police men and women. Now, I think one can reasonably ask the question, after we have been in Iraq longer than we were in the Second World War, that if we have trained over 350,000, or roughly 350,000 police men and women and soldiers, when will they have the will to provide for their own security?

They have a new Constitution. The people of Iraq have seen Saddam Hussein executed. They have a new government. And they have had nearly 350,000 of their own trained to be law enforcement and military soldiers. Yet they cannot provide for their own security?

My nephew went into the Marines about 10 months ago. He is fully trained and now in Iraq. We do it, and we can train 350,000 Iraqis. Yet they can't provide for their own security? Something is wrong with that.

So, Mr. President, I only make the point that I read with interest General Sanchez's comments this weekend, and they mirrored comments we have heard previously from General Eaton, from General Batiste, from Colonel Hammes, and many others that the current strategy has been flawed all along and must change. We must understand that the solution in Iraq is not going to be a military-imposed solution, it is going to be a diplomatic solution and a solution within the political system in Iraq, the absence of which means there will remain in Iraq a protracted long-term civil war.

While we are going door to door in Baghdad in the middle of a civil war with American soldiers, Osama bin Laden continues to send us messages over the internet and the airwaves. Our National Intelligence Estimate says that he is in a ''secure'' hideaway in northern Pakistan and has now rebuilt training camps and reconstituted the al-Qaida leadership.

Now, think of that. Those who committed the acts of terror against our country and murdered thousands of Americans are now in a safe, more secure place, according to our intelligence estimates, and is reconstituting training camps and plotting new attacks against our country. We, on the other hand, have our soldiers going door to door in Baghdad in the middle of a civil war. I think General Sanchez's comments and the comments of over 20 other high-ranking military officers upon their retirement represent a basic body of thought most of us have long understood but is not understood at this point by the President.

All of us want this country to succeed. We want our country to succeed in our war against terrorism. But the fact is we have to develop the right processes and the right policies to embrace that war against terrorism and to eliminate the al-Qaida leadership, which represents the greatest terrorist threat to our country. Again, the National Intelligence Estimate that we have all read says the greatest terrorist threat to our country, including to our homeland, is the leadership of al-Qaida and they are in a safe or secure haven and they are plotting additional attacks against our country and they are reconstituting their training camps to train the terrorists. Now, it should be clear to us what our obligations are.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

## CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

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

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 3093, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3093) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2008, and for other purposes.

Pending:

Inouye amendment No. 3214, to establish a factfinding commission to extend the study of a prior commission to investigate and determine facts and circumstances surrounding the relocation, internment, and deportation to Axis countries of Latin Americans of Japanese descent from December 1941 through February 1948 and the impact of those actions by the United States and to recommend appropriate remedies.

Casey (for Biden) amendment No. 3256, to appropriate an additional $110,000,000 for community-oriented policing services and to provide a full offset for such amount.

Brown amendment No. 3260, 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.

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

Mr. DORGAN. Mr. President, Senator MIKULSKI, the chair of the subcommittee, will be here at 4 o'clock. I know Senator SHELBY is here, and I believe he will be out momentarily. I have agreed to be on the floor until Senator MIKULSKI returns.

I did want to take a moment to talk about an amendment I was discussing when we were previously in session on this bill, dealing with law enforcement on Indian reservations. I did not actually offer the amendment. I had filed the amendment.

The subcommittee itself restored some funds that the President had cut. I indicated to the subcommittee that I hoped we could work between now and next spring, when we begin the new fiscal year legislation, so we could add some funding for these critical areas. I want to make note that Senator MIKULSKI and Senator SHELBY already added funding to accounts the President had decided to zero out. These accounts are accounts dealing with law enforcement on Indian reservations.

We just held a hearing on these issues in the Indian Affairs Committee here in the Senate. It is pretty stark, when you hear from folks who talk about the crisis on reservations with respect to law enforcement.

The U.S. Government made a decision a long time ago, well over a century ago, that law enforcement on Indian reservations is a responsibility of the Federal Government. Our country has a legal obligation to be involved in preventing crime on Indian lands. That obligation is a result of treaty provisions and Federal laws that grant the United States the responsibility and the authority to investigate and prosecute major crimes on Indian reservations. That is not the choice of Indian tribes; that is a decision our Government made over a century ago. The tribal governments on our Indian reservations rely on the Federal Government—specifically, the FBI and the U.S. attorney's office—to investigate and prosecute violent crimes on Indian reservations.

We had a hearing 2 weeks ago. There was testimony at that hearing from some research that had been done that 34 percent of Indian women will be raped or sexually assaulted during their lifetime. One-third of the Indian women will be raped or sexually assaulted during their lifetime. That is the state of violent crime on Indian reservations.

A retired BIA police officer who worked on the Standing Rock Sioux Reservation said we do not have the resources. ''We all knew they only take cases with a confession.'' If there wasn't a confession, there wasn't a case. ''We were forced to triage our cases,'' he said. When this violence becomes so commonplace that the police have to triage rape cases, there is something dreadfully wrong.

One of the big factors in the rise of violent crime on Indian reservations is the lack of a police presence or law enforcement presence on Indian lands. There are little more than 2000 Federal and tribal law enforcement officers who patrol 56 million acres of Indian land. In North and South Dakota, we have two police officers who patrol the 2.3 million-acre Standing Rock Sioux Indian Reservation. We have heard from people who called to report a violent crime as it was occurring, and they waited an hour and 15 minutes for the police to show up. In other cases, they wait days for the police to show up.

The lack of tribal jails and bedspace also adds to the problem because there is no place to put criminals. I have

been in tribal detention facilities. I have seen kids lying on cement floors in tribal detention facilities because there was not a juvenile facility and the other detention facilities did not have proper beds and didn't have enough space, so young children were lying on the floor of a detention facility.

There is a $400 million backlog for construction for tribal jails. One Federal official said that there is what is called a catch-and-release system—just catch the criminals and release many of them back into the community because there is no space to put them. Because of that, the Indian reservations have become soft targets for organized crime and particularly for organized efforts dealing with methamphetamine.

In May of last year, Federal officials seized a huge methamphetamine organization's business plan, and the business plan outlined how that organization wanted to replace alcohol abuse as it infiltrated Indian reservations with methamphetamine abuse on Indian reservations. The plan also outlined how the tribal police could not arrest them while on the reservation. They described in the business plan how they were going to introduce and use the reservations as the basis for their methamphetamine distribution to run their business.

