we got a national park in Nevada. The Great Basin National Park is in Nevada. Bruce Vento pointed me in the right direction and that is what we did. The most significant legislation I have ever offered has been something in Nevada we call a negotiated settlement which involved two endangered species, two Indian tribes, 100-year water war between the States of California and Nevada. Wetlands had dried up from 100,000 acres to probably 1,000 putrid areas. It involved irrigation districts, the cities of Reno and Sparks.

Bruce Vento was on the floor in 1993, and by unanimous consent in the House worked his magic. It was late in the session, and it was the next to the last thing that passed that session. As happens over there late at night when they are trying to get things done, there was a lot of confusion going on, but he got it done.

This is a wonderful day for the American people. We will get this through the House and this will be signed by the President. I feel so happy that this is done for so many different reasons.

Mr. LEAHY. Mr. President, I commend Senator MURRAY for her efforts to end the use of asbestos in the United States. America should join the more than 40 other countries that have banned its use. This is an issue where the devastating health effects of asbestos far outweigh the economic benefits of its continued widespread use. It is surprising to me that there is any significant debate in light of what we know about the deadliness of this substance, and the tremendous suffering of so many Americans.

Nearly 10,000 people die each year from asbestos-related disease. Asbestos is among the most lethal substances ever to be widely used in the workplace. Between 1940 and 1980, more than 27.5 million workers were exposed to asbestos on the job, and nearly 19 million of them had high levels of exposure over long periods of time. We even know of family members who have suffered asbestos-related disease from washing the clothes of loved ones. The ravages of disease caused by asbestos have affected tens of thousands of American families. Given what we know about asbestos, we should not permit the immense suffering its use has caused to continue any longer.

Senator MURRAY's bill is a step in the right direction toward a more comprehensive solution to this problem. I am glad this bill contains provisions for increased research and education concerning asbestos. Preventing future exposure is a good thing, but we must do more to address the terrible suffering that continues in the United States and we owe it to those who have been affected to enact an effective system for their care and compensation.

Although I would have preferred to have retained the more extensive provisions contained in the comprehensive bipartisan bill then-Judiciary Committee Chairman SPECTER and I proposed in the 109th Congress, I believe that if enacted, this legislation will save many lives in the future. We owe it to all Americans to do everything we can to end the use of asbestos and to confront the terrible legacy this deadly substance has left behind.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Before my three colleagues who have accomplished this significant feat leave the floor, I, too, wish to salute them. Dear colleagues, what an emotional day. First, our good friend Senator Wellstone embarked on that with you, Senator MURRAY, many years ago. Paul is no longer with us. His legacy lives on. There is a saying I learned in Catholic girls school: exegi aani perrenius. I will build a monument in lasting bronze. And when one thinks about a monument to Paul Wellstone, the kind of wise guy he was, he wouldn't be a marble guy or want some bronze statue. He would want this as a memorial that others might live. As a Senator from Maryland, my State is a manufacturing State. In my shipyards, there was so much asbestos. To this day, the shipyard workers of Baltimore and Fairfield, Bethlehem Steel, people who built the liberty ships, the ones who helped win the battle of the North Atlantic, the ones who every day would go to work with their lunch pail, now go to the senior citizen meetings carrying an oxygen tank, and not only have they suffered but their spouses suffer. Most of the guys in those days would come home and they would wash their clothes and take care of them. The women were exposed to this as well. It is not only secondhand smoke, but it was secondhand asbestos.

For me today to know that when we talked about better things through chemistry, the answer was yes, but what we did without realizing it was subject our American citizens to such unbelievable pain. So for the guys at the shipyards, we say to Murray, to Boxer, and to Isakson: Anchors aweigh, my boys and girls, anchors aweigh.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I thank my colleagues and our floor staff on both sides of the aisle who helped us. They know that Senator ISAKSON and I dogged them every single day, every single minute of the way until we got this done. Without their help we couldn't be here either. I will end by saying I have looked in the eyes of too many people who have lost a loved one to a product that contained asbestos because they went to work and didn't know they were being exposed. To all of those people who have stuck with us and worked with us and fought with us—some of them are here in the Senate with us today—we wouldn't be here without you and your passion. Because of that, we are changing the world to a better place.

I thank the Chair.

DEPARTMENTS OF COMMERCE AND JUSTICE AND SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008—Continued

Ms. MIKULSKI. Let me tell you where we are right now, because the pending amendment is the Mikulski-Hutchison-Shelby-Nelson, et al. amendment on expanding funding for NASA. We also understand the Senator from Oklahoma, Mr. COBURN, intends to come over rather shortly to offer his amendment. We have had a lot of talk, a little bit in morning business, but we are making great progress. We invite all who might either want to speak on our amendment or in opposition to the NASA amendment, please come to the floor now because we will be moving toward a vote. We are also waiting for the Senator from Oklahoma to come.

I know a lot of time has been used with morning business, but at the same time we are making a great deal of progress behind the scenes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I ask unanimous consent for a few minutes to speak as in morning business.

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

FREE TRADE

Mr. SANDERS. Let me congratulate Senator MURRAY, Senator BOXER, and Senator ISAKSON for their very important work on this asbestos issue.

What I wish to focus on is a front-page story that appeared in the Wall Street Journal. The headline reads: ''Republicans Grow Skeptical on Free Trade.'' What it says is:

> The new Wall Street Journal/NBC poll posed two statements to voters. The first was, ''Foreign trade has been good for the U.S. economy because demand for U.S. products abroad has resulted in economic growth and jobs for Americans here at home and provided more choices for consumers.''
>
> The second statement was, ''Foreign trade has been bad for the U.S. economy because imports from abroad have reduced demand for American-made goods, cost jobs here at home, and produced potentially unsafe products.''
>
> Asked which statement came closer to their own view, 59 percent of Republicans named the second statement, while 32 percent pointed to the first.

Back to the headline, ''Republicans Grow Skeptical On Free Trade.'' That is the Republicans.

In terms of the Democrats, earlier in the article:

> Other leading Democrats have been harshly critical of trade expansion, pleasing their party's labor union backers. In a March 2007 WSJ/NBC poll, before recent scandals involving tainted imports, 54 percent of Democratic voters said free-trade agreements have hurt the U.S., compared with 21 percent who said they have helped.

So what do we have? We have the overwhelming percentage of Republicans who are now telling us that unfettered free trade is not working for American workers.

We have the overwhelming percentage of Democratic supporters telling us free trade has not been working for the American people. Yet despite those numbers, and a growing consensus among working families in this country, what we continue to see is people in the White House, people in the Senate and the House who keep telling us how great free trade is.

Well, let me be very clear. Free trade is very good for the large multinational corporations who can throw American workers out on the street, move abroad to China and other low-wage countries, hire people there for pennies an hour, and bring their products back into this country. For those people, we concede—for the CEOs of large corporations—unfettered free trade has been a very good thing. But for the middle-class and working families of this country, for working families and poor people in Mexico and in other low-wage countries, unfettered free trade has been an unmitigated disaster.

Now, there are a lot of reasons the middle class in America is shrinking. There are a lot of reasons nearly 5 million Americans have slipped into poverty since George Bush has become President. There are a number of reasons. Certainly, one of the processes by which we as a Nation are engaged in a race to the bottom has been the unfettered free-trade agreements negotiated by the President of the United States and passed by the Congress. And by that I mean NAFTA. I mean permanent normal trade relations with China.

The reality of those trade agreements, plus other economic decisions being made by the U.S. Government, is not just that poverty is increasing, it is that median income for working-age families has declined by about $2,400 since the year 2000. It is that personal savings rates in this country are below zero, and have been below zero for eight consecutive quarters—something that has not happened since the Great Depression.

Unfettered free trade has a lot to do with the fact that over 8 million Americans have lost their health insurance since 2000, and we are now up to 47 million Americans without any health insurance.

Hunger in America is growing. The cost of college education is becoming harder and harder for middle-class families to afford. It is interesting to note that a few months ago, in a poll done by, again, the Wall Street Journal, more than two-thirds of the American people believe the U.S. economy is either in a recession now or will be in a recession next year. That is a poll from August done by Wall Street Journal/NBC News.

In my view, it is imperative that our country trade. Nobody I know of believes we should place a wall around this country. Trade is a good thing. But what we must begin doing is negotiating fair trade agreements that reflect the interests of working families in America, working families in other countries, and not just large multinational corporations and the CEOs who help write these trade agreements.

I just returned the weekend before last from a trip to Costa Rica, where I witnessed something that was really quite extraordinary. Costa Rica will be the first country in the entire world to actually have a referendum to vote up or down whether they want to enter these CAFTA agreements. I have no idea who is going to win that referendum. It looks as if it is going to be very close.

But on one side you have all of the moneyed interests. What I heard is, the ''yeses,'' the people who want that free-trade agreement, CAFTA, are spending 100 times more than the people who are in opposition. You have a media which is almost universally supportive in Costa Rica of this CAFTA agreement.

On the other side you have students, you have environmentalists, you have trade unionists, you have environmentalists, you have an extraordinary grassroots movement such that in a nation of fewer than 4 million people, a week ago, 150,000 people came out in a rally—150,000 in a nation of less than 4 million people—to express their opposition to the CAFTA agreement.

We have—especially with the fact that fast track is no longer in existence—the opportunity as a Congress to begin rethinking our trade policies, to create trade policies which create good jobs in the United States and good jobs in the countries of our trading partners, policies which benefit all of the people and not just the people on top.

So I conclude by saying, if some of my Republican friends think it is just progressives or people who are concerned about the needs of working people on this side who are concerned about trade, I suggest you go to the Wall Street Journal today, and what you will find is the vast majority of Republicans now have serious concerns about our current trade policies because they see those trade policies as being harmful to the middle class and working families of this country.

Mr. President, I ask unanimous consent that the poll from the Wall Street Journal be printed in its entirety.

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

[From the Wall Street Journal, Oct. 4, 2007]

REPUBLICANS GROW SKEPTICAL ON FREE TRADE

(By John Harwood)

WASHINGTON.—By a nearly two-to-one margin, Republican voters believe free trade is bad for the U.S. economy, a shift in opinion that mirrors Democratic views and suggests trade deals could face high hurdles under a new president.

The sign of broadening resistance to globalization came in a new Wall Street Journal-NBC News Poll that showed a fraying of Republican Party orthodoxy on the economy. While 60% of respondents said they want the next president and Congress to continue cutting taxes, 32% said it's time for some tax increases on the wealthiest Americans to reduce the budget deficit and pay for health care.

Six in 10 Republicans in the poll agreed with a statement that free trade has been bad for the U.S. and said they would agree with a Republican candidate who favored tougher regulations to limit foreign imports. That represents a challenge for Republican candidates who generally echo Mr. Bush's calls for continued trade expansion, and reflects a substantial shift in sentiment from eight years ago.

''It's a lot harder to sell the free-trade message to Republicans,'' said Republican pollster Neil Newhouse, who conducts the Journal/NBC poll with Democratic counterpart Peter Hart. The poll comes ahead of the Oct. 9 Republican presidential debate in Michigan sponsored by the Journal and the CNBC and MSNBC television networks.

The leading Republican candidates are still trying to promote free trade. ''Our philosophy has to be not how many protectionist measures can we put in place, but how do we invent new things to sell'' abroad, former New York City Mayor Rudy Giuliani said in a recent interview. ''That's the view of the future. What [protectionists] are trying to do is lock in the inadequacies of the past.''

Such a stance is sure to face a challenge in the 2008 general election. Though President Bill Clinton famously steered the Democratic Party toward a less-protectionist bent and promoted the North American Free Trade Agreement, his wife and the current Democratic front-runner, Hillary Rodham Clinton, has adopted more skeptical rhetoric. Mrs. Clinton has come out against a U.S. trade deal with South Korea.

Other leading Democrats have been harshly critical of trade expansion, pleasing their party's labor union backers. In a March 2007 WSJ/NBC poll, before recent scandals involving tainted imports, 54% of Democratic voters said free-trade agreements have hurt the U.S., compared with 21% who said they have helped.

While rank-and-file Democrats have long blasted the impact of trade on American jobs, slipping support among Republicans represents a fresh warning sign for freemarket conservatives and American companies such as manufacturers and financial firms that benefit from markets opening abroad.

With voters provoked for years by such figures as Pat Buchanan and Ross Perot, ''there's been a steady erosion in Republican support for free trade,'' says former Rep. Vin Weber, now an adviser to Republican presidential candidate Mitt Romney.

One fresh indication of the party's ideological crosswinds: Presidential candidate Ron Paul of Texas, who opposes the Iraq war and calls free-trade deals ''a threat to our independence as a nation,'' announced yesterday that he raised $5 million in third-quarter donations. That nearly matches what one-time front-runner John McCain is expected to report.

In a December 1999 Wall Street Journal-NBC poll, 37% of Republicans said trade deals had helped the U.S. and 31% said they had hurt, while 26% said they made no difference.

The new poll asked a broader but similar question. It posed two statements to voters. The first was, ''Foreign trade has been good for the U.S. economy, because demand for U.S. products abroad has resulted in economic growth and jobs for Americans here at home and provided more choices for consumers.''

