOTION PURPOSES.—Service in stabilization and reconstruction operations overseas, membership in the Response Readiness Corps under section 62(c) of the State Department Basic Authorities Act of 1956 (as added by section 707), and education and training in the stabilization and reconstruction curriculum established under section 701(g) of the Foreign Service Act of 1980 (as added by section 708) should be considered among the favorable factors for the promotion of employees of Executive agencies.

(b) PERSONNEL TRAINING AND PROMOTION.—The Secretary and the Administrator should take steps to ensure that, not later than 3 years after the date of the enactment of this Act, at least 10 percent of the employees of the Department and the United States Agency for International Development in the United States are members of the Response Readiness Corps or are trained in the activities of, or identified for potential deployment in support of, the Response Readiness Corps. The Secretary should provide such training as needed to Ambassadors and Deputy Chiefs of Mission.

(c) OTHER INCENTIVES AND BENEFITS.—The Secretary and the Administrator may establish and administer a system of awards and other incentives and benefits to confer appropriate recognition on and reward any individual who is assigned, detailed, or deployed to carry out stabilization or reconstruction activities in accordance with this subtitle.

SEC. 710. AUTHORITIES RELATED TO PERSONNEL.

(a) CONTRACTING AUTHORITY.—

(1) IN GENERAL.—The Secretary, or the Administrator with the concurrence of the Secretary, may enter into contracts to procure the services of nationals of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)) or aliens authorized to be employed in the United States as personal services contractors for the purpose of carrying out this title, without regard to Civil Service or classification laws, for service in the Office of the Coordinator for Reconstruction and Stabilization or for service in foreign countries to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife. Such contracts are authorized to be negotiated, the terms of the contracts to be prescribed, and the work to be performed, where necessary, without regard to such statutory provisions as relate to the negotiation, making, and performance of contracts and performance of work in the United States.

(2) STATUS OF CONTRACTORS.—Individuals performing services under contracts described in paragraph (1) shall not by virtue of performing such services be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management. The Secretary or Administrator may determine the applicability to such individuals of any law administered by the Secretary or Administrator concerning the performance of such services by such individuals. Individuals employed by contract under the authority provided in paragraph (1) shall be considered employees for the purposes of parts 2600 through 2641 of title 5, Code of Federal Regulations, and sections 201, 203, 205, 207, 208, and 209 of title 18, United States Code.

(b) EXPERTS AND CONSULTANTS.—The Secretary and the Administrator may, to the extent necessary to obtain services without delay, employ experts and consultants under section 3109 of title 5, United States Code, for the purpose of carrying out this title.

(c) AUTHORITY TO ACCEPT AND ASSIGN DETAILS.—The Secretary is authorized to accept details or assignments of employees of Executive agencies, members of the uniformed services, and employees of State or local governments on a reimbursable or nonreimbursable basis for the purpose of carrying out this title. The assignment of an employee of a State or local government under this subsection shall be consistent with subchapter VI of chapter 33 of title 5, United States Code.

(d) DUAL COMPENSATION WAIVER.—

(1) ANNUITANTS UNDER CIVIL SERVICE RETIREMENT SYSTEM OR FEDERAL EMPLOYEES RETIREMENT SYSTEM.—Notwithstanding sections 8344(i) and 8468(f) of title 5, United States Code, the Secretary or the head of another executive agency, as authorized by the Secretary, may waive the application of subsections (a) through (h) of such section 8344

and subsections (a) through (e) of such section 8468 with respect to annuitants under the Civil Service Retirement System or the Federal Employees Retirement System who are assigned, detailed, or deployed to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife during the period of their reemployment.

(2) ANNUITANTS UNDER FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM OR FOREIGN SERVICE PENSION SYSTEM.—The Secretary may waive the application of subsections (a) through (d) of section 824 of the Foreign Service Act (22 U.S.C. 4064) for annuitants under the Foreign Service Retirement and Disability System or the Foreign Service Pension System who are reemployed on a temporary basis in order to be assigned, detailed, or deployed to assist in stabilization and reconstruction activities under this title.

(e) INCREASE IN PREMIUM PAY CAP.—The Secretary, or the head of another executive agency as authorized by the Secretary, may compensate an employee detailed, assigned, or deployed to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife, without regard to the limitations on premium pay set forth in section 5547 of title 5, United States Code, to the extent that the aggregate of the basic pay and premium pay of such employee for a year does not exceed the annual rate payable for level II of the Executive Schedule.

(f) EXTENSION OF CERTAIN FOREIGN SERVICE BENEFITS.—The Secretary, or the head of another executive agency as authorized by the Secretary, may extend to any individuals assigned, detailed, or deployed to carry out stabilization and reconstruction activities in accordance with this title, the benefits or privileges set forth in sections 412, 413, 704, and 901 of the Foreign Service Act of 1980 (22 U.S.C. 3972, 22 U.S.C. 3973, 22 U.S.C. 4024, and 22 U.S.C. 4081) to the same extent and manner that such benefits and privileges are extended to members of the Foreign Service.

(g) COMPENSATORY TIME.—Notwithstanding any other provision of law, the Secretary, or the head of another executive agency as authorized by the Secretary, may, subject to the consent of an individual who is assigned, detailed, or deployed to carry out stabilization and reconstruction activities in accordance with this title, grant such individual compensatory time off for an equal amount of time spent in regularly or irregularly scheduled overtime work. Credit for compensatory time off earned shall not form the basis for any additional compensation. Any such compensatory time not used within 26 pay periods shall be forfeited.

(h) ACCEPTANCE OF VOLUNTEER SERVICES.—

(1) IN GENERAL.—The Secretary may accept volunteer services for the purpose of carrying out this title without regard to section 1342 of title 31, United States Code.

(2) TYPES OF VOLUNTEERS.—Donors of voluntary services accepted for purposes of this section may include—

(A) advisors;

(B) experts;

(C) consultants; and

(D) persons performing services in any other capacity determined appropriate by the Secretary.

(3) SUPERVISION.—The Secretary shall—

(A) ensure that each person performing voluntary services accepted under this section is notified of the scope of the voluntary services accepted;

(B) supervise the volunteer to the same extent as employees receiving compensation for similar services; and

(C) ensure that the volunteer has appropriate credentials or is otherwise qualified to perform in each capacity for which the volunteer's services are accepted.

(4) APPLICABILITY OF LAW RELATING TO FEDERAL GOVERNMENT EMPLOYEES.—A person providing volunteer services accepted under this section shall not be considered an employee of the Federal Government in the performance of those services, except for the purposes of the following provisions of law:

(A) Chapter 81 of title 5, United States Code, relating to compensation for work-related injuries.

(B) Chapter 11 of title 18, United States Code, relating to conflicts of interest.

(5) APPLICABILITY OF LAW RELATING TO VOLUNTEER LIABILITY PROTECTION.—

(A) IN GENERAL.—A person providing volunteer services accepted under this section shall be deemed to be a volunteer of a nonprofit organization or governmental entity, with respect to the accepted services, for purposes of the Volunteer Protection Act of 1997 (42 U.S.C. 14501 et seq.).