After creating a system in which we said law enforcement is the Federal Government's responsibility, the administration in its budget now wants to tell the tribes: We are too busy, so you are on your own.

The statistics I have described are really sobering: crumbling jails. What does the administration propose to spend for detention facilities, Tribal Jails Discretionary Grants Program? Well, the administration proposes we spend nothing. Not a thing. Assistance to the tribal courts, what does the administration propose that we spend? Nothing.

Those are all programs that have always been funded. These are programs for which the Federal Government has a responsibility by previous agreement. Tribal COPS Program, the President says let's fund it at zero. Tribal Youth Program, fund it at zero; Indian Alcohol and Crime Demonstration Program, zero.

Every single one of those, all except the last, have always been funded. The President says: Not my responsibility, not this administration; we do not intend to provide funding.

Now, let me thank Senator MIKULSKI and the ranking member as well, Senator SHELBY, because they have provided some funding in this subcommittee mark. It is not as much as I would like. It is not as much as I am sure they wanted to do, but they should be complimented for rejecting the President's recommendation at a time when we have a serious problem, and at a time when that problem is our responsibility to deal with because we have made agreements and required that we will be responsible for dealing with it.

The President says: Let's not do it. And Senator MIKULSKI and Senator SHELBY said: We reject that. We have a responsibility.

I was intending to offer an amendment 2 weeks ago—I did not do that—to add even further because Senator MIKULSKI and Senator SHELBY indicated they want to work with me. But, first and foremost, I want to compliment them for rejecting the President's suggestion that we ignore our responsibility, and for Senators MIKULSKI and SHELBY deciding these programs are exactly what we should be funding; it is our responsibility to do so.

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

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

The legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

SCHIP

Mr. DURBIN. Mr. President, the Senate is just returning from a week home. I spent the week in my home State of Illinois traveling from far southern Illinois to Chicago and most points in between. It was a busy week. I met with a lot of people and continue to be amazed that there is such a disconnect between the real world of America and the world of Capitol Hill.

In about 48 hours, the U.S. House of Representatives is going to have a historic vote. It is about children's health insurance. Here we are, the wealthiest Nation on Earth, with the best doctors, the best hospitals, the best technology, amazing medical research. Yet when it comes down to basic health care protection, America falls short. We spent more money per capita than any nation on Earth on health care, but our outcomes do not show it. Countries that spend a lot less get a lot more. Other countries around the world have made a dedicated effort to make sure every citizen in their nation has the protection of basic health care.

But not America. Forty-seven million Americans have no health insurance. We tried to address that with the Children's Health Insurance Program 10 years ago. We looked at the 40 million uninsured Americans and said: 15 million are kids; let's start there. Let's cover these children. Let's make sure they have health insurance, not through a government plan but through private health insurance. We will take money, grants and money, send it to the States, work with the Governors, share the expense, and bring these kids under hospitalization coverage. In 10 years it worked. From 15 million uninsured, we were able to insure 6.6 million children in America; 300,000 in my home State of Illinois.

Well, with the new Congress and the expiration of this program, we took another look at it and said: Can we do better? Can we extend this beyond 6.6 million kids to more of the 15 million targeted group of children? We found a way to do it. We did it in a bipartisan way, a cooperative effort with the Republican side of the aisle, an effort that involves Senator CHUCK GRASSLEY of Iowa, Senator ORRIN HATCH of Utah, well-known, conservative Republicans who sat down with Senators MAX BAUCUS and TED KENNEDY and hammered out the details—Thirty-five billion dollars more in spending over the next 5 years.

Now, the first reaction, of course, is that most people say: Great, you dreamed up an expansion of a program that costs us $35 billion. Thanks a lot. Our kids will pay for it.

Wrong. We insisted that it be paid for. How is it paid for? By increasing the Federal tax on tobacco products. That is it. I am not going to beat around the bush and tell you there is some secret way to do it. That is how we did it. We raised the Federal tax on tobacco products, cigarettes and cigars. You can sign me up, incidentally, any day of the week. I am one Senator. I am sure there are many like me who have lost a loved one to cancer brought on by tobacco. Most people in America have been touched by tobacco disease and illness.

I believe one of the best things we can do is to keep tobacco products out of the hands of our kids. When you raise the price by raising the tax, children are discouraged from buying the product. Good. If kids do not get addicted early and stick around until they are about 18 to make the choice, they will decide it is a pretty dumb idea. But if they start smoking at 14, 15, 16, an addiction gets started. So we raised the tobacco tax to come up with the $35 billion. Over the next 5 years we will expand the health insurance coverage from 6.6 million children to 10 million children in America—still not 15 but clearly moving in the right direction.

We passed the bill over here with an amazing vote. In a time when we have these death-defying votes of 1 vote here, 1 vote here, 69 Senators voted for the bipartisan approach to expand children's health insurance.

We sent the bill over to the House. They were disappointed because they wanted more. I want more. I would like to see all 15 million kids covered, to be honest with you. I would like to see all Americans covered. I will get to that point in a moment. But they passed it, and we sent it to President Bush.

Now, President Bush is in his seventh year as President of the United States.

He has used his veto pen four times—four times—once to veto a plan passed by Congress on a bipartisan basis to change the policy in Iraq and start bringing our troops home; President Bush vetoed it; next, he had two opportunities and used his pen twice to veto the expansion of medical research using stem cells. You will recall the President stopped this research at the Federal level. States are now doing it, private companies are doing it, and foreign governments are doing it. But the Bush administration will not allow our National Institutes of Health, through Federal funding, to do this. Well, the President used his veto pen twice to stop this promising research to find cures for diseases and causes of death.

His fourth use of the veto pen was to kill the Children's Health Insurance Program. What did they say about it? Why did the President veto this bipartisan bill that came out of the Senate and the House? Well, they said, first, it was socialized medicine—socialized medicine. You know that is a cliche that was probably born in the 1960s, maybe before, on the notion that the Government would provide all the health insurance for America.

Well, it did not work then. We created Medicare, and thank goodness we did, for millions of Americans who have had peace of mind at age 65 because of it. Socialized medicine. What the President failed to say was if he gets sick tomorrow, God forbid, he will go to a military hospital. The doctors will be members of the military. The nurses who answer his call will be members of the military. He will be protected by Government health services as President of the United States.