The second was, ''Foreign trade has been bad for the U.S. economy, because imports from abroad have reduced demand for American-made goods, cost jobs here at home, and produced potentially unsafe products.''

Asked which statement came closer to their own view, 59% of Republicans named the second statement, while 32% pointed to the first.

ROCKY OUTLOOK

Such sentiment suggests a rocky outlook for trade expansion. Early in his term, Mr. Bush successfully promoted a number of new free-trade pacts, but the efforts have stalled, particularly after Democrats took control of Congress last November.

Even relatively small deals are facing resistance. While trade pacts with Peru and Panama have a strong chance of passing in the current congressional term, deals with South Korea and Colombia are in serious jeopardy. Some legislators believe South Korea isn't opening its market wide enough to American beef and autos.

'FAST TRACK'

Presidential ''fast track'' trade negotiating authority has lapsed. Without such authority, which requires Congress to take a single up-or-down vote on trade deals, the next president would have trouble pursuing large trade agreements, particularly the stalled global Doha Round.

Julie Kowal, 40 years old, who works in a medical lab and is raising five children in Omaha, Neb., said she worries that Midwestern producers face obstacles selling beef and autos abroad. ''We give a lot more than we get,'' she said. ''There's got to be a point where we say, 'Wait a minute.' ''

Beyond trade, Republicans appear to be seeking a move away from the president. Asked in general terms, a 48% plurality of Republicans said the next president should ''take a different approach'' from Mr. Bush, while 38% wanted to continue on his path.

In the poll, Mr. Giuliani maintained his lead in the Republican field with support from 30% of respondents. Former Sen. Fred Thompson drew 23% in the survey, to 15% for Sen. John McCain, 10% for Mr. Romney and 4% for former Arkansas Gov. Mike Huckabee. The telephone survey of 606 Republican voters, conducted Sept. 28–30, has a margin of error of four percentage points.

A clear majority of Republicans want more tax cuts, but among Republicans who identify themselves as moderate or liberal—about one-third of the party's primary voters—a 48% plurality favored some tax increase to fund health care and other priorities.

In part, the concern about trade reflected in the survey reflects the changing composition of the Republican electorate as social conservatives have grown in influence. In questions about a series of candidate stances, the only one drawing strong agreement from a majority of Republicans was opposition to abortion rights.

Post-911 security concerns have also displaced some of the traditional economic concerns of the Republican Party that Ronald Reagan reshaped a generation ago. Asked which issues will be most important in determining their vote, a 32% plurality cited national defense, while 25% cited domestic issues such as education and health care, and 23% cited moral issues. Ranking last, identified by just 17%, were economic issues such as taxes and trade.

John Pirtle, a 40-year-old Defense Department employee in Grand Rapids, Mich., said he drifted toward the Republican Party in large part because of his opposition to abortion, but doesn't agree with the free-trade views of leading candidates.

''We're seeing a lot of jobs farmed out,'' said Mr. Pirtle, whose father works for General Motors Corp. Rankled by reports of safety problems with Chinese imports, he added, ''The stuff we are getting, looking at all the recalls, to be quite honest, it's junk.''

BUSH'S VETO

Mr. Bush lately has sought to elevate the importance of economic issues. Yesterday he vetoed a bill passed by Congress that would expand funding for a children's-health program by $35 billion over five years. He slammed what he described as the Democrats' tax-and-spend approach during a speech in Lancaster, Pa.

Economic advisers to Republican presidential hopefuls acknowledge the safety scandals have made defending free trade more difficult. ''Americans are right to be angered at companies that take shortcuts'' in importing goods, said Larry Lindsey, once the top economic aide in the Bush White House and now an adviser to Mr. Thompson's presidential bid. ''The next president has to promote free trade by playing hardball, and to be seen doing so.''

In the Republican campaign so far, elevating populist trade concerns has been left to the long shots. ''The most important thing a president needs to do is to make it clear that we're not going to continue to see jobs shipped overseas. . . . and then watch as a CEO takes a $100 million bonus,'' Mr. Huckabee said at a debate earlier this year. ''If Republicans don't stop it, we don't deserve to win in 2008.''

Mr. SANDERS. 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.

Ms. MIKULSKI. 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. 3250

Ms. MIKULSKI. Mr. President, to those who might be watching the actions of the Senate in either the gallery or on C–SPAN—because we do function in an open and transparent way—they might wonder: What is going on there? Well, I will tell you what is going on. We are debating the appropriations subcommittee report that funds all of the Commerce, all Justice, and good, significant aspects of America's science programs—the National Science Foundation, the space agency, the agency that does research on oceans.

In the course of debating this appropriations bill, there have been others who have asked to speak on other matters. When you see the Chamber is empty, what we are doing is clearing amendments offered by our colleagues. We are waiting for another colleague to come to offer an appropriations amendment. For us, we are trying to make sure America remains premier in space.

I will reiterate, the Mikulski-Shelby-Hutchinson-Bill Nelson-Mel Martinez bipartisan amendment is to restore the funding that it took when the Columbia accident occurred to return our astronauts to space safely and swiftly.

I will elaborate on that later, but I note the Senator from Rhode Island is here, who also wishes to speak on the amendment, as does the Senator from Louisiana.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I am here today to speak on the Commerce, Justice, and Science appropriations bill, and I begin by thanking the chairman of the committee, Senator MIKULSKI, and the ranking member, Senator SHELBY, for an extraordinarily well-crafted appropriations bill which responds to the needs of the country and responds particularly to those areas which were neglected in the initial submission by the President.

This bill will protect our citizens and support law enforcement, which is a critical aspect of our engagement to provide security and safety for all of our citizens. It will strengthen America's competitiveness in the global economy. And it will also go a long way to begin to properly husband and conserve our oceans and coastal communities.

Once again, let me commend Senator MIKULSKI and Senator SHELBY for a job well done. I hope as we go forward the President will work with the Senate and the House to enact this legislation, to sign it, to fund it appropriately, and to continue to strengthen our country in so many different ways.

This bill will restore $1.5 billion in funding cuts to State and local law enforcement programs. We have seen, shockingly in my mind, an increase in the statistics of violent crime in this country. That tears at the fabric of every community in America. We need these funds. I am pleased to see the chairman and ranking member respond to that need by providing additional resources.

Since 2001, budgets for these law enforcement programs have been decimated, and many in law enforcement believe these cuts have contributed to this very rise in violent crime. To reverse this troubling trend, the bill provides $2.66 billion in funding for the Office of Justice programs, which includes Justice assistance, State and local law enforcement assistance, community-oriented policing services, and juvenile justice programs.

The $550 million for the COPS Program will help local law enforcement agencies combat crime and respond to terrorist threats. There is another dimension. When we enacted the COPS Program years ago, we were thinking of law enforcement at the local level simply being an agent to stop those perpetrators of crime. Now we have to deal, and they have to deal, with terrorists, and they have to be prepared to do that.

In Rhode Island, the COPS Program has provided nearly $30 million in Federal funding and helped over 395 police officers—it has helped that many—since its inception. We would have literally hundreds of police officers absent from their place on the streets of Rhode Island if this program had not been adopted, and if this bill does not continue to support it. I have been pleased to be a cosponsor of Senator BIDEN's amendment, which I think was one of the foundations of the proposal we see today in the appropriations bill.

This bill also provides $7.35 billion for the Department of Commerce. This is a diverse agency. It has a significant impact in Rhode Island. It supports, in Rhode Island, ocean exploration. We have the University of Rhode Island School of Oceanography, which is one of the best in the country, and it depends significantly on support from NOAA and the Department of Commerce. Coastal protection: We are the ''Ocean State.'' We have, per area, the longest coastline of any State in the country. We have a fisheries program. We are an active fishing state, and we need that help and support.

I am excited about the opportunities, particularly for increased research with respect to our oceans. Oceans, through fishing, through transport, through recreation, contribute an estimated $120 billion a year to our economy, and they support over 2 million jobs. Yet we do very little to research the ocean. We do little to stimulate aquaculture, commercial fishing, tourism—all of these things which are huge economic drivers to our economy in Rhode Island and in many parts of the country. This bill will begin to pick up the pace when it comes to supporting these important endeavors.

There is a Joint Oceans Commission that has been charged with looking at oceans policy, and they have given our country a grade. In 2006, it was a C-minus. It was a little bit better than 2005—that was a D-plus—but we want to get A's when it comes to ocean policy. That means supporting this legislation and putting the money in to help NOAA particularly. This bill provides $4.2 billion for the National Ocean and Atmospheric Administration, including $795 million to fund the Joint Ocean Commission's recommendations for ocean research, education, observation, and exploration.

Let me commend again Senator MIKULSKI and Senator SHELBY for making this a part of this important legislation. The world is basically covered by ocean. We spend a very small fraction on ocean research relative to major research programs for the atmosphere, for space. We have to start looking within the oceans, not only for scientific answers but for commercial opportunity.

The bill also strengthens U.S. innovation and competitiveness. Following the recommendations of the National Academy of Science's report ''Rising Above the Gathering Storm,'' the bill invests in research and technology that will pay dividends for our future. Specifically, the bill provides over $5.1 billion for basic research through the National Science Foundation, including $117.5 million for the Experimental Program to Stimulate Competitive Research—the EPSCoR Program. This EPSCoR Program has been very critical in my home State of Rhode Island. It has provided a partnership between the Federal Government, academic agencies, schools, universities, and State government to stimulate research. It is a valuable catalyst for research going forward.

Now, with more than 50 percent of NSF's funding going to seven States, this EPSCoR Program makes sure that the other States—the other 43 States—get a little attention and a little cooperation and a little support. It is incredibly important to Rhode Island, and I particularly thank the chairman and the ranking member for their support.

Let me mention something else about NSF funding, something else about research funding. It is not just the foregone experiment, the foregone program research; without robust funding for the National Science Foundation and other areas of academic endeavor, we are losing a whole generation of researchers, of academics.

I went to the laboratory at Brown University, the neuroscience lab—terribly sophisticated, doing remarkably good work. I talked to a young researcher, a Ph.D., a woman in her early thirties. She said not only did she need additional support, but she looked back at her class of Yale graduates, Ph.D. scientists, and she is the only one of about seven of those Ph.D.s from Yale who has the money to do the research. She pointed out that if you don't get that money at 30 years old to do this fundamental research and establish yourself, you will not get tenured at 39, and as a result, you quickly decide you are leaving the field. You can go to a pharmaceutical company; you can go to an investment bank and use your skills in terms of analyzing portfolios and investments. You won't be doing basic research, expanding the knowledge, teaching other scientists and other young students. That is what is so critical about this, in addition to simply making sure we continue to do the research, and I thank my colleagues for their support.

Let me also mention another program, and that is the manufacturing extension program. All of my colleagues, without exception—and I include myself—come to the floor and talk about the decline of American manufacturing, the fact that we used to have, particularly up my way in the Northeast, communities that revolved around manufacturing plants at every corner. Growing up in Rhode Island, when you drove through communities such as Pawtucket in the 1950s on a Saturday, all you could hear was click, click, click. Those machines were working overtime. There was no air-conditioning; the windows were open until 11 o'clock at night. It is silent there now. We are losing manufacturing.

This manufacturing extension program is the only real money we put in to directly aid manufacturing. It gives them new techniques, new technology. It gives them suggestions about how they can be competitive on a global basis. It helps the small manufacturer. It is critical. It is the last support for many of these individual companies, the last support they get to face a very competitive world. I again appreciate so much how this money has been included in this appropriation.

This bill also provided $283 million to the Economic Development Administration. EDA is one of those critical agencies of the Federal Government that will allow local communities to fulfill their plans for local economic development. We have used this program repeatedly to jump-start progress at the local level. They have gone in and they have funded, and they have a rather wide mandate that they can justify as economic development, but they have funded programs that have allowed investments by States and cities and private entities to really give us a leg up in terms of providing employment, providing new economic opportunities for my communities in Rhode Island. Again, it is a very valuable agency.

Of this funding, $15 million is for trade adjustment assistance for firms, and this is targeted to medium-sized manufacturers and agricultural companies that experienced loss from foreign imports.

Again, related to the struggle of our manufacturing companies, we are seeing so much that used to be produced in America is now imported, and what is lost in the balance is many jobs, and this money will help, at least a bit, to ease that transition. It allows people really to retool themselves for a new economy. It gets them off the unemployment rolls more quickly than otherwise and gives them something more important than just a check; it gives them new hope. For many of my constituents, it is particularly distressing when you reach midlife, you have worked very hard, you got out of high school in the 1960s and thought you could have a whole career based on a high school diploma, and guess what. Now the company is gone. You have to have new skills. Where are you going to turn? This helps these individuals, not just with the monetary compensation, not just with a little bit of assistance, but with a new hope that they can get on with their lives. It is very important.

So much of this bill is commendable, and it is the work of not only the hands but the hearts of both Senator MIKULSKI and Senator SHELBY that have made this such a worthwhile piece of legislation. I am proud to support it. I hope we can move it forward quickly, and I hope the President will sign it. I believe it will be a victory for all Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, let me associate myself with the remarks of my colleague, the Senator from Rhode Island. He has raised several important initiatives: the ocean initiative, basic research and development, the disparity between some of our research dollars to a few universities and

leaving out so many other good and fine universities, and many of those universities in the South. It has been a program where I have supported more equitable funding. We are proud of our southern universities. I know the Senator from Alabama most certainly is. That is one way his bill, along with the Senator from Maryland, is helping many of our universities.