(B) INAPPLICABILITY OF EXCEPTIONS TO VOLUNTEER LIABILITY PROTECTION.—Section 4(d) of such Act (42 U.S.C. 14503(d)) does not apply with respect to the liability of a person with respect to services of such person that are accepted under this section.

(i) AUTHORITY FOR OUTSIDE ADVISORS.—

(1) IN GENERAL.—The Secretary may establish temporary advisory commissions composed of individuals with appropriate expertise to facilitate the carrying out of this Act.

(2) INAPPLICABILITY OF FACA.—The requirements of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the activities of a commission established under this subsection.

SEC. 711. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal year 2007, $80,000,000, and such sums as may be necessary for each fiscal year thereafter for personnel, education and training, equipment, and travel costs for purposes of carrying out this title and the amendments made by this title (other than the amendment made by section 705).

SA 2776. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 255, line 5, insert after ''Dominican Republic'' the following: '': *Provided further*, That of the funds appropriated under this heading, $1,500,000 should be made available for the Center for International Media Assistance at the National Endowment for Democracy, as authorized by section 7108 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 22 U.S.C 1431 note)''.

SA 2777. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 410, between lines 15 and 16, insert the following:

SEC. 699B. ADVANCE MARKET COMMITMENTS.

(a) PURPOSE.—The purpose of this section is to improve global health by creating a competitive market for future vaccines through advance market commitments.

(b) AUTHORITY TO NEGOTIATE.—

(1) IN GENERAL.—The Secretary of the Treasury should enter into negotiations with the appropriate officials of the International Bank for Reconstruction and Development, the International Development Association, and the Global Alliance for Vaccines and Immunization, the member nations of such entities, and other interested parties for the purpose of establishing advance market commitments to purchase vaccines and microbicides to combat neglected diseases.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report on the status of the negotiations to create advance market commitments under this section to—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Appropriations of the House of Representatives;

(D) the Committee on Foreign Affairs of the House of Representatives; and

(E) the Committee on Financial Services of the House of Representatives.

(c) REQUIREMENTS.—The Secretary of the Treasury should work with the entities referred to in subsection (b) to ensure that—

(1) there is an international framework for the establishment and implementation of advance market commitments; and

(2) such commitments include—

(A) legally binding contracts for product purchase that include a fair market price for a guaranteed number of treatments to ensure that the market incentive is sufficient;

(B) clearly defined and transparent rules of competition for qualified developers and suppliers of the product;

(C) clearly defined requirements for eligible vaccines to ensure that they are safe and effective;

(D) dispute settlement mechanisms; and

(E) sufficient flexibility to enable the contracts to be adjusted in accord with new information related to projected market size and other factors while still maintaining the purchase commitment at a fair price.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2009 through 2014 to fund an advance market commitment pilot program for pneumococcal vaccines.

(2) AVAILABILITY.—Amounts appropriated pursuant to this subsection shall remain available until expended without fiscal year limitation.

SA 2778. Mr. LEAHY (for Mr. BIDEN (for himself and Mr. LUGAR)) submitted an amendment intended to be proposed by Mr. LEAHY to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 211, line 20, insert after ''purposes:'' the following: ''*Provided further*, That during fiscal year 2008, foreign service annuitants may be employed, notwithstanding section 316.401 of title 5, Code of Federal Regulations, pursuant to waivers under section 824(g)(1)(C)(ii) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)(1)(C)(ii)):''.

SA 2779. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending

September 30, 2008, and for other purposes; as follows:

On page 260, line 1, insert after ''obligates'' the following: ''not more than 50 percent of the entire amount of the United States Government funding anticipated for the duration of the Compact''.

On page 260, line 4, delete the comma after ''proceed''.

SA 2780. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 341, line 14, strike ''$106,200,000'' and insert ''$116,200,000''.

SA 2781. Mr. LEVIN (for himself, Mr. BROWNBACK, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING IRAQ REFUGEE CRISIS.

(a) FINDINGS.—Congress makes the following findings:

(1) The annual United States worldwide ceiling for refugees has been 70,000 since 2002.

(2) The Department of State has yet to use all of the available allocation that could be used for Iraqi refugees.

(3) Since 2003, more than 2,000,000 Iraqis have fled their country and over 2,000,000 Iraqis are also displaced within Iraq.

(4) It has become increasingly clear that people who have assisted the United States; Iraqi Christians and other religious minorities cannot safely return to Iraq.

(5) The United States Government has an obligation to help these refugees and should act swiftly to do so.

(6) The United States Government should increase the allocation of refugee slots for Iraqi refugees for resettlement in the United States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the President should act swiftly to respond to the deepening humanitarian and refugee crisis in Iraq by using the entire United States refugee allocation for the Near East/South Asia region and any unused portion of the worldwide allocation for Iraqi refugees, particularly people who have assisted the United States and religious minorities.

SA 2782. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ___. STUDY OF WORLD BANK'S EFFORTS TO MEASURE THE SUCCESS OF THE PROJECTS IT FINANCES.

(a) FINDINGS.—Congress finds the following:

(1) It is often difficult to determine how financial assistance from the World Bank benefits the recipient countries because the World Bank has vague objectives and places too much emphasis on the amount of financial assistance it gives, rather than on the results of such assistance.

(2) In fiscal year 2006, 20 percent of the funds appropriated under the heading ''International Development Association'' could not be disbursed until the Secretary of the Treasury certified to the appropriate congressional committees that World Bank procurement guidelines would be applied to all procurement financed in whole or in part by a loan from the International Bank for Reconstruction and Development (IBRD) or a credit agreement or grant from the International Development Association (IDA).

(3) While it is important to develop domestic procurement procedures, the potential for graft and corruption in many other countries is too great to allow the World Bank to deviate from its own process for managing the procurement of goods and services.

(4) A high percentage of senior level World Bank employees enjoy excessive compensation and other benefits, including home leave that reimburses such employees, their families, and their nannies for the expenses associated with travel to their countries of nationality.

(5) Congress is also concerned about the thousands of World Bank consultants whose annual incomes are similar to or even greater than the incomes of senior level World Bank employees.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the World Bank should increase its focus on performance requirements and measurable results.

(c) STUDY.—The Comptroller General of the United States shall conduct a study on the actions taken by the World Bank to—

(1) measure the success of the projects financed by IDA;

(2) employ accurate means to measure the effectiveness of projects financed by IDA

(3) combat corruption in governments that receive IDA funding;

(4) establish clear objectives for IDA projects and tangible means of assessing the success of such projects; and

(5) use World Bank processes and procedures for procurement of goods and services on projects receiving financial assistance from the World Bank.