Is that socialism? I think I will leave it to the President to decide. But I think it is troublesome that we have reached a point that we dismiss a program of such value to so many children and call it socialized medicine. What was even more galling was someone in the White House along the way argued the point that this plan would cover individuals who make up to three times the poverty level in the United States.

Let me translate that into terms Americans can understand. If you make up to $60,000, you get help under this plan. And the argument the White House made was, people making $60,000 a year—or ''well off'' in their terms—do not need this help.

Really? Well, let's think about that for a second. Sixty thousand dollars a year is gross pay. Now, let's take about 40 percent of that for all of the taxes that are taken out and all of the deductions that are taken out. That leaves us somewhere in the range of $36,000 a year, about $3,000 a month in take-home pay.

Now, go out and look for health insurance for a sick child. I will tell you what you will find. You will be lucky to get by with $1,000 a month for health insurance for your family if you have a sick child. If you have a healthy family, it may still cost $600 or $800.

So out of a take-home pay of $3,000, they say you are well enough off that you do not need help to pay $1,000 a month for health insurance. Who is kidding whom? The reality is that families are crippled by these costs. Many of them cannot afford insurance, and they need the help of this program. It is a reasonable thing to do.

Those people in the White House who just want to call this socialism, or whatever the word of the day may be, or dismiss families making $60,000 as not needing a helping hand with health insurance for children, they are so out of touch they do not understand the drama that these families go through every single month for lack of health insurance.

There is a story closer to home for the Members of the Senate. It does not relate to the Children's Health Insurance Program, but I think it is a story worth telling. It is a story about a member of the Senate family, someone whom most of us have seen many times. Many may not know his name, but he is someone who has gone through a life-changing experience because of no health insurance in his family.

Forty-seven million Americans have no health insurance. We who are privileged in the Senate probably do not lie awake at night worrying about it because a bad diagnosis is not going to lead to bankruptcy for us. We are lucky. We are part of the Federal Employees Health Benefits Program. We have got the best coverage in America. Eight million Federal employees, Members of Congress, we get an open enrollment period every year. You do not like your company, change it. It is like shopping for a car. There are so many choices out there. You want a big plan, you pay more. You have more money taken out of your check. You want less coverage, pay less. You have less money taken out of your check. It has been around for decades.

Members of Congress benefit from it, and we have a peace of mind that comes with it. But we do not have to look far to see families who are struggling and facing terrible decisions because of the high cost of health insurance. They are everywhere. They are in every town, every county, every State, all across our Nation, and they are right here in the family. There is a young man who works just a few feet away from where I am standing. He is an elevator operator. His name is Sergio Olaya. He has worked here off and on as an intern and has been an elevator operator since last May. He always has a big smile on his face, great young fellow, says hello, and most of us, of course, see him and greet him and head off on our business.

He is 21 years old, a bright young man, happy disposition, a great future ahead of him. But a few months ago, Sergio, who works right outside this door, had a tragedy strike his family. His mother died of an aggressive form of brain cancer. She was 61 years old, a single mom. Sergio was her only child. Doctors think she may have had the tumor for a long time, but the symptoms didn't show up until 2 months ago, and then she died. Before that, she had suffered a stroke which left her paralyzed on her right side. She was an authority on health and nutrition and worked for organizations, including the Centers for Disease Control, USAID, UNICEF, and the Organization of American States, but she had been unemployed and uninsured for 5 months when she got sick. Even COBRA, which is the way to purchase health insurance when one is not working, was too expensive for someone with a limited income such as Sergio's mother. As a result, when she died from an aggressive form of brain cancer, she left $255,000 in unpaid hospital and doctor bills—a quarter of a million dollars.

The hospital first threatened to sue her son for payment. A lawyer who is helping him pro bono negotiated the hospital charges down, first to $216,000, then to $95,000. With another $40,000 in doctors bills, Sergio, a member of the Senate staff, still owes $135,000 in medical bills for his mom. How is he dealing with this? He is selling his home in Bethesda where he and his mom have lived for the last 8 years. It is the only home they have ever owned. The proceeds will go for the payment of these medical bills.

Sergio said when his mom got sick she had been waiting to hear about a possible new job with the Federal Government, and it would have had health insurance. When the job offer finally came, his mother had just suffered a stroke and couldn't get out of bed to answer the phone. Two months and $255,000 in medical bills later, she passed away at the age of 61. In another week or month, she might have had health coverage with a new job. In another 4 years, she would have been eligible for Medicare. Instead, she had the bad luck and bad timing to fall through one of the gaping holes in America's unravelling health care safety net. Now her only child, her son, is paying the price.

I wonder how many Senators have been in the elevator with Sergio, talked to him, shared a smile with him, but had no idea of the terrible burden he and his mother were carrying as a result of the cost of health care and the cost of being uninsured in America today. How many more families will have to sell their homes? How many more bright, talented young people will have to drop out of college so their family can pay medical bills before we finally come up with a real plan to make health care more affordable for all Americans? The truth is, almost every family is at risk because of a fraying and failing health care safety net. Almost all of us could be one pink slip, one election, one bad diagnosis, or one serious accident away from a health and economic disaster for our family.

This affects Sergio, our Senate family. It affects all families. We need to

deal with it. We need to find a way or a combination of ways to give every American access to affordable health coverage. We can't help Sergio pay these bills, but we can sure look to the possibility of 3.4 million children across America and their moms and dads finally having the peace of mind of knowing that their kids are covered. It is a small step for a big nation, but isn't it the kind of step we want to take together in a bipartisan way? President Bush says no. He vetoed the bill. He sent it back to the House of Representatives, and on Wednesday they will take a vote. Fifteen Republican Congressmen who voted against the plan have to change their votes to override his veto. Overall, 62 Republican Senators and Congressmen voted for this plan, so it is bipartisan. I hope the 15 who are thinking about it now will think about the vulnerability of a lot of people such as Sergio, people we don't know who every single day have to wrestle with this terrible challenge in our great Nation.

Mr. DORGAN. Will the Senator yield for a question?

Mr. DURBIN. I am happy to yield.