I rise today to give support to the amendment that is under consideration now, the $1 billion amendment to add funding to the NASA budget. When people think about New Orleans and Louisiana, they think about good food and Mardi Gras and fishing and maybe even wetlands and other things, but they might not think of space and space programs and high tech, but we are all of the above.

In New Orleans east, particularly, there is a great national asset called Michoud, which has been there since 1961, which has done some of the basic research and manufacturing for the space program, which also has parts, of course, in Texas and in Houston, in Huntsville, AL, where I have had the pleasure of visiting, in parts of Florida and along the gulf coast of Mississippi. Senator MIKULSKI honored me and honored our State by coming to visit the Michoud facility several years ago and walked through—actually, I think we might have skated or rode carts through.

Ms. MIKULSKI. If the Senator will yield, I have been on thin ice, but I didn't skate.

Ms. LANDRIEU. The Senator was not on skates—strike it from the record—but we were on carts, and some people were on bicycles because this facility is so large. It is 43 acres under roof, air-conditioned, employing 4,000 people, committed to our space program.

Right down the road in our neighboring State of Mississippi, there are another 4,000 people employed at the Stennis Space Center—of course, named after our former colleague, Senator Stennis himself.

But the reason I bring this up is not only because this is important to Louisiana and to the gulf coast area of Mississippi and to the State of Alabama, our sister States, but it is important to the Nation. When the Columbia accident happened, as the leaders have so eloquently said, NASA had to scramble and take a lot of money from other parts of its budget to cover the battle back to space, to support back-to-flight missions. We have not ever reimbursed them appropriately for that. Their program is quite challenged because of it. So that is why this amendment is so important. It is a great boost to the rebuilding of our region.

Let me say, for the employees at Michoud, they have been back at work even though they had no houses in which to live. They were back at work building levees around this facility even though there was water all around. They kept this program and this building open and operating, and there was not a stop, even during some of the worst parts of this storm. That is how committed this workforce is to this program.

So I want to support this amendment. I thank the Senator for her leadership, and I am proud to be a cosponsor of the $1 billion amendment to add much needed revenue to the NASA budget. Again, I am very proud of this work in New Orleans Parish, in St. Tammany Parish, as well as along the gulf coast of Mississippi.

If I might, before I yield the floor, also thank the leaders of this committee for already approving an amendment I offered, and it has been accepted by voice earlier today. It is a small amendment, but I actually think it can help in a very timely situation in the country right now.

As my colleagues are aware, we have had a terrible series of events in Louisiana commonly referred to as the Jena 6. There have been many allegations made on all sides about events that occurred on and off the school grounds in Jena, LA, a small town I represent.

Looking into the situation and talking with many people involved, it came to my attention that there were really very little resources that the Federal Government had to bring to bear early on that could have potentially avoided some of the conflict that occurred, some of the attention that rose up about these incidents.

The more I looked into it, the more I became concerned because I found out that the Community Relations Service does exist within the Department of Justice. The service's mission, when appropriate, is to serve as a mediator during and after periods of racial tension in our country. This was created some years ago. I read its mission and its statement, and it seems as if that would be a very good way for us to spend a very small portion of money that is allocated to help because, of course, the American dream is for all of us from different races to be able to live and work together and to prosper. It has not really been done in any other country as well as it is being done here in the course of human history, so it is something we should be proud of, although we do have problems. But we need all parts of our Government coming forward and committing to making this happen.

It occurred to me—and I learned—that this is a very excellent service. The problem was, there were only three people employed in the service for the 31 million people who live in New Mexico, Texas, Louisiana, and the two other States in our region. So it occurred to me that it might be a good use of taxpayer money to add some money to this Community Relations Service, specifically directing some of the new hires to this region, to keep money in the field—not here in Washington but pushed out into the field so when these incidents happen, maybe a well, trained mediator from the field could show up, work with the community leaders, work with the attorneys general, maybe work with some local elected officials, and prevent some of the harsh things that were said and done over the course of this time.

This is in no way saying who was right and who was wrong. I think it is a very good service that our Justice Department could do. I was pleased to offer this amendment. I understand it has been accepted. It will be most certainly a help to us as we try to reconcile and heal this community, Jena and LaSalle Parish in Louisiana, and bring the community back together after a series of very unfortunate events.

Finally, let me say I thank the Chair, and I can either call up now—or it can be accepted later—another amendment regarding the COPS Program, which will help some of the disaster areas that are still struggling with law enforcement challenges. If it is appropriate, I think both sides have cleared this amendment No. 3223.

The PRESIDING OFFICER. Is there objection?

Ms. MIKULSKI. Mr. President, there is no objection to this amendment.

AMENDMENT NO. 3223

Ms. LANDRIEU. Mr. President, I call up amendment No. 3223 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU] proposes an amendment numbered 3223.

Ms. LANDRIEU. 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 waive certain matching requirements for counties and parishes in which the President declared a major disaster in response to Hurricane Katrina of 2005 or Hurricane Rita of 2005)

On page 57, line 23, after ''Office:'' insert the following: ''*Provided further*, That the Attorney General shall waive in whole the matching requirement under section 1701(g) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(g)) for any grant recipient located in a county or parish in which the President declared a major disaster (as that term is defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) in response to Hurricane Katrina of 2005 or Hurricane Rita of 2005:''.

The PRESIDING OFFICER. Is there further debate?

Ms. MIKULSKI. There is no objection to the Senator's amendment on either side of the aisle.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3223) was agreed to.

Ms. LANDRIEU. Mr. President, I thank the leaders for their work on this bill and for continuing to support NASA, as we clean up our criminal justice system and bring some reconciliation to Jena and LaSalle Parish.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I thank the Senators for the cooperative way in which they have worked with us. I also wish to comment on Senator LANDRIEU's amendment that was accepted, which eliminated a copay for a matching portion for the COPS Program in areas that don't have the money to match. It is a smart thing that we are doing. It is right. It will come to an end at some time, but until they get back on their feet, we ought to do it.

I wished to spend a few minutes talking about the bill overall. I think even though the chairwoman and ranking member have done a great job with the bill in terms of priorities, I am concerned at the overall spending level, and I think the administration probably will be too. Inflation, last year, was less than 3 percent. In title I, the Commerce portion of the bill, it grows by 13.88 percent, which is 4½ times the rate of inflation. In title II, the Justice portion, it grows 6.1 percent, which is over two times the rate of inflation. In title III of the bill, in the Science portion, it grows by 8.1 percent over last year's actual appropriation, which is almost three times what the rate of inflation was.

That probably would not be a problem if we didn't borrow $454 billion from our kids last year. It would not be a problem if everybody else had an 18-percent or 13-percent or a 10-percent increase. But the fact that this bill has grown this much says we are going to go down the road again of borrowing additional money.

This is a rationalization, and I admit it. What we are doing is funding this increase this year on the backs of our grandchildren, because if it goes through this way and coming out of conference, and if the President signs it, the increase in spending for the Commerce, Justice, and State Departments will come on the back of future payments of debt for our kids.

The contrast I wish to show is that the average family's income rose less than 4 percent last year. Their taxes aren't going to rise much more than 4 percent, but the taxes on their grandkids are going to rise disproportionately more than that, probably 12 or 13 percent, because we cannot get hold of this Government. That is no reflection on the leaders of this committee. They are given a number, and they have requests out the kazoo from individual members. They have programs that need to be funded, which is very different than the administration. I didn't compare it to the administration's request. I compared it to what we approved last year.

I think it behooves us to look at the overall growth in this bill, and if you applied it to the rest of Government, we grew the Government by about $700 billion this year. We cannot do that. We cannot do it. So I have asked for a recorded vote on the bill because I want to be recorded as voting against this appropriations bill—not because it is not important to fund these items but because we cannot continue to have these kinds of increases in funding when we have grown the Government by 62 percent over the last 7½ years. That does not count Medicare and Medicaid spending. So I wanted to make that point.

I have a couple of amendments, again, which are directed at directed spending—what we call earmarks. The programs are not bad programs—the very things I am going to outline that I think we ought to transfer money from to something else. But I think people will have a tough time justifying spending on these programs, these directed earmarks, when we should not be spending as much as we are and could be spending it on something that would give us better value for the dollars we spend.

I ask unanimous consent to bring up amendment No. 3243 and make it pending.

The PRESIDING OFFICER. Is there objection?

Ms. MIKULSKI. Mr. President, reserving the right to object, as I said to the Senator, the Senator has every right to bring that amendment up. We are looking at it and trying to come up with a UC. Maybe we can get to your two amendments and we can vote back to back.

Mr. COBURN. I am absolutely fine with that. I will take no more than probably 25 minutes on both of these amendments. I ask unanimous consent that I be given 25 minutes to cover both of the amendments, reserving the remainder of the time if I don't use it, and allowing any opposition the same amount of time, and I will probably not consume that amount of time.

Ms. MIKULSKI. If the Senator will withhold, I am still reserving the right to object while I get clarification. Rather than doing it this way and knowing we are in alignment, can we have a quorum call?

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

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

AMENDMENT NO. 3243

Mr. COBURN. Mr. President, I now ask unanimous consent to call up amendment number 3243.

The PRESIDING OFFICER. Is there objection? 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 3243.

Mr. COBURN. 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 provide $1,680,000 to investigate and prosecute unsolved civil rights crimes in a fiscally responsible manner by prioritizing spending)

At the appropriate place, add the following:

SEC. ____. (a) FINDINGS.—The Senate finds the following:

(1) In February 2006, the United States Attorney General and the FBI director announced a partnership with the NAACP, the Southern Poverty Law Center, and the National Urban League to investigate unsolved crimes from the civil rights era.

(2) Attorney General Alberto Gonzales has pledged that ''The Justice Department is committed to investigating and prosecuting civil-rights era homicides for as long as it takes and as far as the law allows—because there is no statute of limitations on human dignity and justice.''.

(3) In February 2006, the FBI enacted an initiative to identify hate crimes that occurred prior to December 1969, and resulted in death.

(4) The Bureau's 56 field offices have been directed to reexamine their unsolved civil rights cases and determine which ones could still be viable for prosecution.

(5) The FBI has partnered with a number of State and local authorities, civic organizations, and community leaders to reexamine old files.

(6) Since the initiative began, the FBI has received nearly 100 such referrals.

(7) The FBI is continuing to assess each referral for its investigative and legal viability and, given the updated investigative and forensic tools, move forward in investigating these cases.

(8) The United States national debt is nearly $9,000,000,000,000.

(9) Rather than adding to this debt, Congress should offset any new spending from lower priority spending.

(10) Bringing justice to those who have committed ghastly civil rights crimes in a fiscally responsible manner that does not add to the United States national debt should be a higher priority for Congress than funding parochial pork barrel projects.

(b) INCREASED APPROPRIATIONS.—Amounts provided in this Act for the Civil Rights Division within the Department of Justice are increased by $1,680,000 for the prosecution of civil rights crimes.

(c) DECREASED APPROPRIATIONS.—Appropriations in this Act for the following accounts are decreased by the amount indicated:

(1) Ocean, Coastal, and Great Lakes research by $450,000.

(2) Ocean and Coastal Management, National Ocean Service, by $500,000.

(3) Local Warnings and Forecasts, National Weather Service, by $300,000.

(4) National Aeronautics and Space Administration by $800,000.

(5) Education Program, NOAA, by $500,000.

(d) PROHIBITION ON FUNDING.—Notwithstanding any other provision of this Act, there shall be no funding for fiscal year 2008 for the following:

(1) Advanced Undersea Vehicle, Mystic Aquarium-Institute for Exploration, Mystic, Connecticut.

(2) Maritime Museum, City of Mobile, Alabama.

(3) Eye-On-The-Sky, Fairbanks Museum and Planetarium, St. Johnsbury, Vermont.

(4) Adler Planetarium, Chicago, Illinois.

(5) U.S. Space and Rocket Center, Huntsville, Alabama, for an update for the museum and exhibits.

(6) John Smith Water Trail, installation of buoys marking the John Smith National Water Trail on the Chesapeake Bay, the Conservation Fund, Arlington, Virginia.

Mr. COBURN. Mr. President, this amendment is straightforward. There is a bill in the Senate that I am presently blocking from a unanimous consent request, which means I am not necessarily opposed to it; but I don't think the bill ought to come to the floor without being voted on or amended. It is the Emmett Till civil rights bill. This bill is designed to increase the emphasis on unsolved civil rights cases.

A year and a half ago, the Department of Justice initiated a new program for that exact purpose. They put staff on it, funded it, and have since gotten 100 referrals from 42 different offices on unsolved civil rights cases that are 50 years old and older. It is something we should be doing and the Justice Department is doing. I don't think we need another piece of legislation and another law to make us do that. The Justice Department has actually shown they didn't need a law. They were actually doing it.

What this amendment does is transfers from six directed spending items—earmarks—to the Department of Justice Civil Rights Division $1.680 million to augment that process. What it will do is allow them to hire additional people to further define and further investigate these older civil rights cases.