(d) REPORT.—The Comptroller General shall submit a report to Congress that includes—

(1) the results of the study conducted under subsection (c);

(2) the number of World Bank employees and consultants; and

(3) the monetary compensation and other benefits that the World Bank provides to the individuals identified under paragraph (2).

SA 2783. Mr. WYDEN (for himself, Mr. ALEXANDER, Mr. KERRY, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 410, between lines 15 and 16, insert the following:

PREVENTION OF ILLEGAL LOGGING PRACTICES

SEC. 699B. The Lacey Act Amendments of 1981 are amended—

(1) in section 2 (16 U.S.C. 3371)—

(A) by striking subsection (f) and inserting the following:

''(f) PLANT.—

''(1) IN GENERAL.—The term 'plant' means any wild member of the plant kingdom, including roots, seeds, parts, and products thereof.

''(2) EXCLUSIONS.—The term 'plant' excludes any common food crop or cultivar that is a species not listed—

''(A) in the Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington on March 3, 1973 (27 UST 1087; TIAS 8249); or

''(B) as an endangered or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).'';

(B) in subsection (h), by inserting ''also'' after ''plants the term''; and

(C) by striking subsection (j) and inserting the following:

''(j) TAKE.—The term 'take' means—

''(1) to capture, kill, or collect; and

''(2) with respect to a plant, also to harvest, cut, log, or remove.'';

(2) in section 3 (16 U.S.C. 3372)—

(A) in subsection (a)—

(i) in paragraph (2), by striking subparagraph (B) and inserting the following:

''(B) any plant—

''(i) taken, transported, possessed, or sold in violation of any foreign law or any law or regulation of any State that protects plants or that regulates—

''(I) the theft of plants;

''(II) the taking of plants from a park, forest reserve, or other officially protected area;

''(III) the taking of plants from an officially designated area; or

''(IV) the taking of plants without, or contrary to, required authorization;

''(ii) taken, transported, or exported without the payment of appropriate royalties, taxes, or stumpage fees required by any foreign law or by any law or regulation of any State; or

''(iii) exported or transshipped in violation of any limitation under any foreign law or by any law or regulation of any State; or''; and

(ii) in paragraph (3), by striking subparagraph (B) and inserting the following:

''(B) to possess any plant—

''(i) taken, transported, possessed, or sold in violation of any foreign law or any law or regulation of any State that protects plants or that regulates—

''(I) the theft of plants;

''(II) the taking of plants from a park, forest reserve, or other officially protected area;

''(III) the taking of plants from an officially designated area; or

''(IV) the taking of plants without, or contrary to, required authorization;

''(ii) taken, transported, or exported without the payment of appropriate royalties, taxes, or stumpage fees required by any foreign law or by any law or regulation of any State; or

''(iii) exported or transshipped in violation of any limitation under any foreign law or by any law or regulation of any State; or''; and

(B) by adding at the end the following:

''(f) PLANT DECLARATIONS.—

''(1) IN GENERAL.—Effective 180 days from the date of enactment of this subsection, it shall be unlawful for any person to import any plant unless the person files upon importation where clearance is requested a declaration that contains—

''(A) the scientific name of any plant (including the genus and species of the plant) contained in the importation;

''(B) a description of—

''(i) the value of the importation; and

''(ii) the quantity, including the unit of measure, of the plant; and

''(C) the name of the country from which the plant was taken.

''(2) DECLARATION RELATING TO PLANT PRODUCTS.—Until the date on which the Secretary promulgates a regulation under paragraph (5), a declaration relating to a plant product shall—

''(A) in the case in which the species of plant used to produce the plant product that is the subject of the importation varies, and the species used to produce the plant product is unknown, contain the name of each species of plant that may have been used to produce the plant product; and

''(B) in the case in which the species of plant used to produce the plant product that is the subject of the importation is commonly taken from more than 1 country, and the country from which the plant was taken and used to produce the plant product is unknown, contain the name of each country from which the plant may have been taken.

''(3) REVIEW.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall review the implementation of each requirement described in paragraphs (1) and (2).

''(4) REPORT.—

''(A) IN GENERAL.—Not later than 180 days after the date on which the Secretary completes the review under paragraph (3), the Secretary shall submit to the appropriate committees of Congress a report containing—

''(i) an evaluation of—

''(I) the effectiveness of each type of information required under paragraphs (1) and (2) in assisting enforcement of section 3; and

''(II) the potential to harmonize each requirement described in paragraphs (1) and (2) with other applicable import regulations in existence as of the date of the report;

''(ii) recommendations for such legislation as the Secretary determines to be appropriate to assist in the identification of plants that are imported into the United States in violation of section 3; and

''(iii) an analysis of the effect of the provisions of subsection (a) and (f) on—

''(I) the cost of legal plant imports; and

''(II) the extent and methodology of illegal logging practices and trafficking.

''(B) PUBLIC PARTICIPATION.—In conducting the review under paragraph (3), the Secretary shall provide public notice and an opportunity for comment.

''(5) PROMULGATION OF REGULATIONS.—Not later than 180 days after the date on which the Secretary completes the review under paragraph (3), the Secretary may promulgate regulations—

''(A) to limit the applicability of any requirement described in paragraph (2) to specific plant products; and

''(B) to make any other necessary modification to any requirement described in paragraph (2), as determined by the Secretary based on the review under paragraph (3).''; and

(3) in section 7(a)(1) (16 U.S.C. 3376(a)(1)), by striking ''section 4'' and inserting ''section 3(f), section 4,''.

SA 2784. Mr. LEAHY (for Mr. KYL (for himself and Mr. COLEMAN) proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

Section 694 of the bill is amended to read as follows:

SEC. 694. (a) AMENDMENT TO AUTHORITY TO DETERMINE THE BAR TO ADMISSION INAPPLICABLE.—Section 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)) is amended to read as follows:

''The Secretary of State, after consultation with the Attorney General and the Secretary of Homeland Security, or the Secretary of Homeland Security, aller consultation with the Secretary of State and the Attorney General, may determine in such Secretary's sole unreviewable discretion that subsection (a)(3)(B) shall not apply with respect to an alien within the scope of that subsection or that subsection (a)(3)(B)(vi)(III) shall not apply to a group within the scope of that subsection, except that no such waiver may be extended to an alien who is within the scope of subsection (a)(3)(B)(i)(II), no such waiver may be extended to an alien who is a member or representative of, has voluntarily and knowingly engaged in or endorsed or espoused or persuaded others to endorse or espouse or support terrorist activity on behalf of, or has voluntarily and knowingly received military-type training from a terrorist organization that is described in subclause (I) or (II) of subsection (a)(3)(B)(vi), and no such waiver may be extended to a group that has engaged in terrorist activity against the United States or another democratic country or that has purposefully engaged in a pattern or practice of terrorist activity that is directed at civilians. Such a determination shall neither prejudice the ability of the United States Government to commence criminal or civil proceedings involving a beneficiary of such a determination or any other person, nor create any substantive or procedural right or benefit for a beneficiary of such a determination or any other person. Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of Title 28, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review such a determination or revocation except in a proceeding for review of a final order of removal pursuant to section 1252 of this title, and review shall be limited to the extent provided in section 1252(a)(2)(D). The Secretary of State may not exercise the discretion provided in this clause with respect to an alien at any time during which the alien is the subject of pending removal proceedings under section 1229a or this title.''.