Mr. DORGAN. The Senator from Illinois has raised the issue of the override of the President's veto that will occur in the House this week. When the President vetoed the bipartisan legislation that would expand opportunities for health coverage for America's children—another 3.8 million kids who don't have health coverage now would have it under that bill—the President referred to it as some kind of socialized medicine, some sort of big-government solution. Then he talked about the prospect of families with $83,000 in income.

Isn't it the case that most States—my State included—receive a block grant and use the block grant to provide coverage by buying the coverage from BlueCross BlueShield? In other words, it is a block grant the States use to purchase coverage for children. Is that what the President was referring to as big government? If so, isn't the President misrepresenting what this bill does?

Mr. DURBIN. Mr. President, that is the case in almost every State. This isn't a matter of the State of Illinois health insurance plan; it is a matter of our State or the State of North Dakota taking the Federal funds and buying private health insurance, which is something these families currently cannot afford. It strikes me as reasonable for us to give them a helping hand. It is not socialism, whatever that definition may be. It is not a big-government plan.

The President argued that he thought it was unfair to the health insurance industry. I don't understand that. If these 15 million children have not had health insurance for years, that industry has had plenty of chances to sell it. The fact is, it is too expensive for these families.

Mr. DORGAN. If the Senator will yield further for a question, the President, when vetoing the legislation, referred to some families with $83,000 who will be getting this largess so that their children can get subsidized health insurance coverage. My State, as an example, covers children at 140 percent of poverty, most States at around 200 percent of poverty, which I believe is around $44,000 gross income, and the $83,000 to which the President referred does not exist. It was a request from the State of New York which was not granted. In any event, all those requests that have been granted for above the 200 percent have been approved willingly and in a way that allowed this administration to boast that they had approved them. Now the President objects to the very thing they had approved.

The other point is, didn't this President actually campaign in the year 2004 saying he supports expansion of this very program? I ask the question about the $83,000. That clearly must be a misrepresentation. Is that the judgment of the Senator from Illinois as well?

Mr. DURBIN. The State of New York said: We want to cover families up to $83,000; it is more expensive to live in New York than it might be in some other State. But ultimately it was a decision to be made by the President. The President had to give them permission, and he denied it. Under this bill, the President still has that authority to deny States permission to go beyond $62,000 a year. So he still has that authority. Arguing $83,000 makes no sense. He turned it down. We didn't change that in this bill. The President still has the authority to stop any program that would expand in that direction.

In my State and others, I concede, we have been trying to find every way we can to insure people. Our Governor, the general assembly, and other people have tried to find ways to work with the Federal Government to cover people who don't have health insurance.

As a reminder—I know the Senator from North Dakota is well aware—the poorest children in America are covered by Medicaid. The poorest children have health insurance. The children who are fortunate enough to have parents with health insurance aren't the ones we are talking about. We are talking about the group of children who belong to families who go to work every single day and have no health insurance. That is a lot of Americans and a lot of kids. I have had several press conferences during the break at hospitals with doctors and nurses. They tell the story of these children. These children don't have a regular physician, regular checkups, a regular place to go. So an earache turns into a substantial infection. Asthma at an early stage becomes a serious challenge. Diabetes goes undetected because these kids are not brought into our health care system until they have reached such a grievous situation that they end up in emergency rooms, and we all pay for it.

This really is an ounce of prevention that we would have health insurance for more of these kids to be covered, the children of working families who go to work every single day and don't have health insurance. The President vetoed the bill.

Mr. DORGAN. If the Senator will yield for one additional question, the Senator from Illinois is on the Appropriations Committee with me. My understanding is the President is going to be sending down a second supplemental request within days. I understand the White House might not want to send it down before the override issue on the SCHIP program. But the SCHIP program would spend $7 billion a year for 5 years. That is $35 billion. All of it is paid for. None of it is contributing one penny to the debt. The result of that spending? The 3.8 million children who at this point have no health insurance coverage would now be fully covered with health insurance. The President seemed to, when he vetoed the legislation, be saying: I am going to be the guardian of the Federal Treasury and the taxpayers' checkbook. This is big-government bureaucracy—socialized medicine, in fact.

This is fully paid for, $7 billion a year. Isn't it the case that the President has requested two things of us? One is already here, and the other will come next week. One is $145 billion in emergency funding for the wars in Iraq and Afghanistan, not a penny of it paid for all this year, and on top of that, we believe another roughly $44 billion supplemental. So that will be a $189 billion emergency supplemental this year. In other words, $7 billion for kids is too much; $189 billion, which will bring us somewhere close to two-thirds of a trillion dollars, the President has requested we spend, not a penny of it paid for. The implication of all that is, let's send soldiers to fight. When they come back, they can pay for the debt we have incurred because we don't intend to pay for any of it.

Isn't it the case that the very same President who says $7 billion a year which is fully paid for and which will result in children's health insurance for 3.8 million children is the President who is sending us a $189 billion additional request for 1 year, none of it paid for?

Mr. DURBIN. The math is right. This President has funded this war in Iraq and Afghanistan borrowing money from future generations. He has not paid for a single day of this war by imposing a tax or cutting spending in some other area. He is the first President in the history of the United States, in the entire history of our Nation, to cut taxes in the midst of war.

I am sure the Senator from North Dakota joined a lot of us in watching the Ken Burns documentary ''The War.'' It has been on for the last couple weeks on public television. One of our great friends and heroes in the Senate, DANNY INOUYE of Hawaii, was featured in it, as he should have been. A Congressional Medal of Honor recipient, he

told the story of his life that led to his service to our country. You couldn't help but feel that America was at war. It wasn't just our soldiers and sailors and marines and airmen; America was at war. We were all involved.

This war which has claimed 3,821 American lives, this war which has injured more than 30,000 of our fighting men and women, this war which has left 10,000 grievously injured with amputations and serious burns, this war has been waged in a much different way.

When America was going to wage this war on terrorism, the President said: We are going to invade Iraq. And America, you can help: go shopping.

That isn't what they said in World War II. They said: We can all pitch in together and get behind this effort.

Then he said: We have to sacrifice. We have to give tax cuts to people at the wealthiest levels.

So we end up with a debt, a debt that continues to grow because the President does not pay for a penny of this war. The Senator from North Dakota is right. It will be close to $750 billion by the end of next year. We are spending $12 to $15 billion a month on this war in Iraq, none of it is paid for, none of it is generated by taxes, and none of it is paid for by compensating cuts in other spending. It is added to our debt.