This bill has 600 earmarks in it. This relates to only six earmarks. The total for the earmarks is $458 million. Many of the earmarks in this bill don't do anything to advance the priorities or the mission statements of the three agencies we are funding. What are they? A maritime museum in Mobile, AL; Eye on the Sky Fairbanks Museum and Planetarium in St. Johnsbury, VT; Adler Planetarium in Chicago, IL; U.S. Space and Rocket Center in Huntsville, AL. I have been there; it is a tremendous place. Lastly, the installation of buoys marking the John Smith National Water Trail on the Chesapeake; undersea vehicle for the Mystic Aquarium & Institute for Exploration in Connecticut.

Let's start with the first one. There is $500,000 in this to construct a maritime museum in Mobile, AL. It is probably a great idea, although there are two other maritime museums right now in Mobile. Should we spend $500,000 now, when we are borrowing the kind of money that we are borrowing from our grandchildren, when we are fighting a war we are not paying for and charging to our grandchildren? Should we spend that money now or should we spend the money upholding the law and going after people who violated other people's civil rights? Which is a better value? Which is a better purpose? Which is a better core principle?

I will not go into the details, although I am prepared to do it in rebuttal. There are now 35 maritime museums in the gulf coast region, including two in Mobile. There are funds for this earmark through the competitive grant system. So it is not that this may not even get funded, because it might have to compete with the rest of the museums in the country. Instead, we have directed it.

Earmark offset 2 is for the Fairbanks Museum and Planetarium in Vermont for the Eye on the Sky Program. It is a $300,000 earmark. It is probably a great idea. But is it a priority when we are borrowing money from our grandchildren? Again, this is another program. There is grant money out there for museums. You would have to compete based on the priorities. There is oversight on the grants. On these earmarks, there is no oversight. It can still be funded, on a competitive basis, without an earmark.

The Adler Planetarium in Chicago has net assets right now in excess of $34 million, and we are going to send them $300,000. They have revenues every year in excess of $11 million. There is no reason for us to send that money there now if we are borrowing it from our grandkids. I will limit my debate on that.

One of the things I will tell you—and I will put up a chart. Here is what the Administrator of NASA said about directed spending for earmarks:

> The growth of these Congressional directives is eroding NASA's ability to carry out its mission of space exploration and peer-reviewed scientific discovery.

We are taking away the core mission of one of our premier scientific inquiries in this country when we send money. The redirections as a result of congressional earmarks included half of NASA's education budget, one-twentieth of the exploration budget, and one-twenty-fourth of their science budget. So it is not a small amount with which we are impacting NASA.

The fourth earmark: Spies and Rocket Center in Huntsville, AL. We should know that the State of Alabama is going to have in excess of a $2 billion surplus this year. Let me say that again. The State of Alabama is going to have in excess of a $2 billion surplus this year. They had a $1.7 billion surplus last year. I would think that maybe they ought to fund this instead of our grandchildren.

This is a $500,000 earmark for the Space and Rocket Museum. I have been there. It is a great thing. You ought to go see it. It is well worth your time. But it is something I believe should not be in the priority when we are borrowing the money.

There is $500,000 for an interpretive buoy system. It is a great idea with great historical significance but probably not right now. Should we be spending this money if we are borrowing it against our grandkids? Should we be spending this money when we are growing the budget, this appropriations bill by 11 percent? I don't think so.

Finally, $450,000 for an undersea vehicle in Mystic, CT. This is part of the Mystic Aquarium in Mystic, CT. They could apply for a competitive grant with all the rest of the States and probably get it. It is not a bad idea. It is probably a good idea. It probably promotes tourism, probably enhances the experience at that museum. But, again, is it a priority when we are not funding the war and we are not paying for our excesses and, in fact, probably the greatest moral issue of our day is stealing the future from our grandkids? It is not any of the other social issues. They wane in comparison to taking opportunities from our next generation.

I also advise that the State of Connecticut, according to Connecticut's Comptroller, Nancy Wyman, has a $350 million surplus. So they are not running a deficit; they have a surplus. They could easily grant $500,000 for this museum.

The point of this amendment is let's put dollars where they ought to go and let's stop spending money on lower priorities. It is about priorities. It is not about what is a good program and what is a bad program. It is about what is the greatest priority.

The greatest priority is to ensure people of their civil rights. It has to be greater than these. There cannot be a greater priority than securing the future for the next generations, except we are not going to do that with this bill.

I reserve the remainder of the time I have under the agreement.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I say to my colleague from Oklahoma, I admire his tenacity and consistency in being a steward of the taxpayers' purse, as well as being concerned about future generations. Also, he has often raised issues from which I have benefited. I assure him that both my colleague from Alabama and I have stood squarely on the side of reform as well.

When we did our opening statements today, we said that we were for security, which is helping our law enforcement, innovation, and competitiveness, as well as accountability. We had two reform amendments—one on the NOAA satellite programs that are already running $4 billion in overruns—that is ''B'' as in Barb, not ''M'' as in Mikulski. So we are instituting reforms and actually bringing to the civilian side a Nunn-McCurdy framework for early warnings. So that was one.

The other, as the junior Senator from Oklahoma is aware, the IG at the Department of Justice said we have had some conferences, what we call the ''lavish conference situation.'' One conference had meatballs at $4 a meatball, lobster rolls, limousines. That is not about the kind of training that is supposed to go on at law enforcement conferences. We have had two of those amendments.

Then when we come to Congress—so we have come up with some reforms, and there are others in the bill, but

those are two big ones. There are others in the bill related to congressionally designated projects.

I say to my colleague also that we, meaning Senator SHELBY and myself, said that any congressionally designated project must meet criteria to even be considered. We were not going to have a bridge to nowhere. We were going to, if you will, have bridges to somewhere. They had to be not only for the political benefit, but they had to be tied to mission. They had to have mission and merit and matching funds, the M&Ms: mission, merit, and matching funds.

Let's take the Department of Justice. We would not even think about a congressionally designated project unless it was for prevention, law enforcement or prosecution. There had to be local funds or nonprofits and no construction money.

In the area of Commerce, we said it had to be related to coastal and marine resources. It had to foster understanding of the Earth's environment. It had to create jobs or keep jobs in America. Or it had to enhance the America COMPETES Act, which means science, technology or education.

I could also go through the NASA criteria which, again, was science and research, education to promote the engagement of science and engineering, as well as aeronautics research, and, again, no private facility construction.

I will not go through justification of each and every one of those projects. I know the Senator from Connecticut will speak to his. I will speak to mine in a moment.

We have buoys—not like boys and girls, but buoys, such as b-u-o-y-s, buoys on the Chesapeake Bay. They are NOAA buoys. We have to have them anyway, and they give important navigation information, as well as readings on temperature, tides, and so on, that is so important to keep our commercial shipping lanes open and are great aids to the commercial and sports fishing industry.

We had the commemoration of Jamestown, and in the commemoration of Jamestown, they celebrated CAPT John Smith's voyage on the Chesapeake Bay by mapping it. What we did, working with the National Geographic Society that actually raised the money for this project, was add items to these buoys that would also tell the history, when you got up close to it, of what occurred in that geographic area. These buoys provide important navigation, and now they add value to history.

Why is that important? It is important, first of all, for navigation reasons. It is important to also help us for weather reasons because if we know our tides and temperatures, it will help.

I will tell my colleagues what gets people interested in science and engineering in my State. It is kids working hands on in science, not reading books about science but hands on, doing the science. That is why they love to come to our aquarium or to our Maryland Science Center. Teachers all over the Delmarva, including the great State of JOHN WARNER, whom we salute today and wish him well, they get into science, and that is what promotes their interest in wanting to be scientists and engineers. If they don't want to be scientists or engineers, maybe they want to be doctors, nurses or lab techs. There are so many ways people now come into science in addition to engineering and Ph.D.s, and we need them.

Many of these projects that are listed here—and we know we will hear about planetariums, we will hear about the grand and spectacular work of Dr. Ballard that is exciting so many people, and we salute him because Captain Ballard found the *Titanic*. We have to make sure science and education is not a sinking ship hit by the iceberg of chilling cuts in our programs.

I know my metaphors are going too far, but what I want my colleagues to know that we were not cavalier and said: Just give us any request and we will fund it. We screened them. We scrutinized them. They had to be mission and merit and have matching funds. We believe we have met this criteria. That is on the earmark reform.

On the issue of civil rights, I salute, again, our colleague from Oklahoma on the issue of wanting to investigate these cold cases but assure him that throughout our bill, we have a vigorous civil rights enforcement. I thank my colleague from Alabama for being such a stalwart ally on this issue.

First of all, we actually have money in the bill, close to $378 million for the EEOC. While we are not only looking at cold cases, we are looking at hot cases right here and now and dealing with a terrible backlog.

We also funded $9 million for the Commission on Civil Rights. But along with that, $116 million went to the Civil Rights Division at Justice to pay for 760 attorneys and support staff. Also, money went to the U.S. attorney to investigate crimes, including hate crimes and civil rights violations.

We also put in $370 million for the FBI for over 270 agents to investigate civil rights violations, those that have occurred now and also those very sad cold cases. So $370 million, $116 million, and it goes on and on. The totals, actually when we count what we fund for U.S. attorneys, my staff tells me it is $3 billion. Those U.S. attorneys do other things as well.

We think we did a good job dealing with the backlog at EEOC, reforming them, getting them refocused, funding the FBI, funding the Civil Rights Division, funding the Commission on Civil Rights, funding the Legal Aid Corporation, and so on. We funded those enforcement and prosecution issues related to cold cases but also current cases where we want to see justice done.

I oppose the amendment of the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, first, I say to Senator MIKULSKI, she should be unrestrained in her metaphorical employments. I thought they were both creative and inspirational, as is the bill she brings before the Chamber, with Senator SHELBY as well.

I rise to speak against the Coburn amendment. I will file some statements in the RECORD, but I say to Senator MIKULSKI and Senator SHELBY, I thank them, before I get to the amendment, for the extraordinary work they have done and particularly on matters of local law enforcement which are so critical to the safety and well-being of our communities and our people. They stood up together in a bipartisan way. These programs have worked to reduce crime in our neighborhoods. I wanted to take this opportunity to thank them.

Why do I oppose the Coburn amendment? Because the amendment would prohibit any funding of a program that happens to be located in Connecticut, in Mystic, CT, but is a program of real national significance run by Dr. Bob Ballard, who is a national asset. He is an extraordinary visionary, explorer, scientist, public servant, really an American patriot in the best sense of the term.

Generally speaking, when I sought reelection last year and my opponent attacked me about earmarks, I said there are good earmarks and there are bad earmarks. A lot of what we do here has to do with earmarking, to either add or subtract to the budget or to authorization bills, and I think people understand that.

I rise to say that it would be a terrible result if, in pursuit of this amendment, which I know the Senator from Oklahoma offers for reasons that are fiscal, he eliminated the funding of the advanced undersea vehicle at the Institute for Exploration, which happens to be located at the Mystic Aquarium.

Now, the first thing I want to say is that the Institute for Exploration is run by Dr. Bob Ballard, who, as Senator MIKULSKI said, is not only nationally famous but probably world famous as the man who discovered the *Titanic* and who went on to discover the *Bismarck* in 1989 and the USS *Yorktown* in 1998. These are remarkable historic achievements. He is a kind of ocean archeological explorer. I am sure most people hearing my voice have seen Dr. Bob in one or another TV program describing his extraordinary work, but let me first say it happens to be located at the Mystic Aquarium. It was a major achievement when we convinced Dr. Ballard to locate there—the State did. How do I compare it? In this time of baseball playoffs, without demeaning either side here, it would be like the Yankees acquiring A-Rod or the Red Sox getting Josh Beckett. When Dr. Bob Ballard agreed to bring his Institute for Exploration to Mystic, CT, we were thrilled. And I do want to

stress that it is a separate institute that happens to be located alongside and at the aquarium site. Tourists have some access to part of its educational aspects, but it is separate. It is not just part of the aquarium.

This $450,000 is not a lot of money in a budget the size of our budget, but it is going to be used to improve the sonar on the unmanned technology for undersea mapping. In other words, there is an advanced undersea vehicle that Dr. Ballard and his team use for undersea mapping, and this money will help him upgrade the sonar to chart currently unexplored regions of the world's oceans.

Dr. Ballard does this out of his general sense of inquiry, of scientific inquiry, to use the extraordinary tools of modern technology to teach us things about most of the globe that is underwater that we have never known much about. But he does it also in the aftermath of a career in the U.S. Navy, 30 years both Active and in the Reserve as an oceanographer and a naval intelligence officer. During his long career, he has been called upon to use his advanced underwater systems to carry out a number of highly classified missions for the U.S. military.

The sonar mapping technology that this $450,000 will help facilitate is very important to the Navy, and its development has been supported by the Office of Naval Research because of its military applications in support of submarine warfare and countermine measures. The money is in this bill because it is strongly supported also by the National Oceanographic and Atmospheric Administration, part of the Department of Commerce, part of the jurisdiction of this subcommittee of the Appropriations Committee, and NOAA supports it because of its enormous potential to explore the uncharted regions of the oceans for many reasons, including in search of precious natural resources.