(b) AUTOMATIC RELIEF FOR THE HMONG AND OTHER GROUPS THAT DO NOT POSE A THREAT TO THE UNITED STATES.—For purposes of section 212(a)(3)(B) of the Immigration and Nationality Act (8 USC 1182(a)(3)(B)), the Karen National Union/Karen Liberation Army (KNU/KNLA), the Chin National Front/Chin National Army (CNF/CNA), the Chin National League for Democracy (CNLD), the Kayan New Land Party (KNLP), the Arakan Liberation Party (ALP), the Mustangs, the Alzados, the Karenni National Progressive Party, and appropriate groups afliliated with the Hmong and the Montagnards shall not be considered to be a terrorist organization on the basis of any act or event occurring before the date of enactment of this section. Nothing in this subsection may be construed to alter or limit the authority of the Secretary of State or the Secretary of Homeland Security to exercise his discretionary authority pursuant to 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)).''.

(c) TECHNICAL CORRECTION.—1) In General.—Section 212(a)(3)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(ii)) is amended by striking ''Subclause (VII)'' and replacing it with ''Subclause (IX)''.

(d) DESIGNATION OF THE TALIBAN AS A TERRORIST ORGANIZATION.—FOR PURPOSES OF SECTION 212(A)(3)(B) OF THE IMMIGRATION AND NATIONALITY ACT (8 U.S.C. 1182(A)(3)(B)), the Taliban shall be considered to be a terrorist organization described in subclause (I) of clause (vi) of that section.

(e) REPORT ON DURESS WAIVERS. The Secretary of Homeland Security shall provide to the Committees on the Judiciary of the United States Senate and House of Representatives a report, not less than 180 days after the enactment of this Act and every year thereafter, which may include a classified annex if appropriate, describing—

(1) the number of individuals subject to removal from the United States for having provided material support to a terrorist group who allege that such support was provided under duress;

(2) a breakdown of the types of terrorist organizations to which the individuals described in paragraph (1) have provided material support;

(3) a description of the factors that the Department of Homeland Security considers when evaluating duress waivers; and

(4) any other information that the Secretary believes that the Congress should consider while overseeing the Department's application of duress waivers.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this section, and these amendments and sections 212(a)(3)(B) and 212(d)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B) and 1182(d)(3)(B)), as amended by these sections, shall apply to—

(A) removal proceedings instituted before, on, or after the date of enactment of this section; and

(B) acts and conditions constituting a ground for inadmissibility, excludability, deportation, or removal occurring or existing before, on, or after such date.

SA 2785. Mr. LEAHY proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 219, line 26, before the period insert: '', of which up to $66,000,000 shall be made available only for construction in the United States of secondary wastewater treatment capability''.

SA 2786. Mr. LEAHY (for Mr. KYL (for himself, Mr. LIEBERMAN, Ms. COLLINS, and Mr. ENSIGN)) proposed an amendment to the bil H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

RULE OF LAW AND BORDER SECURITY IN EGYPT

SEC. 699B. (a) The Senate makes the following findings:

(1) Fighting in Gaza during the summer of 2007 demonstrated that the terrorist organization Hamas, which unlawfully seized control over Gaza in June 2007, has been able to achieve a dramatic increase in the quantity and sophistication of arms at its disposal.

(2) Without these arms, the terrorist organization would not have been able to seize control over the Gaza territory.

(3) There is substantial evidence that a significant proportion of these arms were smuggled across the border between Gaza and Egypt.

(4) The Egyptian military is a capable force, made possible in substantial part by a close relationship with the United States.

(5) Concurrent with the escalation of dangerous arms smuggling across the border between Egypt and Gaza has been a retrogression in the rule of law in Egypt.

(6) This loss of hard-earned ground has been characterized by reports of harsh reaction by the Government of Egypt to dissent, including the jailing of political opponents.

(7) The United States has provided aid to Egypt in excess of $28,000,000,000 over the past three decades.

(b) The Senate—

(1) reaffirms its long-standing friendship with the people of Egypt;

(2) believes that our friendship with Egypt requires the Senate to address such vital policy concerns;

(3) urges the Government of Egypt to make concrete and measurable progress on restoring the rule of law, including improving the independence of the judiciary and improving criminal procedures and due process rights and halting the cross-border flow of arms to Gaza;

(4) believes it is the best interest of Egypt, the region, and the United States that Egypt takes prompt action to demonstrate progress on these matters; and

(5) urges the Department of State to work vigorously and expeditiously with the Government of Egypt and the Government of Israel to bring the border between Egypt and Gaza border under effective control.

SA 2787. Mr. LEAHY proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 245, line 17, strike ''may'' and insert in lieu thereof ''should''.

SA 2788. Mr. LEAHY proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 262, line 16, before ''institutions'' insert ''organizations and''.

SA 2789. Mr. LEAHY (for Mr. BIDEN (for himself and Mr. LUGAR)) proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 211, line 20, insert after ''purposes:'' the following: ''*Provided further*, That during fiscal year 2008, foreign service annuitants may be employed, notwithstanding section 316.401 of title 5, Code of Federal Regulations, pursuant to waivers under section 824(g)(1)(C)(ii) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)(1)(C)(ii)):''.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a legislative hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, September 25, 2007, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purposes of this hearing are to receive testimony on S. 1756, a bill to provide supplemental ex gratia compensation to the Republic of the Marshall Islands for impacts of the nuclear testing program of the United States, and for other purposes; and to receive testimony on the implementation of the Compact of Free Association between the United States and the Marshall Islands.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to Britni_Rillera@energy.senate.gov.

For further information, please contact Allen Stayman at (202) 224–7865 or Britni Rillera at (202) 224–1219.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REED. Mr. President, I ask unanimous consent that the committee on Armed Services be authorized to meet during the session of the Senate on Thursday, September 6, at 10 a.m., in open session to receive a report on the findings of the Iraqi Security Forces Independent Assessment Commission.

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

COMMITTEE ON ARMED SERVICES

Mr. REED. Mr. President, I ask unanimous consent that the committee on Armed Services be authorized to meet during the session of the Senate on Thursday, September 6, 2007 at 5 p.m. in Executive Session to continue to receive information relating to the treatment of detainees.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, September 6, 2007, at 10 a.m., in room 406 of the Dirksen Senate Office Building in order to conduct a hearing entitled ''An Examination of the Potential Human Health, Water Quality, and Other Impacts of the Confined Animal Feeding Operation Industry.''