The President who proclaims himself a fiscal conservative when it comes to vetoing a children's health insurance program within the next several days will send us a massive spending bill of $190 or $200 billion for the next year of this war. The $7 billion for health insurance for children is paid for; the President says it is wasted Federal funds. But $200 billion for a war with no end in sight he considers to be appropriate. I don't understand this. I understand we have to stand behind our men and women in uniform. But a strong America begins at home. It begins with our families and our communities and our parishes and church groups and neighborhoods. It begins with the peace of mind of knowing that you have health insurance. For literally 3.8 million children, the President's veto means no help to buy private health insurance so these families have a chance to have that peace of mind.

I sincerely hope those who feel this is an important program will contact their Members of Congress—both House and Senate—in the next 48 hours. This is a critical moment in our history. We have to decide once and for all whether we are going to start taking important steps forward to bring the peace of mind of health insurance to every family in America. That is a worthy American goal. President Bush's veto should not stand in its way. I certainly hope the House of Representatives, when it votes on Wednesday, will override this Presidential veto.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3233, AS MODIFIED

Mr. DORGAN. Mr. President, I ask unanimous consent that amendment No. 3233, previously agreed to, be modified with the changes at the desk. My understanding is both sides have cleared this request.

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

The amendment (No. 3233), 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) $60,000,000 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).

AMENDMENT NO. 3260, AS MODIFIED

Mr. DORGAN. Mr. President, I ask unanimous consent that at 5:15 today the Senate resume consideration of the Brown amendment No. 3260, with the time until 5:45 p.m. equally divided and controlled between Senators BROWN and MIKULSKI or their designees; that no amendment be in order to the amendment prior to the vote; and that at 5:45 the Senate proceed to vote in relation to the amendment; that the amendment be modified with the changes at the desk.

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

The amendment (No. 3260), as modified, is as follows:

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

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. DORGAN. Mr. President, I ask unanimous consent, while we are waiting for the ranking member, to speak as in morning business for 3 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

DO NOT CALL LIST LEGISLATION

Mr. DORGAN. Mr. President, last week I introduced some legislation in the Senate for which it is my hope my colleagues will join in. It deals with the issue of the Do Not Call List that is housed down at the Federal Trade Commission.

I do not think there is much more irritating in life than to receive calls from telemarketers. Almost everybody has received bundles of calls from telemarketers—always during mealtime. They always wait until the family has been able to sit down to start a meal, and then the family gets a telephone call: Would you like to take our cable service? Would you like to take our cell phone service? Do you need new siding? We will have some people in your neighborhood tomorrow selling sheetrock or siding.

So on and on and on, telemarketers are unbelievably annoying. So Congress passed a piece of legislation. It says: We are going to set up a list at the Federal Trade Commission called a Do Not Call List. You call in, put your name on that list, and it says to telemarketers: You may not call the names on that list.

So the list has been very successful, except the Federal Trade Commission did one very inexplicable and dumb thing. I guess that is a gentle description. They said of the people who call in and put their names on a Do Not Call List, the list will expire at a certain time, so you would have to call back in.

So we have had 149 million people call in. Think of this: 149 million Americans picked up their phone and called their Federal Government and said: Put my name on a Do Not Call List. I am sick and tired of getting telephone calls from telemarketers. I want my name on a list.

That is the biggest vote in American history, isn't it? They just voted by picking up the phone. Mr. President, 149 million people voted to say: I do not want those calls anymore. Stop it. So the Federal Trade Commission put their names on a list. Then the Federal Trade Commission said: Oh, by the way, your name goes off the list at the end of 5 years. And by the way, next October, on or about the first day or so

of the month—or within a couple of days of that time—we will have about 50 million people whose names come off the list.

That makes no sense to me. If you put your name on a list saying, ''I don't want people making annoying calls to my house,'' that name ought to stay on the list. You ought not have to pick up the phone and recall the Federal Trade Commission.

I do not know who made the decision but what a dumb decision. Let's put a list together. If you call and get your name on the list and say, ''I don't want irritating, annoying calls from telemarketers,'' your name ought to stay on the list until you decide to pull it off.

So I have put in a piece of legislation that says if you put your name on a list, your name is going to stay on the list. You do not have to call in. There is not going to be an automatic expulsion. We did not provide for that in the Congress. The Federal Trade Commission came up with that goofy idea. So my legislation will say that idea is gone. If your name is on a list, it stays on the list. You deserve to have supper or dinner—or whatever you might call it at the end of the day—without having your phone ringing by somebody wanting to sell siding or a new telephone service.

My hope is every Member of the Senate might cosponsor the legislation—except for those Members of the Senate who love to get telemarketing calls. For those who do, I expect they would not sign on, and I will probably come and announce their names soon. But if we can get all of those to cosponsor it, we can get this passed quickly and solve a problem for all American families.

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

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

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3225, AS MODIFIED

Mr. DORGAN. Mr. President, I ask unanimous consent that amendment No. 3225, previously agreed to, be modified with the changes at the desk.

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

The amendment (No. 3225), as modified, is as follows:

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 may 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).

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

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

The legislative clerk proceeded to call the roll.

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

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

Ms. MIKULSKI. Mr. President, I ask unanimous consent to speak as in morning business.

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

SCHIP

Ms. MIKULSKI. Mr. President, to bring our colleagues up to date, we are working on the Commerce-Justice-Science appropriations. Senator SHELBY and I are working to clear amendments now. All amendments have been filed. We have 60 of them, but we hope some can be cleared. For those Senators who wish to have a vote on their amendment, I wish they would consider offering the amendment and debating it this evening. I certainly will be willing to stay for that.

While we are working on clearing these amendments, I rise to stand up for my constituents, to stand up for a family in Baltimore who has been vilified by the rightwing bloggers because they dare to say that they benefited from and support a public program called the Children's Health Initiative.

I don't know what is happening in America now, where instead of working to change policies, the right wing tries to change the subject, and they do it by attacking people rather than attacking the problem—the problem of poverty, the problem that our children don't have health care, the problem that one of my constituents, a little boy named Deamante Driver, died in Prince George's County because he didn't have access to dental care and had a severe oral bacterial infection. My colleague Senator CARDIN has taken up the cudgels on that issue, and I support him. It is our Children's Health Initiative, and I will help to override the veto.