So what I am saying is the project, to our great pride, has a Connecticut address, but it is a technology that is critical for national security and even international scientific research.

I wish to go one step further here about a bonus. I have been to visit this institute of Dr. Ballard's in Mystic several times. It is a remarkable place. I would urge anybody who is in Connecticut to go see it. But one of the things he has done, because he is a real educator, he has set up a system, an educational program where he can actually bring his scientific work to students around the country. It is called Immersion Presents—an afterschool program. He actually has the capability to project his expeditions, including the mapping expeditions that would be improved by this $450,000, via the Internet to over 140 Boys Clubs and Girls Clubs across the country. For 7 consecutive days, Dr. Ballard's research mission has broadcast live to thousands of students. So he will use the money for this, as he has in 10 previous expeditions, to continue this Immersion Presents Program. This is a tremendous educational device. If you want to excite American kids about going into science, what a thrilling way to do it.

So with all respect to my colleague, and I respect what he is trying to do, I think he has hit something here that ought not to be hit. If it loses its funding, it will not just be a loss for the institute or Dr. Ballard or the State of Connecticut, it will really be a loss for our Nation, both in terms of scientific inquiry for our Nation and also, I would suggest, national security. So I thank Chairman MIKULSKI and Senator SHELBY for including this in their recommendation to the Senate, and for that reason I would urge the rejection of the amendment offered by the Senator from Oklahoma.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from Oklahoma.

Mr. COBURN. Mr. President, first of all, I would concede the value of what Dr. Ballard has done. But the question isn't whether this should get funded; the question is, Who should fund it?

National Geographic made $15 million last year. They are a nonprofit organization. They had revenues of over $1 billion. The State of Connecticut is going to have over a $300 million surplus. I don't doubt that this is a very worthy cause. The question is and what the American people are asking this body to do is to start making priorities out of priorities.

I think this is a very valid project. He is one of 11 resident scholars for National Geographic. I have studied the issue. It is not about whether it is a priority for them. The question is, Who ought to be paying for it? In a time when we don't have any money, when the dollar is sinking, when we are spending more and we are already funding a war and charging the war to our kids, what we are setting up is we are going to continue to do things that don't have to be done by us when somebody else could do it. Consequently, we are going to borrow the money.

There is half a billion dollars worth of earmarks in here, I would say to my friend from Connecticut, and all of them have some merit. The question is, Who should be paying for some of these? There are competitive grants on museums that are run well by this Government. They are very competitive. They can get the $450,000 through a competitive grant. They can apply for that. There is oversight on that. There is a competition among priorities when we do that and run it. When we put it in directly, we, No. 1, consign our kids to paying for it, and No. 2, we don't put the responsibility on anybody else.

Now, if this is really necessary, National Geographic will stand up and put the $450,000 into it, or if it is important to the education and instruction in the State of Connecticut, with a $300 million surplus, they can put in the $450,000. But our choice here today is, we are just going to charge it to our grandkids.

We don't have this money. This bill has grown by almost 10 percent over what we funded last year. If you took all the directed earmarks out of it, we would be growing by about 4½ percent. So it is important for the American public to see the impact when we direct spending.

The purpose of this exercise—and I will continue to do this as long as I am in the Senate—is to try to force us into making the hard choices we really don't want to have to make. I believe this committee did a good job of setting the parameters and trying, but there is a new standard, and the standard has to be, would you put in your own money? That is the standard we ought to go by because what we are really doing is transferring the cost of all these things to two generations, and it goes completely opposite of the heritage of this country.

D-day starts January 1, 2008. You know what D-day is? It is the first year of the baby boomers. It is the first year we start going down the tubes on Medicare and Social Security. And we can't even bring a bill to the floor that constrains spending to 4 percent or 5 percent—1½ times inflation. The American public doesn't have that option with their budgets because they do not have an unlimited credit card. We just increased the debt limit on this country by $950 billion. Five times since 1997 have we done that. When a child is born today, not counting that debt, which is $30,000 per man, woman, and child, there is $400,000 worth of unfunded liabilities lying on each of those children.

My point is, and I will quit talking about it—and I am not going to offer the second amendment—we need to wake up and see that we can't do everything we would like to do. We ought to be doing what is absolutely necessary and we ought to be paying for this war. We ought to be making the hard choices and paying for the war.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I wish to respond briefly to my friend from Oklahoma.

I respect what he is about. I think we all understand we have to bring spending under control. In fact, earmarks are down generally in the appropriations process this year. But, again, there are good earmarks and bad earmarks. It is part of what the people elect us to do, and I came to the floor to defend this earmark.

I do want to say to my friend from Oklahoma that I am pretty sure, though I haven't had a chance to check it exactly, that the State of Connecticut is supporting some of Dr. Ballard's programs. I hadn't thought about National Geographic. Maybe you and I should go to Dr. Ballard and try to get some money from him for what——

Mr. COBURN. I will be on the next airplane with you.

Mr. LIEBERMAN. —for what he is doing. But I do want to say this is not the Mystic Aquarium; this is the Institute of Exploration, which happens to be at the Mystic Aquarium. This really does serve a national purpose and really an international purpose but a great one for America—mapping the ocean floor for the use and the potential development of precious natural resources, and it is supported by the Navy because it is of direct use to the Navy.

Now, I know my friend from Oklahoma is very principled in his fight, so what I am about to say will not affect him. But my staff just told him there are a bunch of students in Oklahoma who get to watch Dr. Ballard—I know, you love him—and his undersea immersion work, and this $450,000 will make that even better than it already is.

There are times when I will support the Senator from Oklahoma in some of his efforts because overall they are right. I think all of us know there is a larger problem beyond earmarks in dealing with our fiscal imbalances. But today, because I think he has struck some targets here that don't deserve to be struck, I respectfully urge rejection of his amendment.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to speak about the underlying bill, and I will just take a few minutes to do so.

Today, the Senate is debating a bill that ensures our homes and communities are safe, it keeps us a world leader in scientific research, it promotes economic development across the Nation, and it funds our national census. I am here today because I strongly support the bill and I wanted to commend Chairman MIKULSKI for her work, as well as the ranking member.

It reflects many of our Nation's top domestic priorities: putting more police on our streets through the COPS program, ensuring the FBI has the tools it needs to fight domestic terrorism, providing the DEA with resources to win the war on drugs, and protecting our children from sexual predators. I am proud to say there is much in this bill to celebrate. And it comes not a day too soon.

Last week the FBI released its latest report on crime in America. The news was not good: crime is up for the second year in a row.

It is no coincidence that this rise in crime follows years of repeated cuts to the COPS program by the Bush administration and the Republican Congress.

In 1994, COPS put more than 100,000 new officers on the streets. According to the Government Accountability Office, every dollar spent on COPS stopped 30 crimes from happening—every dollar stopped 30 of our neighbors, friends and family from being victimized. In my opinion, that is a dollar very well spent.

Take a look at this chart. The red line indicates the number of homicides per 100,000 citizens. The blue line indicates the number of police officers. Every time the number of police officers on patrol decreased, the number of homicides increased. This is simple commonsense: more police means less crime. Yet the Bush administration chose to kill funding for the very program that is responsible for hiring more police officers to protect our communities. And predictably, as this chart clearly illustrates, the results have been disastrous.

It is time to reverse that course. This bill provides $2.7 billion for State and local law enforcement—$1.6 billion more than the President's request. With this money, our police will be able to prevent gang violence, to combat drug crimes, and to catch child predators. This bill also adds 100 FBI agents whose specific purpose is fighting the rising threat of violent crime. It lifts a hiring freeze on DEA agents and puts 200 new agents on the beat.

But, while this bill does a lot to ensure the safety of our communities, there is still work to be done. That is why I am pleased that Chairman MIKULSKI and the ranking member supported our amendment, an amendment that doubles the funding for juvenile mentoring programs. They care about that effort.

It is no secret that juvenile crime—particularly juvenile gang activity—is a serious problem in this country. That is why Senator FEINSTEIN and I worked so hard to pass the Gang Abatement and Prevention Act of 2007. One of the biggest problems contributing to gang activity and gang crime is a lack of direction and lack of supervision in the lives of teens.

Nor is it a secret that providing good role models and more structure in the lives of teens has a significant impact in reducing gang activity and violence. That is why we need to beef up our juvenile mentoring programs.

The Juvenile Mentoring Program was established in 1992 with the specific goals of reducing juvenile delinquency and gang participation, improving academic performance and reducing school drop out rates. Programs funded under the Juvenile Mentoring Program initiative link at-risk children, particularly those living in high-crime areas and those struggling in school, with responsible, working adults. These children receive the structure and support that is otherwise missing in their lives. They learn about the dangers of drug use, the perils of gang involvement, and the importance of staying in school. In other words, programs like these provide children with the tools they need to avoid the pitfalls of gangs and violence, to rise above the situation they were born into, and to make a better life. I can think of no other program more deserving of increased funds and commend my colleagues for recognizing this need and passing my amendment.

I want to mention the one difference I have with this bill, one that has to do with a policy known around here as the Tiahrt Amendment.

No matter how many great programs we fund in this bill, no matter that we doubled funding for the Juvenile Mentoring Program, we will never successfully stop violence unless we work to combat the illegal use of guns. Gun violence is one of the most serious problems facing our Nation. Every day on average, 81 more Americans will be shot dead—many of them innocent victims, including children. This is unacceptable. But, it is even more unacceptable for us, as legislators, to allow it to continue.

But that is exactly what a provision in this bill does with its Tiahrt provision. This provision could prevent the sharing of gun trace data among law enforcement agencies. It will prevent the ATF from providing trustworthy national data about the flow of crime guns. It will make it harder to figure out where illegal gun activity is most prevalent and what we can do to stop it. Without this data, our state and local law enforcement will have a much harder time combating violence in our communities and making us safe.

It should be a priority for all of us to better understand gun crime, so we can better prevent it. But with the Tiahrt provision, data that is essential to understanding gun trafficking and violence will be concealed from law enforcement, concealed from lawmakers, and concealed from the public. There is simply no way to make good policy without having good information, good data to base it on.

When convicts get released from prison, we keep their fingerprints on file. But when a gun gets confiscated, information about it gets treated like a State secret. Police can share fingerprint data across state lines, because criminals move across State lines. But under this bill, gun data has to be kept within a small geographic area.

I am very disappointed that this language has been included in the bill. But, it is a battle I will seek to fight with others on another day. And, be assured, I will.

As I said before, there is much for us to celebrate in this bill. And there is more to celebrate having accepted my amendment to double the funding for Juvenile Mentoring programs.

I look forward to supporting the Appropriations bill and I urge my colleagues to do the same.

Mr. CARDIN. Mr. President, I rise in opposition to the amendment offered by the junior Senator from Oklahoma. One of the items he seeks to eliminate funding for is the Chesapeake Bay Interpretive Buoy System. This system has support from both the President and the Congress. To develop the system, the NOAA Chesapeake Bay Office partnered with the National Park Service, National Geographic Society, Conservation Fund, the Chesapeake Bay

Foundation, Sultana, Verizon, and others to determine the requirements for the interpretive buoy system.

These requirements defined needs for a new type of buoy, capable of collecting environmental data—winds, waves, and currents—for users; water quality data for monitoring the health of the bay; and a system for communicating historical and cultural information through cell phone technology and shore-based computer networks to the public and into the classroom.

These buoys are an innovative component of the U.S. Integrated Ocean Observing System, IOOS, a NOAA priority, which supports safety and efficiency of marine operations, public safety, studies of climate change and variability, and protection and restoration of healthy marine ecosystems. In addition to providing interpretive information—environmental, geographical, historical—to citizens of the watershed, this system is part of the NOAA Education Program, developing and delivering new science curriculum based on real-time environmental observations to Chesapeake Bay classrooms, thus serving as a pilot for similar national programs.

The interpretive buoy system is a part of IOOS. IOOS is a priority both in the President's Ocean Action Plan and for NOAA. CBIBS is a component of the Chesapeake Bay Observing System, part of IOOS, providing water quality measurements such as dissolved oxygen, salinity, temperature, clarity, and chlorophyll content; wind speed and direction, wave height and direction, air temperature, barometric pressure, and relative humidity; and current velocity and direction from the surface to the bottom.

The Chesapeake Bay is the largest estuary in the United States, being 200 miles long. The width of the bay varies from 3.4 miles across to 35 miles across, near the mouth of the Potomac River. The shoreline of the Chesapeake Bay and its tidal tributaries, including all tidal wetlands and islands, is over 11,600 miles. Until these buoys were deployed, NOAA weather forecasters only had one platform, Thomas Point Light, providing measurements for daily forecasts for the bay. With these additional real-time data sets, forecasters can better predict weather and water conditions on the bay supporting safety and efficiency of marine operations, public safety, and marine navigation.

This congressionally designated project is not just a merit-based program. It is an especially economical one. We get multiple benefits from this single science platform in the bay. It is a worthwhile program and warrants our strong support.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SHELBY. Mr. President, I move to table amendment No. 3243 and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

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

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

The result was announced—yeas 61, nays 31, as follows:

[Rollcall Vote No. 363 Leg.]