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

COMMITTEE ON FINANCE

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, September 6, 2007, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on ''Carried Interest Part III: Pension Issues.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing on the Nomination of Charles E.F. Millard, of New York, to be Director of the Pension Benefit Guaranty Corporation during the session of the Senate on Thursday, September 5, 2007, at 10 a.m. in room 628 of the Dirksen Senate office building.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Thursday, September 6, 2007, at 1:30 p.m. in order to conduct a hearing entitled ''A DHS Status Report: Assessing Challenges and Measuring Progress.''

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

COMMITTEE ON JUDICIARY

Mr. REED. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the Senate in order to conduct a markup on Thursday, September 6, 2007, at 10 a.m. in SD–266.

Agenda

I. Bills

S. 453, Deceptive Practices and Voter Intimidation Prevention Act of 2007 (Obama, Schumer, Leahy, Cardin, Feingold, Feinstein, Kennedy, Whitehouse); S. 1692, A bill to grant a Federal Charter to Korean War Veterans Association (Cardin, Isakson, Kennedy); S. 1845, A bill to provide for limitations in certain communications between the Department of Justice and the White House (Whitehouse, Leahy) and S.772, Railroad Antitrust Enforcement Act of 2007 (Kohl, Coleman).

II. Resolutions

S. Res. 282, National Polycystic Kidney Disease Awareness Week (Kohl, Hatch) and S. Res. 134, Adopt a School Library Month (Durbin).

III. Nominations

Richard A. Jones to be United States District Judge for the Western District of Washington; Sharion Aycock to be United States District Judge for the Northern District of Mississippi; Jennifer Walker Elrod to be United States Circuit Judge for the Fifth Circuit.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. REED. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 6, 2007, at 2:30 p.m. to hold a closed hearing.

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

COLLEGE COST REDUCTION AND ACCESS ACT—CONFERENCE REPORT—Continued

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, I rise to speak in support of the conference report that we will be voting on tomorrow morning. I will also have more comments tomorrow morning. I wished to give a little bit of an explanation of where we are. There is a limited time of debate in the morning prior to the vote. I am sure Senator KENNEDY and I will give a little fuller explanation of the vote and the reconciliation package, even following that discussion, so anyone who is interested can have as much knowledge about what is in the conference report as they could get, except by reading it. So most of the comments will be tomorrow morning, but I wanted to make a few preliminary comments tonight since the time is limited before the vote in the morning.

As I mentioned, I do rise to speak in support of the conference report.

Two years ago, Republicans took the lead in reducing subsidies to lenders and providing greater benefits to students through more grant assistance and reduced loan costs. In this conference report, we produce an additional $22 billion in savings by further reducing subsidies to lenders and applying those savings to increased grants for low-income students, for expanded loan forgiveness, and for reduced interest rates on undergraduate subsidized loans.

We all agreed that if there is an excess subsidy in the student loans programs, it should be eliminated. The key questions are how much excess there is and how to eliminate it. There are not any clear-cut answers to those questions. One approach included in this conference report is the reduction of the special allowance payments, the SAP, to lenders.

I am pleased we retained provisions that recognize the unique role that our not-for-profit lenders have in providing information and services to students and their families. Not-for-profit lenders focus on communities and serve students locally. For this reason, we maintained the 15 basis points differential cut in special allowance payments between for-profit and not-for-profit lenders. The cut in the SAP to for-profit lenders is 55 basis points and for not-for-profit lenders is 40 basis points.

We took a first step in this conference report toward refining the way these levels are determined, by including an auction pilot that lets the marketplace determine the appropriate SAP level for the Parent PLUS Program, which is a small part that allows us to have a little preview of how an auction process would work, and also help to work out any bugs if it works out to be a good demonstration project.

This conference report provides additional need-based grant aid which is a critical component of increasing access to and affordability of college. Over 55 percent of the savings are dedicated to increasing the Pell grant award. In the next 5 years, low-income undergraduate students will see the maximum Pell grant award increase by more than $1,000. Additionally, we increase the income protection allowance so students are not penalized for working and for saving for college. It has been a problem in the past. If you work and save for college, you would have been better off to have bought a car because it would count against you. We raise the income threshold for automatic eligibility for a maximum Pell grant.

I am also pleased we were able to retain the guarantee rate on student loans at 97 percent for all lenders through fiscal year 2012. In this way, we avoid disruption in the student loan market and ensure that students have access to Federal student loans.

However, I wonder if we are going too far in cutting the support for the largest Federal financial aid program, the Federal Family Education Loan Program—that is the private loan program, the FFELP program. The challenge we face is we will not know until it is too late if the cuts we have made have undermined the stability of the program and created hardship for the students it serves.

Despite the emphasis on increased grant aid, the claim of increased savings for borrowers has a hollow ring. Reducing student loan interest rates is a good sound bite. It does nothing to help students pay tuition bills. Further, in reality, cutting the interest rate in half, to 3.4 percent, will help only a small group of borrowers for the loans they take out for 1 year of their education, 4 years from now. Then the benefit disappears.

A quick calculation of the real benefit borrowers will receive shows that for a cost of $6 billion to taxpayers, individual borrowers will see savings of only $6 a month. I would much rather see the $6 billion go to help low-income students through a Pell grant increase than to a hollow sound bite, and that is the approach the Senate took, to increase the Pell grant rather than the reduction in the distant future of a small percentage in the interest rate.

Finally, as an accountant and a member of the Budget Committee, I would be remiss if I didn't point out that we are debating a conference report on reconciliation which is a process designed to reduce the Federal deficit, not to create new mandatory programs and increase entitlement spending. I am disappointed to say the net savings for deficit reduction in this conference report is only $750 million. I would admit that is the requirement we were given by the budget to produce—$750 million. The last time we did a budget reconciliation we put half the money that was saved by canceling some of the subsidies to the corporations to budget deficit reduction.

I do wish to remind my colleagues that a few weeks ago we considered reconciliation and higher education reauthorization together. This is a key point. The Senate did it consecutively.

On a Thursday, we did the reconciliation bill. The next voting day we had was a Monday, and on Monday we passed the higher education reauthorization.

This is a bill that is long overdue. We have done short extensions eight times, and we recognize that we passed them together in the Senate with strong bipartisan support. In fact, the reauthorization bill vote was 95 to 0. So we not only achieved savings, but we ensured the quality and effectiveness of our Federal Student Aid Programs. Therefore, support for this conference report is limited by the fact that we are not also considering the larger higher education reauthorization package, although I am expecting that we will get some very solid agreement from the House folks to begin consideration of that, I hope yet this month, so it can be completed early and we can have both parts of the package.

Tomorrow I will go into a little bit more on what is in that other package that completes what we are doing in reconciliation. In the reconciliation we are eliminating some of the subsidies, and then we are reallocating that money. That money will go to help students. But the bulk of the help actually comes in the reauthorization package. It is ever so essential that we do that.

I think the Senate would have been agreeable to put the two bills together and get them both finished at the same time, but it is not possible because the House has not finished action on the Higher Ed reauthorization.