Let me tell my colleagues what happened. I am taking up for a family named Bonnie and Halsey Frost who live in Baltimore. A few weeks ago they stood here in the Congress to say that they benefitted from the SCHIP program. They told the story about how two of their children had been in a horrific accident.

Graeme, the boy who gave the Democratic radio address, spoke about what he needed. He had a brain injury. He was treated at Johns Hopkins Hospital. So was his little sister. Graeme was in a coma for weeks. One of his vocal cords was paralyzed. One of his eyes continues to be damaged. Gemma, his little sister, has suffered permanent injuries, which I will not go through. The families had their business spread all over the right wing blogs. I will not spread it all over the Senate floor. But I want to take up for them, for the fact that when they stood up to talk about how they benefitted from this program, they were attacked because they weren't seen as worthy. The Frosts have four children: Graeme, who is 12; Max, Graeme's twin, who saw the accident; Gemma, who also was in the accident; and an older brother named Zeke.

Bonnie and her children were in a car crash in 2004 when the SUV she was driving had an accident. The children had these terrible problems. Who is the Frost family? Well, the Frost family is a family of six. They live in Baltimore and they qualify under the Maryland SCHIP program, which says that if you have a family of this size and an income under $51,000 a year, you qualify. They qualified. What happened?

Through other friends of theirs who were involved with health advocacy in the State, they were invited to come and tell their story to show why there is a compelling need for the Children's Health Initiative. Well, they did it. Then guess what happened. After young Graeme, who, along with his sister, had this terrible thing happen to them—after they then spoke up and Graeme gave the Democratic radio address, what followed was unbelievable. It was a firestorm against them that went across the right wing bloggers. It

was vitriolic, volcanic, ugly, nasty, shredding their names and reputations. You ought to talk to them about what they went through. They could not believe they were in the United States of America. One of the right wingers showed up in the area where he has his business to do on-the-spot investigative reporting. I wish we were as good at keeping our borders safe as we are at keeping the boundaries around SCHIP. I wish we were as good at keeping an eye on terrorists. But, no, they went after the Frost family.

Paul Krugman felt so outraged about it that he wrote a column in the New York Times about it. He called it ''a teaching moment on politics and health care.'' He tells the story about this and then he said what happened to this family should be a teaching moment.

I will read from this and then I will ask unanimous consent that it be printed in the RECORD:

. . . The Frosts and their four children are exactly the kind of people SCHIP was intended to help: working Americans who can't afford private health insurance.

The parents have a combined income of about $45,000.

What they have is that the father is a self-employed woodworker and welder. They bought a house in east Baltimore in a neighborhood that is going gentry, called Butchers' Hill. When they bought it, it was called Butchers' Hill from years and years ago, when there were slaughterhouses where they were killing cows for beef and making sausage for the ethnic communities. But it took on another name about the time they bought it. It was like a frontier town—riddled with drugs and all kinds of problems—but they believed in Baltimore, they believed in their country, and they were willing to be urban pioneers, so they bought this home for a modest price. Now, we have been reclaiming Baltimore. Yes, the houses are selling at very high prices, but that is not what they paid for it.

This man is self-employed. When he married, yes, they were from a prominent family. Their wedding announcement was in the New York Times. Since when does that mean anything? He has a small warehouse that provides a modest rental income. His wife works part time at a medical publishing firm. They don't have health benefits.

To go on with what Krugman said, he said that soon after the radio address, right wing bloggers began insisting that there is something wrong with the Frosts; that they have a house in a neighborhood they said is expensive. I can tell you that when they bought it, it was truly Butchers' Hill. They have two children in private school, but they were on scholarship. Nobody bothered to find that out. The right wing bloggers made unfounded accusations against them all of the time. It was led by a woman who, according to the technocrats, is the most trafficked right wing blog on the Internet.

This tone of vitriol and viciousness has to stop. The attack on this family was picked up by Rush Limbaugh, the same guy calling dissident military people ''microphone marines.'' And then the smear went on with that. At the same time this was going on, a CNN report suggested that the Democrats made a tactical error because we had this family on.

I don't know what we are doing here. Again, we are attacking a family when we should be attacking the problems of children's health. First, I called the Frost family. I listened to what they have had to endure because they didn't have health insurance, after what happened to their children after this terrible accident and the recovery. Then I listened to what they had to endure because they spoke up for the Children's Health Initiative.

When I listened to them, I said to them I think the Senate owed them an apology that we now have come to this point. Now, I have watched good people be attacked by the right wing. The other day, we sanctioned MoveOn.org because of what they did to General Petraeus. I voted for that sanction. What about my Frost family? Should we have a sense of the Senate on that? I don't know if I am going to put this family through more. But I will tell you this: I think we have to start changing the tone. We have to start changing the tone in our institution to work on a bipartisan basis the way the Senator from Alabama and I have. We are moving forward a solid bill that promotes scientific research, keeps America's space program going, but equally we are funding local law enforcement.

Can we not change the tone? Do we always have to attack each other? Do we have to be so violent in our language, so vicious, so vitriolic? I don't think so. I think our country has to get back to the basics, where you can disagree without being disagreeable, where you focus on the policies, not on the person, where you try to deal with issues and you don't attack people for the simple reason that they have spoken up and they have spoken out.

I think we need to take a timeout in this country. I respect free speech, I respect the bloggers and what they have; but when there is a deliberate attempt from either the right or the left to go after people simply because they have spoken up, I think it is the wrong direction. I think we have been heading in the wrong direction.

I wanted to bring to everyone's attention what happened to this family. I ask unanimous consent that the Krugman article be printed in the RECORD and that the David Herszenhorn article about what happened be printed in the RECORD.

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

SLIMING GRAEME FROST

(By Paul Krugman)

Two weeks ago, the Democratic response to President Bush's weekly radio address was delivered by a 12-year-old, Graeme Frost. Graeme, who along with his sister received severe brain injuries in a 2004 car crash and continues to need physical therapy, is a beneficiary of the State Children's Health Insurance Program. Mr. Bush has vetoed a bipartisan bill that would have expanded that program to cover millions of children who would otherwise have been uninsured.