YEAS—61

Akaka	Gregg	Nelson (NE)
Alexander	Harkin	Pryor
Allard	Inouye	Reed
Baucus	Johnson	Reid
Bennett	Kennedy	Rockefeller
Bingaman	Kerry	Salazar
Bond	Klobuchar	Sanders
Boxer	Kohl	Schumer
Brown	Landrieu	Sessions
Byrd	Lautenberg	Shelby
Cantwell	Leahy	Snowe
Cardin	Levin	Specter
Carper	Lieberman	Stabenow
Casey	Lincoln	Stevens
Cochran	Martinez	Tester
Conrad	McCaskill	Voinovich
Crapo	Menendez	Webb
Dole	Mikulski	Whitehouse
Dorgan	Murkowski	Wyden
Durbin	Murray	
Feinstein	Nelson (FL)	

NAYS—31

Barrasso	DeMint	Lott
Bayh	Ensign	Lugar
Brownback	Enzi	McCain
Bunning	Feingold	McConnell
Burr	Graham	Roberts
Chambliss	Grassley	Smith
Coburn	Hatch	Sununu
Coleman	Hutchison	Thune
Collins	Inhofe	Vitter
Corker	Isakson	
Cornyn	Kyl	

NOT VOTING—8

Biden	Dodd	Obama
Clinton	Domenici	Warner
Craig	Hagel	

The motion was agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote.

Mr. NELSON of Nebraska. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENT NO. 3240

Mr. DORGAN. Mr. President, I intend to offer an amendment. I have spoken at some length with the managers, and I will withdraw the amendment, but I want to offer the amendment and talk about it because I have received from them assurances of cooperation on this issue. It is a very important issue. What I would like to do is ask unanimous consent that the pending amendment be set aside so that I might offer an amendment.

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

Mr. DORGAN. I call up amendment No. 3240 which is at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself, Mr. BINGAMAN, Mr. TESTER, Mr. BAUCUS, Ms. CANTWELL, and Mr. THUNE, proposes an amendment numbered 3240.

Mr. DORGAN. 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 funding for crime control and methamphetamine abuse projects for Indians, with an offset)

On page 27, line 8, strike ''$104,777,000'' and insert ''$84,777,000''.

On page 54, strike lines 15 through 17 and insert the following:

(A) $25,000,000 shall be available for grants under section 20109(b) of the 1994 Act (42 U.S.C. 13709(b));

On page 54, strike lines 20 through 22 and insert the following:

(C) $10,000,000 shall be available for demonstration projects relating to alcohol and crime in Indian Country, of which $5,000,000 shall be used to address the problem of methamphetamine abuse in Indian Country;

On page 59, line 11, strike ''$35,000,000'' and insert ''$40,000,000''.

Mr. DORGAN. I offer this amendment on behalf of myself and Senators BINGAMAN, TESTER, BAUCUS, CANTWELL, and THUNE. This amendment deals with the issue of the criminal justice systems on Indian reservations. Before I talk about the amendment itself, I thank Senator MIKULSKI and Senator SHELBY for the bill they have put together. The legislation they bring to the floor from the Appropriations Subcommittee is an important and marked improvement on what the President has requested.

Let me describe what the President requested with respect to law enforcement activities on Indian reservations. Why is this important? Because we have a trust responsibility on Indian reservations, and we are not meeting it. For the tribal jails discretionary grants program in the year 2000, there was $34 million; the President requested zero this year. My colleagues, Senators MIKULSKI and SHELBY appropriated $15 million. Tribal courts assistance, the same thing; tribal COPS, $40 million in the year 2000, zero in the Administration's 2008 request. Senator MIKULSKI and Senator SHELBY restored that to $35 million. The list goes on.

The question is this: Do we or do we not have a responsibility to fund these

law enforcement responsibilities that we have on Indian reservations? Last week my committee, the Indian Affairs Committee, heard testimony. Let me describe a bit of that testimony. A recent report shows that 34 percent of Indian women will be raped or sexually assaulted during their lifetimes. One-third of Indian women will be raped or assaulted during their lifetimes. We heard from one retired Bureau of Indian Affairs police officer who worked on one of the Indian reservations: ''We all knew they would only take cases with a confession. We were just too loaded down. We were forced to triage our cases.''

When this type of violence becomes commonplace, so commonplace that the police have to triage rape cases, something is wrong. Somebody needs to take action.

We had other testimony that the call to the police in an emergency, in a circumstance where there is a violent crime being committed or just was committed, in some cases it takes an hour or an hour and a quarter to receive a response from a law enforcement official.

There are fewer than 2,000 Federal and tribal law enforcement officers who patrol more than 53 million acres of land. In North and South Dakota we have four police officers patrolling the 2.3 million acres of Standing Rock Sioux Indian Reservation. Survivors of violent crimes report waiting hours—in some cases days—for the police to respond to their urgent calls.

The other issue is the lack of jail space, the lack of places to incarcerate violent criminals. Tribal jails face a $400 million backlog in funding. I have been to tribal jails. I have seen young kids lying on the floors of these jails. The detention centers are unbelievably deplorable, in many cases. One Federal official said that the lack of detention facilities means that this whole system is a catch-and-release jail system. The law enforcement officials of the tribe catch the criminals, and they are forced to release many of them right back into the community to commit another crime.

We also heard testimony last week about the Indian reservations becoming soft targets for criminal organizations because of this neglect. That is not the choice of the Indian tribes. The fact is, they don't want this happening on the reservations. In May 2006, Federal officials seized a methamphetamine business plan. It outlined how the organization wanted to replace alcohol abuse with meth abuse on the Indian reservation because these are the most vulnerable citizens. It outlined how non-American Indians should handle the drugs, and it explained that tribal police couldn't arrest them while they are on the reservation. These stories are unbelievable. Again, a report that says one-third of Indian women during their lifetime will be raped or sexually assaulted, and we don't have adequate law enforcement protection.

We have a couple million American Indians living on reservations. The system that was established over a century ago was that the Federal Government was going to have the basic law enforcement responsibility, and we have not met it. We have not met our responsibilities in health care, in education, in housing, and we have not met them in law enforcement.

I have described on this floor ad nauseum the situation with health care. We have responsibilities for two groups of people for health care. We have responsibility for every one we throw into a Federal penitentiary. They are our prisoners. We provide for their health care. We have a trust responsibility for medical care for American Indians. That is because that is a decision our country made a long time ago. We spend twice as much per person providing health care for Federal prisoners than we do to meet our obligation to provide health care for Indians. Many of these kids, many of the elders go wanting for health care in a country like ours.

I am talking now not about health care or housing or education where we have a full-blown crisis. I am talking about law enforcement, the basics. If your life is not free from violence, you are always afraid. The fact is, we have circumstances where we have inadequate jail space. We have in many cases circumstances where violent crimes are committed, and yet they must be investigated by the FBI. They must be investigated by the U.S. Attorney's Office and prosecuted by the U.S. Attorney's Office. The fact is, resources do not exist. That is the problem.

My proposal is simple. My amendment was to increase the funding in this legislation in two areas: one dealing with detention centers, and that is an urgent situation that is in need of a response. In the second area we provide a grant program to be increased, as it properly should, to deal with the issue of alcohol and methamphetamine. Methamphetamine is a scourge on Indian reservations. They are being targeted by gangs and by organized crime. They are being targeted by non-Indians. They don't have the law enforcement capability to take care of it. The question is, are we going to do that?

AMENDMENT NO. 3240, WITHDRAWN

My colleagues from Maryland and Alabama have been very helpful in saying they are willing to work with me to increase these accounts and find ways to fund these things. As a result, I will ask that my amendment be withdrawn because we have made progress in commitments from those two legislators. I thank them. I ask unanimous consent to withdraw the amendment.

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

Mr. DORGAN. I look forward to working with them. In the next 5 or 6 months we are going to make some real progress.

The PRESIDING OFFICER. The amendment is withdrawn.

Ms. MIKULSKI. Mr. President, I salute the Senator from North Dakota. I have found his comments about those women being raped to be devastating, and I know we are going to continue to work with him.

AMENDMENT NO. 3250

I now ask unanimous consent that amendment No. 3250 be agreed to.

The PRESIDING OFFICER. Is there objection?

Without objection, the amendment is agreed to.

The amendment (No. 3250) was agreed to.

Ms. MIKULSKI. Mr. President, I move to reconsider the vote.

Mrs. HUTCHISON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I commend Senator MIKULSKI and Senator SHELBY for the work they have done on the amendment that just passed. This is a major step in the right direction to assure that America stays in the forefront of space technology, of the research, of the quality of life that we have gained from being the first in space. I commend Senator MIKULSKI—I have so enjoyed working with her—and Senator SHELBY for working with us in support of the amendment that was just added to the bill.

AMENDMENT NO. 3233, AS MODIFIED

Ms. MIKULSKI. I ask unanimous consent that notwithstanding the adoption of amendment No. 3233, it be modified with changes at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

On page 70, between lines 10 and 11, insert the following:

SEC. 217. Notwithstanding any other provision of this title—

(1) the amount appropriated in this title under the heading ''GENERAL ADMINISTRATION'' is reduced by $10,000,000;

(2) the amount appropriated in this title under the heading ''VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS'' under the heading ''OFFICE ON VIOLENCE AGAINST WOMEN'' is increased by $10,000,000; and

(3) of the amount appropriated in this title under the heading ''VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS'' under the heading ''OFFICE ON VIOLENCE AGAINST WOMEN''—

(A) $5,000,000 is for grants to encourage arrest policies, as authorized by part U of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.);

(B) $4,000,000 is for engaging men and youth in prevention programs, as authorized by section 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–4); and

(C) $1,000,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the Violence Against Women Act of 1994 (42 U.S.C. 14043f).

Ms. MIKULSKI. Finally, I ask unanimous consent that all first-degree

amendments to H.R. 3093 must be filed at the desk by 2:30 p.m. Monday, October 15.

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

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I wish to say thank you to my colleagues. I am so grateful. We have worked this thing pretty hard. It is right that NASA be given some of these funds they had to expend on an emergency basis for the recovery to flight of the Space Shuttle Columbia. I want the chairman and the ranking member to know how profoundly grateful I am for their leadership in making this happen.

Now we have the challenge of going to the conference committee to make it stick. I am so grateful for your leadership.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I yield to the distinguished Senator from Pennsylvania. We had this pressing amendment we needed to get done, but the Senator from Pennsylvania and the Senator from Ohio have been very patient. I will now yield such time as he may consume to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I thank you and commend the work of our senior Senator from Maryland on this bill and so many others. I appreciate her hard work on this bill and giving us this time.

AMENDMENT NO. 3256

Mr. President, I ask unanimous consent that the pending amendment be set aside, and I call up amendment No. 3256 and ask for its immediate consideration.

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 Pennsylvania [Mr. CASEY], for Mr. BIDEN, for himself, Mr. KOHL, Mr. BINGAMAN, Mrs. CLINTON, Mr. KERRY, Mr. LEVIN, Mr. KENNEDY, Mr. BAYH, Ms. CANTWELL, Mrs. BOXER, Mr. SCHUMER, Mr. DODD, Mr. CASEY, Ms. COLLINS, Mr. CARDIN, Mr. REED, and Mr. NELSON of Nebraska, proposes an amendment numbered 3256.

The amendment is as follows:

(Purpose: To appropriate an additional $110,000,000 for community oriented policing services and to provide a full offset for such amount)

On page 57, line 7, strike ''$550,000,000'' and insert ''$660,000,000''.

On page 60, line 2, strike ''and'' and all that follows through ''Funds'' on line 3, and insert the following:

(12) $110,000,000 is for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title, notwithstanding subsection (i) of such section; and

(13)

On page 97, between lines 19 and 20, insert the following:

Of the unobligated balances made available for the Department of Justice in prior fiscal years, $110,000,000 are rescinded.

Mr. CASEY. Mr. President, I rise on behalf of Senator BIDEN, who cannot be here today, and I join him in offering an amendment to provide funding for hiring more officers for the Community Oriented Policing Services Program, or what is known popularly as the COPS Program.

Joining us on this amendment are Senators MIKULSKI, KOHL, BINGAMAN, CLINTON, KERRY, LEVIN, KENNEDY, BAYH, CANTWELL, BOXER, SCHUMER, DODD, COLLINS, CARDIN, REED of Rhode Island, and NELSON of Nebraska.

Mr. President, I also ask unanimous consent that Senators LAUTENBERG and KLOBUCHAR be added as cosponsors, as well as Senator WHITEHOUSE from Rhode Island.

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

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

Mr. CASEY. I will.

Mr. LEAHY. Mr. President, I would like the Senator from Vermont to also be added as a cosponsor of the amendment.

Mr. CASEY. Mr. President, I ask unanimous consent that the Senator from Vermont, Mr. LEAHY, be added as a cosponsor of the amendment.

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

Mr. CASEY. Mr. President, the COPS Program was created in 1994, known then as the Biden crime bill, in response to historically high rates of crime. Over 100,000 community policing officers were hired to work the streets of communities across America.

This successful program not only increases the number of police officers on the street to fight crime but also emphasizes building collaboration and partnership between the community and law enforcement so we can prevent crime in addition to fighting crime. Crime was driven down from all-time highs to historic lows. It stayed low until about 2 years ago, when budgetary cuts by this administration began to show up in rising crime statistics.