Tomorrow I will go into some more detail on what it is that is missing from the package by just doing the reconciliation part of the package. I will be encouraging people to vote for the reconciliation package and then the reauthorization package when we are able to get that together.

I will be encouraging the House, in every way possible, to make sure they get that reauthorization part of the package done, and I have some relative assurance that they are going to do it soon. I would like some more solid assurance they are going to do it soon.

With that, I will conclude my remarks for tonight and look forward to the bipartisan discussion we will have tomorrow. I want to thank the Senator from Massachusetts for the great work he and his staff did on this package. It is not often in this body that people listen and then try and find the solution. I would say they and my staff have worked together well and got us here. You never get a perfect package around here. This is one that will help a lot of people.

I yield the floor.

ADJOURNMENT UNTIL 8:55 A.M. TOMORROW

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 8:55 a.m. tomorrow.

Thereupon, the Senate, at 10:17 p.m., adjourned until Friday, September 7, 2007, at 8:55 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

STANLEY THOMAS ANDERSON, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE, VICE JAMES D. TODD, RETIRING.

E. DUNCAN GETCHELL, JR., OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE H. EMORY WIDENER, JR., RETIRED.

STEVE A. MATTHEWS, OF SOUTH CAROLINA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE WILLIAM W. WILKINS, RETIRED.

JOHN A. MENDEZ, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA, VICE DAVID F. LEVI, RESIGNED.

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

CEDRA DANIELLE EATON, OF MARYLAND

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

S. NAUSHER M. ALI, OF CALIFORNIA
CHRISTOPHER CHARLES ASHE, OF PENNSYLVANIA
KIMBERLY K. ATKINSON, OF SOUTH DAKOTA
DEIDRA DI ANNE AVENDASORA, OF MINNESOTA
TIFFANY M. BARTISH, OF ILLINOIS
CHRISTOPHER GRAYDON BEARD, OF FLORIDA
JENNIFER L. BECKER, OF KANSAS
NANCY R. BIASI, OF OREGON
SHERYL J. BISTRANSKY, OF VIRGINIA
MICHAEL A. BRADECAMP, OF VIRGINIA
CHERYL R. BRUNER, OF SOUTH DAKOTA
MARK COLBOURNE CARLSON, OF WASHINGTON
LANDRY JOSEPH CARR, OF LOUISIANA
MICHAEL ALBERT CHUNG, OF WASHINGTON
SARA M. COBB, OF FLORIDA
KATHLEEN MARIE COREY, OF WASHINGTON
JOHN C. CORRAO, OF INDIANA
SONATA N. COULTER, OF WASHINGTON
JOANNE HELD CUMMINGS, OF TEXAS
PAUL MICHAEL CUNNINGHAM, OF CONNECTICUT
CHRISTOPHER M. DEUTSCH, OF VIRGINIA
JANET E. DEUTSCH, OF ILLINOIS
BEVERLI J. DEWALT, OF WASHINGTON
SARAH A. DUFFY, OF ILLINOIS
DAVID CLIFFORD EDGINTON, OF IOWA
ELLEN BETH EISEMAN, OF NEW YORK
JILL FOSTER, OF CALIFORNIA
ERIC GEELAN, OF NEW YORK
KATHLEEN D. GIBILISCO, OF CALIFORNIA
JOHN H. GIMBEL IV, OF NEVADA
CARLA A. GONNEVILLE, OF CALIFORNIA
CHRISTOPHER R. GREEN, OF TEXAS
JOHN R. GROCH, OF TEXAS
H. REBECCA GRUTZ, OF TEXAS
TRAVER GUDIE, OF FLORIDA
RICHARD F. HANRAHAN, JR., OF ILLINOIS
CASH A. HERBOLICH, OF ARIZONA
ANNY CHI-JIN HO, OF VIRGINIA
ROBERT F. HOMMOWUN, OF CALIFORNIA
AMY J. HOOD, OF VIRGINIA
JESSICA MARIE FRANZ HUARACAYO, OF CALIFORNIA
DORIAN HURTADO, OF FLORIDA
MOLLIE JAX JACKSON, OF OREGON
THEODORE EVAN JASIK, OF NEW YORK
ALMA MUSANOVIC JOHNSON, OF NEW HAMPSHIRE
TIFFNEY J. JOHNSON, OF TEXAS
WENDY ANNETTE KAHLER, OF VIRGINIA
DEBORAH J. KANAREK, OF CALIFORNIA
MARY VIRGINIA KANE, OF MARYLAND
WENDY A. KENNEDY, OF WASHINGTON
JASON B. KHILE, OF ILLINOIS
JULIE KIM-JOHNSON, OF WASHINGTON
EMILY L. KING, OF VIRGINIA
BRIAN P. KLEIN, OF PENNSYLVANIA
RICHARD W. LA ROCHE, JR., OF CALIFORNIA
GUY M. LAWSON, OF TEXAS
PAULA I. L'ECUYER, OF VIRGINIA
PAUL A. LOH, OF NEW YORK
LEON C. LOWDER III, OF NEW YORK
LAURA DENELLE LUCAS, OF IDAHO
MARY ELIZABETH MADDEN, OF OREGON
GUY MARGALITH, OF NEW YORK
BERENICE MARISCAL, OF TEXAS
ROBERT M. MARKS, OF FLORIDA
HAGEN DAVIS MARONEY, OF NEW YORK
MELISSA E. MARTINEZ, OF NEW MEXICO
PARTHA MAZUMDAR, OF PENNSYLVANIA
LISSA MEI-LIN MCATEE, OF WASHINGTON
P. CHRISTOPHER MCCABE, OF COLORADO
NANCY HILLERY MCCARTHY, OF TEXAS
CATHERINE E. MCGEARY, OF FLORIDA
AUD-FRANCES MCKERNAN, OF CALIFORNIA
CRISTINA MARIE MARKO MEANEY, OF ARIZONA
ANN MECEDA, OF CALIFORNIA
SARA M. MERCADO, OF CALIFORNIA
KRISTIAN G. MOORE, OF COLORADO
JOHN K. MOYER, OF PENNSYLVANIA
ESHEL WILLIAM MURAD, OF VIRGINIA
KEVIN T. MURAKAMI, OF VIRGINIA
MEGAN THANA MYERS, OF MINNESOTA
JEREMY NATHAN, OF ILLINOIS
JENIFER LYNN NEIDHART DE ORTIZ, OF FLORIDA
THU M. NGUYEN, OF VIRGINIA
BRIANA L. OLSEN, OF WASHINGTON
DOUGLAS S. O'NEILL, OF FLORIDA
SWATI MANSUKH PATEL, OF ALABAMA
CONEY PATTERSON, OF FLORIDA
TIMOTHY EUGENE PELTIER, OF VIRGINIA
STEVEN PERRY, OF VIRGINIA
BRIAN R. PETERSON, OF WASHINGTON
CHRISTOPHER R. REYNOLDS, OF NEW JERSEY
CHRISTINE RIEHL, OF MARYLAND
MICHAEL R. ROBERTS, OF NEW JERSEY
RICHARD W. ROESING III, OF PENNSYLVANIA
MEREDITH LEIGH RUBIN, OF VIRGINIA
JOSEPH H. RUNYON, OF FLORIDA
TRINA D. SAHA, OF CALIFORNIA
ANNE LEE SESHADRI, OF NEW HAMPSHIRE
CHARLES H. SEWALL, OF FLORIDA
PREETI VIKAS SHAH, OF MICHIGAN
KIM SHAW, OF CALIFORNIA
PATRICK ISAMU SMELLER, OF MARYLAND
JEFFREY BRIAN SMITH, OF TEXAS
STEVEN T. SMITH, OF NEW HAMPSHIRE
JOHN THOMAS SPEAKS III, OF TEXAS
DEBRA A. STEIGERWALT, OF VIRGINIA
SCOTT ADAM STERNBERG, OF FLORIDA
STEPHEN BRUCE STEWART, OF CALIFORNIA
ERINN C. STOTT, OF TEXAS
ANDREA V. STRANO, OF NEW YORK
PAUL M. STRONSKI, OF NEW YORK
JOSEPH A. STRZALKA, OF MICHIGAN
RACHEL SUNDEN, OF TEXAS
KATHLEEN S. SZPILA, OF MASSACHUSETTS
DEBRA TAYLOR, OF WASHINGTON
VICTORIA JEAN TAYLOR, OF MISSOURI
CHAD ALAN THORNBERRY, OF CALIFORNIA
JENNIFER L. VIEIRA, OF TEXAS
THOMAS JOSEPH WALLIS, OF VIRGINIA
DRAKE A. WEISERT, OF TEXAS
ADAM P. WEST, OF ILLINOIS
JOEL ROBERT WIEGERT, OF NEBRASKA
PATRICK R. WINGATE, OF TEXAS
ELLEN WONG, OF MISSOURI
DANIELLE K. WOOD, OF OREGON
JEAN THOMAS WOYNICKI, OF PENNSYLVANIA
DANIELA ZADROZNY, OF TEXAS