What followed should serve as a teaching moment.

First, some background. The Frosts and their four children are exactly the kind of people S-chip was intended to help: working Americans who can't afford private health insurance.

The parents have a combined income of about $45,000, and don't receive health insurance from employers. When they looked into buying insurance on their own before the accident, they found that it would cost $1,200 a month—a prohibitive sum given their income. After the accident, when their children needed expensive care, they couldn't get insurance at any price.

Fortunately, they received help from Maryland's S-chip program. The state has relatively restrictive rules for eligibility: children must come from a family with an income under 200 percent of the poverty line. For families with four children that's $55,220, so the Frosts clearly qualified.

Graeme Frost, then, is exactly the kind of child the program is intended to help. But that didn't stop the right from mounting an all-out smear campaign against him and his family.

Soon after the radio address, right-wing bloggers began insisting that the Frosts must be affluent because Graeme and his sister attend private schools (they're on scholarship), because they have a house in a neighborhood where some houses are now expensive (the Frosts bought their house for $55,000 in 1990 when the neighborhood was rundown and considered dangerous) and because Mr. Frost owns a business (it was dissolved in 1999).

You might be tempted to say that bloggers make unfounded accusations all the time. But we're not talking about some obscure fringe. The charge was led by Michelle Malkin, who according to Technorati has the most-trafficked right-wing blog on the Internet, and in addition to blogging has a nationally syndicated column, writes for National Review and is a frequent guest on Fox News.

The attack on Graeme's family was also quickly picked up by Rush Limbaugh, who is so important a player in the right-wing universe that he has had multiple exclusive interviews with Vice President Dick Cheney.

And G.O.P. politicians were eager to join in the smear. The New York Times reported that Republicans in Congress ''were gearing up to use Graeme as evidence that Democrats have overexpanded the health program to include families wealthy enough to afford private insurance'' but had ''backed off'' as the case fell apart.

In fact, however, Republicans had already made their first move: an e-mail message from the office of Mitch McConnell, the Senate minority leader, sent to reporters and obtained by the Web site Think Progress, repeated the smears against the Frosts and asked: ''Could the Dems really have done that bad of a job vetting this family?''

And the attempt to spin the media worked, to some extent: despite reporting that has thoroughly debunked the smears, a CNN report yesterday suggested that the Democrats had made ''a tactical error in holding up Graeme as their poster child,'' and closely echoed the language of the e-mail from Mr. McConnell's office.

All in all, the Graeme Frost case is a perfect illustration of the modern right-wing political machine at work, and in particular

its routine reliance on character assassination in place of honest debate. If service members oppose a Republican war, they're ''phony soldiers''; if Michael J. Fox opposes Bush policy on stem cells, he's faking his Parkinson's symptoms; if an injured 12-year-old child makes the case for a government health insurance program, he's a fraud.

Meanwhile, leading conservative politicians far from trying to distance themselves from these smears, rush to embrace them. And some people in the news media are still willing to be used as patsies.

Politics aside, the Graeme Frost case demonstrates the true depth of the health care crisis: every other advanced country has universal health insurance, but in America, insurance is now out of reach for many hard-working families, even if they have incomes some might call middle-class.

And there's one more point that should not be forgotten: ultimately, this isn't about the Frost parents. It's about Graeme Frost and his sister.

I don't know about you, but I think American children who need medical care should get it, period. Even if you think adults have made bad choices—a baseless smear in the case of the Frosts, but put that on one side—only a truly vicious political movement would respond by punishing their injured children.

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CAPITOL FEUD: A 12-YEAR-OLD IS THE FODDER

(By David M. Herszenhorn)

WASHINGTON, Oct. 9.—There have been moments when the fight between Congressional Democrats and President Bush over the State Children's Health Insurance Program has seemed to devolve into a shouting match about who loves children more.

So when Democrats enlisted 12-year-old Graeme Frost, who along with a younger sister relied on the program for treatment of severe brain injuries suffered in a car crash, to give the response to Mr. Bush's weekly radio address earlier this month, Republican opponents quickly accused them of exploiting the boy to score political points.

Then, they wasted little time in going after him to score their own.

In recent days, Graeme and his family have been attacked by conservative bloggers and other critics of the Democrats' plan to expand the insurance program, known as S-chip. They scrutinized the family's income and assets—even alleged the counters in their kitchen to be granite—and declared that they did not seem needy enough for government benefits.

But what on the surface appears to be yet another partisan feud, all the nastier because a child is at the center of it, actually cuts to the most substantive debate around S-chip. Democrats say it is crucially needed to help the working poor—Medicaid already helps the impoverished—but many Republicans say it now helps too many people with the means to help themselves.

The feud also illustrates what can happen when politicians showcase real people to make a point, a popular but often perilous technique. And in this case, the discourse has been anything but polite. The critics accused Graeme's father, Halsey, a self-employed woodworker, of choosing not to provide insurance for his family of six, even though he owned his own business. They pointed out that Graeme attends an expensive private school. And they asserted that the family's home had undergone extensive remodeling, and asserted that its market value could exceed $400,000.

One critic, in an e-mail message to Graeme's mother, Bonnie, warned: ''Lie down with dogs, and expect to get fleas.'' As it turns out, the Frosts say, Graeme attends the private school on scholarship. The business that the critics said Mr. Frost owned was dissolved in 1999. The family's home, in the modest Butchers Hill neighborhood of Baltimore, was bought for $55,000 in 1990 and is now worth about $260,000, according to public records. And, for the record, the Frosts say, their kitchen counters are concrete.

Certainly the Frosts are not destitute. They also own a commercial property, valued at about $160,000, that provides rental income. Mr. Frost works intermittently in woodworking and as a welder, while Mrs. Frost has a part-time administrative job at a firm that provides services to publishers of medical journals. Her job does not provide health coverage.

Under the Maryland child health program, a family of six must earn less than $55,220 a year for children to qualify. The program does not require applicants to list their assets, which do not affect eligibility.

In a telephone interview, the Frosts said they had recently been rejected by three private insurance companies because of pre-existing medical conditions. ''We stood up in the first place because S-chip really helped our family and we wanted to help other families,'' Mrs. Frost said.

''We work hard, we're honest, we pay our taxes,'' Mr. Frost said, adding, ''There are hard-working families that really need affordable health insurance.''