Data released this week from the FBI shows that violent crime has increased again for the second year in a row. Philadelphia is one of several cities that is experiencing severe problems with violence. Although the crime increases of the past 2 years may be characterized by some as minor, they are alarming because they follow a steady 10-year decline in crime rates across the country.

Why is this alarming increase in effect? Well, some researchers and experts predict that the uptick in crime rates are in part due to the administration's budget cuts. In recent years, billions in Federal funding for State and local law enforcement have been cut—including the near complete elimination of the COPS hiring program.

As a result, once again crime is rising across the Nation. The latest FBI crime reports showed a 1.9-percent increase in violent crime. This is the first 2-year increase in crime rates since the COPS Program was first created and hiring was funded. It is no coincidence that when Congress funded COPS, crime went down, but when the administration eliminated the COPS hiring program, crime began to rise.

I would argue that if the President of the United States can find billions for tax breaks for wealthy Americans, he should be able to find funds for putting police on the streets of America.

Independent studies have verified the effectiveness of the COPS Program. The GAO found a statistical link between the COPS Program grants and reductions in violent crime. The Brookings Institute reported that COPS is one of the most cost-effective options for fighting crime. They found it saves lives and saves money.

So it is critical that Congress funds not only priorities overseas but here at home. Rising crime is an alarming and complex problem. There is no one solution, but having more cops on the street is part of the solution.

I urge my colleagues to join Senator BIDEN and our numerous cosponsors in increasing funding for this critical program that will provide us with more law enforcement on the streets and greater safety in our communities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

AMENDMENT NO. 3218

Ms. MIKULSKI. Mr. President, I call up amendment No. 3218 by Senator MURRAY and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendments?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], FOR MRS. MURRAY, for herself, Ms. CANTWELL, Mr. LEAHY, Mr. SCHUMER, and Mr. CRAPO, proposes an amendment numbered 3218.

Ms. MIKULSKI. 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 provide funds for the Northern Border Prosecutor Initiative)

On page 53, line 11, after ''officers'' insert ''and of which $20,000,000 shall be for the Northern Border Prosecutor Initiative to reimburse State, county, parish, tribal, or municipal governments only for costs associated with the prosecution of criminal cases declined by local United States Attorneys offices, subject to section 505 of this Act''.

AMENDMENT NO. 3218, AS MODIFIED

Ms. MIKULSKI. Mr. President, I send a modification to the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

On page 53, line 3, strike ''400,000,000'' and insert ''$420,000,000''.

On page 53, line 11, strike the semicolon, add a comma and add ''and of which $20,000,000 for a Northern Border Prosecutor Initiative to reimburse State, county, parish, tribal, or municipal governments only for costs associated with the prosecution of criminal cases declined by local United States Attorneys offices, subject to Section 505 of this Act;''.

At the appropriate place, add the following:

''the amount appropriated in this title under the heading ''GENERAL ADMINISTRATION'' is reduced by $20,000,000;''.

Ms. MIKULSKI. Mr. President, this amendment, as modified, has been cleared on both sides of the aisle and I urge its immediate adoption.

The PRESIDING OFFICER. Is there further debate on the amendment?

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

The amendment (No. 3218), as modified, was agreed to.

Mr. SHELBY. Mr. President, I move to reconsider the vote.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3225

Ms. MIKULSKI. Mr. President, I now call up amendment No. 3225 by Senator REID of Nevada and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for Mr. REID, proposes an amendment numbered 3225.

Ms. MIKULSKI. 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 require an analysis of the methods for collecting data regarding the status of the United States economy and a determination of whether the current data results in an overstatement of United States economic growth, domestic manufacturing output, and productivity)

On page 26, after line 24, insert the following:

SEC. 114. UNITED STATES ECONOMIC DATA. (a) Of the funds provided in this title for Economic and Information Infrastructure under the heading ''ECONOMIC AND STATISTIC ANALYSIS'', $950,000 shall be used to carry out the study and report required under this section.

(b) Not later than 60 days after the date of the enactment of this Act, the Secretary of Commerce shall enter into a contract with the National Academy of Sciences to conduct a study and report on whether the import price data published by the Bureau of Labor Statistics and other economic data collected by the United States accurately reflect the economic condition of the United States.

(c)(1) The report required by subsection (b) shall include an analysis of the methods used to determine the condition of the United States economy and shall address—

(A) whether the statistical measure of the United States economy correctly interprets the impact of imports and outsourced production;

(B) whether the statistical measures of the United States economy result in an accurate report of United States gross domestic product (GDP), productivity, and other aspects of economic performance;

(C) whether the impact of imports on United States manufacturing levels and competitiveness is accurately reported; and

(D) whether other countries are accounting for import prices more accurately or frequently than the United States.

(2) If the findings of the report indicate that the methods used for accounting for imported goods and United States wages result in overstating economic growth, domestic manufacturing output, and productivity growth, the report shall include recommendations with respect to—

(A) what actions should be taken to produce more accurate import price indices on a regular basis; and

(B) what other measures of economic analysis should be used to accurately reflect the globalization of economic activity and offshoring of domestic production.

(d) The report required by subsection (b) shall be completed and submitted to Congress not later than 18 months after the date of the contract described in subsection (b).

Ms. MIKULSKI. Mr. President, this amendment is cleared on both sides of the aisle and I urge its immediate adoption.

The PRESIDING OFFICER. Is there further debate on the amendment?

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

The amendment (No. 3225) was agreed to.

Mr. SHELBY. I move to reconsider the vote.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3268

Ms. MIKULSKI. Mr. President, my last request is, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendments are laid aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI] proposes an amendment numbered 3268.

Ms. MIKULSKI. 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 provide funds for science, engineering, technology, and mathematics related activities)

On page 97, between lines 9 and 10, insert the following:

SEC. 528. FUNDS FOR TEACH FOR AMERICA.—Of the funds provided in this Act for the National Aeronautics and Space Administration, under the heading ''SCIENCE, AERONAUTICS, AND EXPLORATION'', $3,000,000 may be for Teach for America for science, technology, engineering, and mathematics related activities.

Ms. MIKULSKI. Mr. President, this amendment provides funds for science, engineering, technology, and mathematics-related activities at NASA. It has been cleared on both sides and I urge its immediate adoption.

The PRESIDING OFFICER. Is there further debate on the amendment?

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

The amendment (No. 3268) was agreed to.

Mr. SHELBY. Mr. President, I move to reconsider the vote.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I know the Senator from Ohio has been waiting. He has been very cooperative and patient, and I appreciate it. I know he wants to speak on an important issue that has been on his mind and should be on the Senate floor as it relates to trade.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank the senior Senator from Maryland.

AMENDMENT NO. 3260

Mr. President, I ask unanimous consent to lay aside the pending amendment and call up amendment No. 3260.

The PRESIDING OFFICER. Is this objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Ohio [Mr. BROWN], for himself, Ms. STABENOW, Mr. BYRD, and Mr. ROCKEFELLER, proposes an amendment numbered 3260.

Mr. BROWN. 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 any funds made available in this Act in a manner that is inconsistent with the trade remedy laws of the United States, and for other purposes)

On page 97, between lines 9 and 10, insert the following:

SEC. 528. LIMITATION ON NEGOTIATING TRADE AGREEMENTS.—None of the funds appropriated or otherwise made available in this Act may be used in a manner that is inconsistent with the principal negotiating objective of the United States with respect to trade remedy laws to preserve the ability of the United States—

(1) to enforce vigorously its trade laws, including antidumping, countervailing duty, and safeguard laws;

(2) to avoid agreements that—

(A) lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies; or

(B) lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete

fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(3) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.

Mr. BROWN. Mr. President, first of all, I thank the senior Senator from Maryland for her work, especially today, on much of what she has done, but especially for what she did on NASA earlier today that will matter to northern Ohio, my whole State, and to much of the rest of this country.

I rise, quickly, to offer an amendment that will help America's manufacturers compete on even terms with foreign manufacturers.

American manufacturing, for generations, has been a tremendous source of pride for our country and a ladder to the middle class for our working families.

American manufacturing fuels our economy and supplies our national defense infrastructure. It would be dangerous, on many levels, for our country to ignore the anticompetitive forces that are buffeting our manufacturing sector. It would be, and it is.

Over the last several years, American manufacturing has faltered and millions of jobs have been lost. In my home State of Ohio, well over 200,000 manufacturing jobs have disappeared in the last half decade or so—from Steubenville to Lima and from Cleveland to Dayton.

Workers and manufacturers in all our States find it increasingly difficult to compete in today's global markets, where the odds are stacked against them because of unfair trade practices.

American industry can compete with anyone in the world when it is a fair fight.

Our international trade laws are intended to secure a level playing field, but, unfortunately, some of our trading partners have repeatedly found ways to circumvent these laws to gain an unfair advantage against workers in the United States. This has led to record-breaking trade deficits, which threaten the long-term health of our economy, and massive job losses, which have wreaked havoc on the middle class.

Some foreign governments, for example, have unfairly and illegally doled out massive subsidies to their own companies and others willing to reestablish offshore, contributing to the migration of manufacturing jobs overseas and artificial price advantages for imported products.

Despite evidence that something is very wrong, you can look at job loss figures, deficit figures, outsourcing figures or offshoring figures. Our Government has chosen not to aggressively enforce U.S. trade remedy laws. It has also failed to successfully advocate for U.S. interests in the multilateral dispute settlement setting.

The WTO has issued a series of decisions striking down the practice known as zeroing in U.S. antidumping proceedings. Zeroing is a methodology employed for measuring and remedying unfair foreign dumping—the practice of selling products in the United States at below ''fair value,'' which corrupts free market competition and undermines U.S. industries.

Zeroing, a practice our Government has used for more than 80 years, has been upheld by U.S. courts and the GATT and is recognized as good policy because it combats unfair dumping.

The WTO's decisions threaten to create an enormous loophole in trade law enforcement. This affects industries and local economies throughout our country—not just steel, not just paper, so many things. The WTO decisions on issues such as zeroing is an overreach.

The USTR must work harder to overturn the recent European and Japanese zeroing decisions in negotiations and delay full implementation of the Japanese decision until, at a minimum, other methodologies are in place to capture 100 percent of dumping.

If the WTO continues to target U.S. trade remedy laws, we need to fight back. The administration's lack of backbone is unacceptable. This amendment is a modest reminder to the administration that we need to vigorously enforce our trade laws.

I urge my colleagues to give it their support.

AERONAUTICS RESEARCH

Mr. WEBB. Mr. President, I would like to engage the distinguished chairwoman of the Commerce, Justice, and Science Appropriations Subcommittee, Senator MIKULSKI, in a colloquy about the importance of aeronautics funding. The chairwoman is aware that both Senator WARNER and I have serious concerns about decreased funding for aeronautics. Together we look forward to working with the Appropriations Committee to ensure adequate funding for important aeronautics research programs in Virginia.

Aeronautics research programs have been essential to our economic and military security for decades. Think about the millions of people who fly every year and the countless jobs and communities that have been affected by this research. From the days of the first flight of the Wright Brothers at Kitty Hawk, NC, to the modern-day aviation industry today that represents millions of jobs and contributes billions of dollars to our economy, our country has been served well by the investments we have made in aeronautics research. That history, however, and our present are at a crossroads.

The advances made possible by Government-funded research in emerging aeronautics technologies have enabled long-standing military air superiority for the United States in recent decades. The vast majority of military aircraft design the U.S. military currently flies incorporate advanced technologies developed at NASA Research Centers. As a result, it is important for NASA's cooperative research efforts with the Department of Defense regarding military aviation technologies are maintained at a healthy funding level. A national effort is needed to ensure that NASA can meet the civil and military needs in the future.

This issue came up when the Senate debated the budget for the 2008 fiscal year. In 2007, Congress provided $717 million for aeronautics research, in cost-adjusted numbers. I know Senator WARNER and I are very thankful that the Appropriations Committee was able to provide this funding. Yet the administration proposed, in their fiscal year 2008 budget, only $554 million for aeronautics. In an age of increased global competition from Europe, China, and other nations, this decision is alarming.

We appreciate the demands faced by Chairman MIKULSKI and Ranking Member SHELBY on funding all the programs under their subcommittee's purview. However, as I noted in March during the budget debate, and I repeat that message today, aeronautics research is essential for the United States to maintain its advantage in aeronautics technologies and air superiority within the military. It is essential to inspiring a new generation of children who one day might make a career in aviation, engineering, computer modeling and simulation.

It is also important that Congress supports NASA Administrator's objective of 10 Healthy Centers, especially ensuring the well-being of its four research centers, which are scheduled to face significant budget decreases in the outyears. These research centers have cutting-edge facilities that are operated and maintained by highly respected scientists. Over the years, they have produced outstanding basic research, especially in aeronautics, which is then utilized by the private sector to make significant advancements in the space and aeronautics industries.

Ms. MIKULSKI. The committee recognizes the importance of aeronautics research and NASA's 10 Healthy Centers effort. We share your concern about the steady decline in budget requests for aeronautics research. We will work with you to ensure this critical and historical strength of NASA is funded at a level sufficient to maintain our country's competitive edge in aeronautics.