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, AS INDICATED:

CONSULAR OFFICER OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

WENDY P. LYLE, OF VIRGINIA

SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF TREASURY

CHRISTOPHER ADAMS, OF CALIFORNIA
RUSSELL GREEN, OF TEXAS

CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF COMMERCE

PETER D. LISTON, OF FLORIDA

DEPARTMENT OF STATE

MARY E. ALEXANDER, OF TEXAS
LOGAN ALSCHBACH, OF VIRGINIA
ROBERT T. ALTER, OF THE DISTRICT OF COLUMBIA
SANDRA E. AMBROSE-SHEM, OF VIRGINIA
ROBERT ANDERSON, OF OREGON
ASHA B. ANDREWS, OF CALIFORNIA
DAVID AVERY, OF NEW MEXICO
D. HEATH BAILEY, OF NEVADA
DEBRA A. BARBESSI, OF VIRGINIA
ALEXANDRA LARA BAUMGARTNER, OF WEST VIRGINIA
SHARI ALYSON BERKE, OF THE DISTRICT OF COLUMBIA
RACHEL E. BIRTHISEL, OF VIRGINIA
BRANDON L. BORKOWICZ, OF ILLINOIS
DONALD A. BROWN, OF LOUISIANA
LESLIE E. BROWN, OF THE DISTRICT OF COLUMBIA
LINDSAY H. BUSH, OF VIRGINIA
DANIEL J. BYRNE, OF VIRGINIA
ERIC CAMUS, OF OREGON
STEVEN W. CARROLL, OF CALIFORNIA
CHARLES COXWELL CARSON, OF VIRGINIA
CHRISTOPHER RONALD CARVER, OF OREGON
MICHAEL D. CHRISTIE, OF VIRGINIA
DANIEL Y. CHU, OF CALIFORNIA
DANIEL R. CISEK, OF ILLINOIS
ALFONSO CORTES, OF NEW YORK
JOHN EDWARD CRIPPEN, OF ARKANSAS
RAMONA S. CRIPPEN, OF ARKANSAS
THOMAS P. DALTON, OF TEXAS
SUSAN V. DANKOVICH, OF PENNSYLVANIA
NATHALIE JORDAN DAVIS, OF MARYLAND
WAYNE CHARLES DAVIS, OF VIRGINIA
NATHANIEL P. DELEMARRE, OF VIRGINIA
LAWANDA B. DIXON, OF MARYLAND
MICHAEL STEPHEN DOUMITT, OF VIRGINIA
MONIQUE A. DOWNS, OF MARYLAND
SCOTT DRISKEL, OF VIRGINIA
JANET MARIE ELBERT, OF VIRGINIA
DAVID AARON EPSTEIN, OF NEW YORK
NANCY ANN EYDE, OF MICHIGAN
KELLEE A. FARMER, OF KANSAS
DAVID KIP FRANCIS, OF GEORGIA
KEVIN W FRILOUX, OF TEXAS
EDWARD A. GALLAGHER, OF VIRGINIA
NICOLE E. GALLAGHER, OF MARYLAND
JUAN JAIME GAMBOA, OF TEXAS
JAMES C. GESSLER, OF VIRGINIA
KRISTIN MICHELE GILMORE, OF CALIFORNIA
STEPHEN GLASER, OF CALIFORNIA
BARRY S. GREENBERG, OF MARYLAND
LAWRENCE JAMES GROSSBACK, OF VIRGINIA
REBECCA HAAS, OF PENNSYLVANIA
GREG A. HALL, OF MARYLAND
MERCEDES RUTH HAMMER, OF VIRGINIA
SARAH J. HANSEN, OF VIRGINIA
ROBERT W. HARELAND, OF NEVADA
ANTHONY P. HARMAN, OF MARYLAND
S. EVAN HARPER, OF THE DISTRICT OF COLUMBIA
MEGAN ALICE HARRIS, OF VIRGINIA
JUSTIN MATTHEW HEKEL, OF NEW YORK
PAUL E. HICKERNELL, OF VIRGINIA
REBECCA KATHERINE HUNTER, OF FLORIDA
KAREEM N. JAMJOOM, OF MISSOURI
JAMES J. JAY, JR., OF ILLINOIS
MICHAEL H. JOHNSON, JR., OF VIRGINIA
NICOLE G JOHNSON, OF WISCONSIN
ERIC A. JORDAN, OF KANSAS
PRZEMYSLAW ROBERT KACZOROWSKI, OF MARYLAND
GEORGE R. KANEKKEBERG, OF VIRGINIA
MEGAN M. KATIN, OF VIRGINIA
ELIZABETH C. KAUFMAN, OF VIRGINIA
JAMES BRENNAN KELLY, OF THE DISTRICT OF COLUMBIA
KEELY ZWART KILBURG, OF TEXAS
ERIC MICHAEL KLINE, OF VIRGINIA
SCOTT O. KOENIG, OF CALIFORNIA
TIMOTHY R. KRAEMER, OF VIRGINIA
JEANNE BRENNAN LAND, OF VIRGINIA
SUSAN P. LARSON, OF VIRGINIA
ELIZABETH K. LEE, OF CALIFORNIA
LESLIE A. LINNEMEIER, OF VIRGINIA
MARY LOFRISCO-MCCLURE, OF MARYLAND
BILLY MALONE, OF VIRGINIA
BRUCE G. MANGUM, OF MARYLAND
DAVID MATTHEW MARK, OF VIRGINIA
CHARLES MARTIN, OF KENTUCKY
PAUL J. MARTINEK, OF MASSACHUSETTS
MARJORIE A. MATHELUS, OF VIRGINIA
GEORGE D. MATHEWS, OF VIRGINIA
CATHERINE JEAN MCFARLAND, OF FLORIDA
GRANT L. MCMURRAN, OF VIRGINIA
RICHARD BRUCE MIDDLEBROOKS, OF VIRGINIA
BENJAMIN EDWARD MILLER, OF CALIFORNIA
THOMAS MINIACI, OF VIRGINIA
BLAKE W. MOBLEY, OF THE DISTRICT OF COLUMBIA
KIMBERLEE MOORE, OF VIRGINIA
MATTHEW ABRAHAM MYERS, SR., OF FLORIDA
WILLIAM R. NELSON, OF WISCONSIN
NICOLE A. NUCELLI, OF VIRGINIA
AARON P. ONG, OF VIRGINIA
ROBERT C. PALMER, OF CALIFORNIA
BRANDY L. PANKAU, OF WEST VIRGINIA
MEGAN M. PHANEUF, OF THE DISTRICT OF COLUMBIA
JUSTIN A. PONCHAK, OF VIRGINIA
MICHAEL HUGH QUINN, OF ALASKA
JAMIE WILLIAM RAVETZ, OF PENNSYLVANIA
ROBIN REICHENBACH, OF VIRGINIA
CHRISTOPHER RHOTON, OF VIRGINIA
MEREDITH ROBERTSON, OF VIRGINIA
CAROLYN RODAL, OF VIRGINIA
TIMOTHY R. ROMAN, OF MARYLAND
AARON JOHN RUPERT, OF OHIO
MANJU K. SADARANGANI, OF NEW YORK
MARCO G. SAILORS, OF PENNSYLVANIA
SUSAN M. SAKRAIDA, OF PENNSYLVANIA
MARCELYN E. SANCHEZ, OF CALIFORNIA