PLANT GENOME RESEARCH PROGRAM

Mr. BOND. Mr. President, the distinguished chair of the subcommittee and I have long been strong supporters of plant genomics in general and the Plant Genome Research Program undertaken at the NSF in particular. The Plant Genome Research Program produces basic scientific research by providing for peer-reviewed competitive research grants to qualified institutions. Maintaining significant support for fundamental research in crop systems is more important than ever as agriculture is trying to meet the demands of consumers worldwide by providing a safe and secure supply of resources for human and animal nutrition, fiber, green products, bioenergy,

and plant-based nutraceuticals and other leading edge applications. This initiative has had strong backing over the years from the broad-based science community in conjunction with farmers and those up the food supply chain.

Together, as leaders of the VA/HUD and Independent Agencies Subcommittee, we began this initiative in 1997. It remains critical that we protect the integrity of the program and ensure its remains a priority at the NSF.

Is it the expectation of the subcommittee that the Plant Genome Research Program is funded at no less than $100 million?

Ms. MIKULSKI. Mr. President, that is correct.

Mr. BOND. Further, is it the expectation of the subcommittee that funding for the Arabadopsis 2010 program continue to be financed through the BIO directorate, yet separate from funds provided for the plant genome project as it has in the past?

Ms. MIKULSKI. Mr. President, that is my expectation. I appreciate your long standing support of plant genomics and will work to see that these important programs continue to receive support as they have in the past.

ELECTRONIC PRESCRIBING

Mr. WHITEHOUSE. Mr. President, I would like to engage the distinguished chairman of the Subcommittee on Commerce, Justice, and Science Appropriations, Ms. MIKULSKI, in a colloquy concerning the e-prescribing of controlled substances. Would the chairman and manager of the bill entertain a question?

Ms. MIKULSKI. Mr. President, I would be happy to.

Mr. WHITEHOUSE. Mr. President, I thank the chairman. As she knows, I am a profound believer in the potential of health information technology to revolutionize the way we deliver health care in this country. The potential for better coordinated care, reduced medical errors, increased patient satisfaction, and enhanced patient peace of mind is enormous. It is also worth noting that several well-respected organizations estimate annual savings near $80 billion.

Unfortunately, we have been unable, as a nation, to develop an interoperable, integrated health information infrastructure the way we were able to do with our highway system or our railroad tracks. This is the result of a variety of barriers that we, as legislators, have a responsibility to tackle if we are going to take this necessary step to improve health care in this Nation. One of those barriers is the current prohibition by the Drug Enforcement Administration, DEA, on the electronic prescribing of controlled substances.

This ban requires physicians who e-prescribe to maintain two separate systems: an electronic system for noncontrolled substances and a paper system for controlled substances. This is an excessive encumbrance for doctors who are trying to do the right thing for their patients—an encumbrance that has unfortunately led many overburdened doctors to give up electronic prescribing altogether. This is a travesty.

As a former attorney general and a former U.S. attorney, I am sensitive to the prosecutorial concerns of the Drug Enforcement Administration. But CMS has been working without success for years with the DEA to resolve their differences on this issue. Apparently, the DEA refuses to budge. I would like to know why. Billion-dollar transactions are done electronically; highly classified national security information travels electronically; military attack aircraft are targeted electronically. I would say to the DEA: Please do not tell me we cannot figure out a way for a doctor to prescribe Vicodin electronically. I think we need to demand a joint report from CMS and the DEA laying out a way, or ways, to overcome this hurdle, to be completed at the earliest practicable date but no later than 1 month after the date of enactment. In the absence of the DEA changing the rules, we must seek a statutory solution to this problem. Considering the extraordinary potential of e-prescribing, we have to break this logjam.

Mr. President, I would ask the chairman if she would work with me to ensure that CMS and the DEA will work together to propose a reasonable approach soon to allow the electronic prescribing of controlled substances?

Ms. MIKULSKI. Mr. President, I would say to the Senator from Rhode Island that it is my intention to do just that. I agree that a joint report between the DEA and CMS will help us move forward in this crucial area of health information technology and bring down a serious barrier to improved patient care.

Ms. STABENOW. Mr. President, I commend the leadership of Senator MIKULSKI in ensuring appropriate funding for the many critical activities under the auspices of the Commerce, Justice, and Science spending bill.

I also commend my colleagues, Senators WHITEHOUSE and KENNEDY, for their leadership in the critically important arena of health information technology, IT. Without their diligent work, the promises of health IT to reduce costs and improve quality of care would be very distant indeed.

Even with their dedication and that of many other colleagues, we have our work set out for us as we seek to accelerate the adoption of health IT. The Democratic steering committee heard yesterday from leaders on all aspects of health information technology—representing consumers, health care providers, business, insurers, labor, and others. All share an appreciation for what health IT can do to manage costs and ensure that patients get the care they need, at the right time, and in the best setting.

Yet they also expressed a shared sense of the need for Federal leadership and legislation to remove barriers to the adoption of health IT. These barriers include a misalignment of incentives and inadequate funding, the lack of standards adoption, and privacy and security concerns. Some of these barriers are large and will take all of us working together to find solutions. I am committed to doing so and look forward to working with my colleagues this Congress toward that goal.

There are also some barriers that should be easy to remove, and we must do so this year. One of those is the current U.S. Drug Enforcement Administration, DEA, prohibition on the electronic transmission of prescriptions for controlled substances, schedules II-V.

We know that e-prescribing saves lives, prevents injury, improves patient care outcomes, is more efficient, and saves health care dollars. One amazing statistic: According to the Center for Information Technology Leadership, CITL, e-prescribing systems with a network connection to pharmacy and advanced decision support capabilities can help avoid more than 2 million adverse drug events, ADEs, annually—130,000 of which are life-threatening.

It is important to note that some of the most dangerous drug interactions can occur with and between controlled substances. Preventing them from being processed electronically also prevents a physician's ability to do a computer drug interaction check to avoid what could be a fatal interaction.

Additionally, although the schedule II–V drugs account for only 12 to 15 percent of all prescriptions, the prohibition affects a much larger percentage of prescriptions for a very simple reason: of the relatively small number of physicians who have tried to move to electronic prescribing, some are giving it up entirely because they are prohibited from using it for all drugs. Physicians need to be able to use one means to write all prescriptions. If they must shift from electronic to paper depending on the patient or depending on which drug a particular patient needs, the confusion and extra time become too large a barrier to electronic prescribing. The result is a return to paper prescribing, and increased costs, increased errors, and worse health outcomes.

The prohibition on e-prescribing of controlled substances not only has a ripple effect in that it deters e-prescribing of all medicines, but it may deter adoption of electronic medical records in general. Electronic prescribing is the first step to adoption of full electronic medical records; if doctors can't efficiently adopt the process of writing prescriptions electronically, they are less likely to adopt electronic medical records.

The widespread adoption of electronic medical records could save up to $100 billion annually. Given the fact that health care will soon consume 20 percent of our country's gross domestic

product, and yet we have 47 million uninsured Americans and the highest infant mortality and lowest life expectancy of any other industrialized nation, we must do whatever we can to encourage adoption of electronic prescribing and electronic medical records, not keep in place policies that deter adoption.

I understand and appreciate that the DEA has a very important law enforcement function and needs to have the tools to enforce the laws and prosecute law breakers. However, electronic prescribing is not a barrier to that. The systems that have been used for years to transmit prescriptions electronically are secure and auditable. In fact, electronic prescribing will not only help enforcement but will create new opportunities to prevent abuse of controlled substances. Existing e-prescribing processes are actually more secure than written prescriptions. Banking transactions have been conducted for years electronically, and authorities have been able to prosecute people who misuse the technology. I am confident we can do the same with respect to any misuse regarding controlled substances.

I know that the DEA has acknowledged that e-prescribing offers many benefits and has considered ways to allow the electronic transmission of controlled substance prescriptions. And I know that DEA and Health and Human Services held a public meeting last year to begin to address this issue. That was a great first step, but progress has been very slow and now we need to solve this problem in a way that realizes the benefits of health IT, is secure, scalable within the industry, and that protects the DEA's interests.

One relatively easy fix may be to simply amend the Controlled Substances Act to permit electronic prescribing. There may be other ways to address the problem, and I am open to discussing those. What is critical is that we find a way to allow e-prescribing for all medications soon—every day we delay, the cost in dollars and lives grows. We need incentives to encourage adoption of e-prescribing, not roadblocks to adoption. Increased use of electronic prescribing will increase patient compliance, improve health outcomes, reduce medication errors, and reduce health care costs.

It is my sense that DEA should not invest additional resources in pursuing plans to allow e-prescribing of controlled substances through measures that are unnecessarily high in cost and complexity.

I join my colleagues in urging DEA to quickly adopt rules allowing electronic prescribing of controlled substances that rely on the high level of security built into the existing e-prescribing infrastructure and are deemed workable by all stakeholders.

Absent a timely adoption of such DEA rules, I look forward to working with my colleagues to find a solution to the prohibition on electronic prescribing of certain medicines this year.

Mr. President, I see the chairman of the Committee on Health, Education, Labor, and Pensions is here, and I would appreciate his comments on this issue.

Mr. KENNEDY. Mr. President, I thank the Senator from Rhode Island for drawing our attention to this barrier in the advancement of electronic prescribing. The use of electronic prescribing technologies offers an opportunity to improve health care outcomes by reducing medication errors and improving patient compliance with physician orders and screening for dangerous drug-drug interactions. Physicians and pharmacies in Massachusetts have begun to adopt e-prescribing and patients are benefiting. Massachusetts was recently recognized as the State with the highest volume of electronic prescriptions per capita. Electronic prescribing systems offer security advantages beyond those available through a paper-based system by requiring user authentication and generating an audit trail of prescriptions submitted to pharmacies. Creating a method by which controlled substances can be safely and securely prescribed electronically will encourage physicians' adoption of the technology. I support the Senator from Rhode Island's proposal for a joint report by the U.S. Drug Enforcement Administration and the Department of Health and Human Services to evaluate how electronic prescribing of controlled substances can be safely achieved. I also urge the Drug Enforcement Agency to adopt rules allowing controlled substances to be electronically prescribed and in the absence of such rules look forward to working with my colleagues to address the issue legislatively.

Ms. MIKULSKI. Mr. President, I agree with the Senator from Massachusetts. I am committed to working with the Senator from Rhode Island, the Senator from Michigan, and the chairman of the HELP Committee to solve this problem.

Mr. WHITEHOUSE. Mr. President, I thank the chairman and all my colleagues for their help on this issue.

Mr. BYRD. Mr. President, today I voted to table an amendment offered by Senator COBURN to H.R. 3093, the Commerce, Justice, Science, and Related Agencies Appropriations Act of 2008, which would have shifted funding to the Civil Rights Division within the U.S. Department of Justice for the investigation and prosecution of unsolved civil rights cases.

I share Senator COBURN's fervent and sincere desire to solve these ghastly crimes. However, I do not believe that his amendment would achieve this important task. Instead, the Senate should consider and pass S. 535, the Emmett Till Unsolved Civil Rights Crime Act. I am a cosponsor of this bill, which would commit the resources of the U.S. Government to investigating and prosecuting racially motivated murders that occurred on or before December 31, 1969. The bill designates an official within the U.S. Department of Justice, and another within the Federal Bureau of Investigation, to investigate, prosecute, and coordinate the investigations of civil rights violations that occurred prior to 1970 and resulted in a death.

There is an urgent need for the Congress to enact this measure. Given the advanced age of defendants and potential witnesses, there remains only a small window of opportunity in which to solve these cases. Ultimately, the purpose of this bill is to provide justice to the families of those who were murdered for racially motivated reasons prior to 1970. The bill expresses the sense of Congress that all authorities with jurisdiction, including the Federal Bureau of Investigation and other entities within the U.S. Department of Justice, should expeditiously investigate unsolved civil rights murders, and provide the resources necessary to ensure timely and thorough investigations in the cases involved.

The families of the victims of these heinous crimes deserve no less. It is my hope that this bill, which has been approved by the Senate Judiciary Committee, will soon be voted upon and passed by the Senate.

The PRESIDING OFFICER. The Senator from Washington.

EXECUTIVE SESSION

NOMINATION OF JENNIFER WALKER ELROD TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT

Mrs. MURRAY. Mr. President, I ask that the Senate proceed to executive session to consider Executive Calendar No. 302, as under the previous order.

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Jennifer Walker Elrod, of Texas, to be United States Circuit Judge for the Fifth Circuit.

Mrs. MURRAY. Mr. President, I ask unanimous consent for 5 minutes under the time of Senator LEAHY.

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

NOMINATION OF RICHARD A. JONES

Mrs. MURRAY. Mr. President, I am honored to come to the floor today to speak on behalf of Richard Jones. He is a distinguished lawyer and a King County Superior Court judge from my home State. He is a man who enjoys broad bipartisan support, and he deserves a seat on the Federal bench.

President Bush nominated Judge Jones to be a district court judge for the Western District of Washington State. He is an excellent choice. I am very proud to be here this afternoon to support him, and I urge my colleagues to support him as well.

If you were to ask lawyers or judges in my home State about Judge Jones,