CHERYL ANDERSON SAUS, OF VIRGINIA
KEVI E. SECHREST, OF VIRGINIA
DAVID P. SEGALINI, OF VIRGINIA
ANJALINA SEN, OF NEW YORK
D. ALEXANDRA SHUEY, OF THE DISTRICT OF COLUMBIA
RICHARD R. SILVER, OF CALIFORNIA
THEODORA S. SMITH, OF MARYLAND
TIMOTHY J. SMITH, OF MARYLAND
ANDREW D. SNODGRASS, OF VIRGINIA
JIMMI NICOLE SOMMER, OF IDAHO
JORGE PATRICK SOWERS, OF VIRGINIA
PAUL GLEN STAHLE, OF MARYLAND
WADE B. STANTON, OF VIRGINIA
SHARLA STEPHENSON, OF VIRGINIA
SARAH C. STEWART, OF ARIZONA
ERIN C. STUART, OF VIRGINIA
MARY E. STUESSY, OF OHIO
HUGUETTE THORNTON, OF FLORIDA
PETER J. THRAPP, OF ILLINOIS
BENJAMIN TIETZ, OF VIRGINIA
JOSEPH ANTHONY TORDELLA, OF FLORIDA
RUBANI I. TRIMIEW, OF NEW JERSEY
NGUYEN C. TRINH, OF MARYLAND
KRISTINE M. TUORI, OF MARYLAND
CYNTHIA JEAN TURNER, OF FLORIDA
ARIEL REBECCA VAAGEN, OF TEXAS
MICHELLE R. VASSAR, OF VIRGINIA
JESSICA R. VIELHUBER, OF VIRGINIA
HEIDI B. VIEROW, OF VIRGINIA
TIMOTHY S. WADE, OF THE DISTRICT OF COLUMBIA
KERRY MERKL WALD, OF CONNECTICUT
MICHELE WELLS, OF CALIFORNIA
RICHARD WHITTEN, OF FLORIDA
WHITNEY SCOTT WIEDEMAN, OF TEXAS
STEWART A.S. WIGHT, OF VIRGINIA
TODD ANDREW WILDER, OF WASHINGTON
MICHELLE MARIE WILDMAN, OF INDIANA
SUZANNE M. YOUNTCHI, OF CALIFORNIA

THE FOLLOWING NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE/APHIS FOR PROMOTION WITHIN AND INTO

THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED: CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER:

DANNY J. SHEESLEY, OF COLORADO

IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

THOMAS T PEQUIGNOT, 0000

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. OLIVER J. MASON, JR., 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. LAWRENCE S. RICE, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

FRANK W. SHAGETS, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be major

MARK W. DUFF, 0000
ANDREW STOY, 0000

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

SHIRLEY HAYNES, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

ADAM R. LIEBERMAN, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JOSEPH W. BROWN, 0000
KENNETH A. FORD, 0000
CYNTHIA D. SANCHEZ, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

PAMELA J. MEYERS, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

JERRY D. MICHEL, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

ANTONIO MARINEZLUENGO, 0000

To be major

MARLA R. MELENDEZ, 0000
THOMAS R. ROESEL, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

DANIEL L. DUCKER, 0000

To be major

PAUL J. WATKINS, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 4333(B):

To be colonel

SCOTT T. KRAWCZYK, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

ROLAND D. AUT, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

EILEEN G. MCGONAGLE, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

VAL L. PETERSON, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JORDAN T. JONES, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

MARTIN E. WEISSE, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JEFFREY L. ANDERSON, 0000
DAVID S. LEE, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

MICHAEL J. NORTON, 0000
WILLIAM J. THOMAS, JR., 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JOHN J. GARCIA, 0000
KEITH E. KNOWLTON, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

DANIEL C. DANAHER, 0000
JESSE D. WADE, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

TRACY R. NORRIS, 0000
GARY B. TOOLEY, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JON B. LIVINGSTON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

LESTER W. THOMPSON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ARTHUR E. VERDUGO, 0000

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

MARTIN K. DE FANT, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

GREGORY E. WALTERS, 0000

WITHDRAWAL

Executive Message transmitted by the President to the Senate on September 6, 2007 withdrawing from further Senate consideration the following nomination:

MARY O. DONOHUE, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK, VICE FREDERICK J. SCULLIN, JR., RETIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 9, 2007.