Democrats, including the House speaker, Nancy Pelosi, have risen to the Frosts' defense, saying they earn about $45,000 a year and are precisely the type of working-poor Americans that the program was intended to help.

Ms. Pelosi on Tuesday said, ''I think it's really a sad statement about how bankrupt some of these people are in their arguments against S-chip that they would attack a 12-year-old boy.'' The House and Senate approved legislation that would expand the child health program by $35 billion over five years. President Bush, who proposed a more modest increase, vetoed the bill last week. Mr. Bush said the Democrats' plan is fiscally unsound; the Democrats say Mr. Bush is willing to spend billions on the Iraq war but not on health care for American children.

Republicans on Capitol Hill, who were gearing up to use Graeme as evidence that Democrats have overexpanded the health program to include families wealthy enough to afford private insurance, have backed off, glad to let bloggers take the heat for attacking a family with injured children.

An aide to Senator Mitch McConnell of Kentucky, the Republican leader, expressed relief that his office had not issued a press release criticizing the Frosts.

But Michelle Malkin, one of the bloggers who has levied harsh criticism against the Frost family, insisted that Republicans should hold their ground and not pull punches. ''The bottom line here is that this family has considerable assets,'' Ms. Malkin wrote in an e-mail message. ''Maryland's S–CHIP program does not means-test. The refusal to do assets tests on federal health insurance programs is why federal entitlements are exploding and government keeps expanding. If Republicans don't have the guts to hold the line, they deserve to lose their seats.''

As for charges that bloggers were unfairly attacking a 12-year-old, Ms. Malkin wrote on her blog. ''If you don't want questions, don't foist these children onto the public stage.''

But Mr. and Mrs. Frost said they were bothered by the assertion that they lacked health coverage by their own choice. ''That is not true at all,'' Mrs. Frost said. ''Basically all these naysayers need to lay the facts out on the page, and say 'How could a family be able to do this?' S-chip is a stopgap.''

Ms. MIKULSKI. Mr. President, they speak more eloquently about it than I have been able to. I felt badly about what happened to the Frost family. I hope we can focus on dealing with the Children's Health Initiative. It is for protecting all of the children. Today I stand up here for the Frost family.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SHELBY. Mr. President, I want to speak on the pending bill before the Senate for a few minutes.

This is the second day of consideration of the fiscal year 2008 Commerce, Justice, Science Appropriations bill. This bill funds the Departments of Commerce and Justice, NASA, and the National Science Foundation. Given the extremely diverse subject matters contained within this bill's jurisdiction, we must entertain a wide range of amendments on the Senate floor. This has been true in the past and is true again this year.

Chairwoman MIKULSKI and I are currently reviewing a substantial list of amendments and are working with various Members and staffs to determine appropriate resolutions to the list of amendments. I ask Members to come to the floor to discuss with the chairwoman and myself your concerns so we can move this critical funding bill forward.

We hope and expect to finish this bill no later than mid-day tomorrow, but to accomplish this we will need every Senator's help.

It is Monday afternoon and we can move some things tonight and get this bill moved tomorrow with the help of a lot of our colleagues on both sides of the aisle.

I yield the floor.

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

Mr. BINGAMAN. Mr. President, I have an amendment that has been filed. I will call it up so it can be considered at the appropriate time. I gather that to do that I must ask unanimous consent to set aside the pending amendment, and I do so now.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 3208

Mr. BINGAMAN. Mr. President, I call up amendment No. 3208.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico (Mr. BINGAMAN), for himself, and Mr. SMITH, proposes an amendment numbered 3208.

Mr. BINGAMAN. 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 amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that territories and Indian tribes are eligible to receive grants for confronting the use of methamphetamine)

At the appropriate place, insert the following:

**SEC. ___. NATIVE AMERICAN METHAMPHETAMINE ENFORCEMENT AND TREATMENT ACT OF 2007.**

(a) SHORT TITLE.—This section may be cited as the ''Native American Methamphetamine Enforcement and Treatment Act of 2007''.

(b) NATIVE AMERICAN PARTICIPATION IN METHAMPHETAMINE GRANTS.—

(1) IN GENERAL.—Section 2996(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797cc(a)) is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting '', territories, and Indian tribes (as defined in section 2704)'' after ''to assist States''; and

(ii) in subparagraph (B), by striking ''and local'' and inserting '', territorial, Tribal, and local'';

(B) in paragraph (2), by inserting '', territories, and Indian tribes'' after ''make grants to States''; and

(C) in paragraph (3)(C), by inserting '', Tribal,'' after ''support State''.

(2) GRANT PROGRAMS FOR DRUG ENDANGERED CHILDREN.—Section 755(a) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (42 U.S.C. 3797cc–2(a)) is amended by inserting '', territories, and Indian tribes (as defined in section 2704 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797d))'' after ''make grants to States''.

(3) GRANT PROGRAMS TO ADDRESS METHAMPHETAMINE USE BY PREGNANT AND PARENTING WOMEN OFFENDERS.—Section 756 of the USA PATRIOT Improvement and Reauthorization Act of 2005 (42 U.S.C. 3797cc–3) is amended—

(A) in subsection (a)(2), by inserting '', territorial, or Tribal'' after ''State'';

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by inserting '', territorial, or Tribal'' after ''State''; and

(II) by striking ''and/or'' and inserting ''or'';

(ii) in paragraph (2)—

(I) by inserting '', territory, Indian tribe,'' after ''agency of the State''; and

(II) by inserting '', territory, Indian tribe,'' after ''criminal laws of that State''; and

(iii) by adding at the end the following:

''(C) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 2704 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797d).''; and

(C) in subsection (c)—

(i) in paragraph (3), by striking ''Indian Tribes'' and inserting ''Indian tribes''; and

(ii) in paragraph (4)—

(I) in the matter preceding subparagraph (A)—

(aa) by striking ''State's''; and

(bb) by striking ''and/or'' and inserting ''or'';

(II) in subparagraph (A), by striking ''State'';

(III) in subparagraph (C), by inserting '', Indian tribes,'' after ''involved counties''; and

(IV) in subparagraph (D), by inserting '', Tribal'' after ''Federal, State''.

Mr. BINGAMAN. Mr. President, this amendment would ensure that communities throughout Indian country have the resources they need to fight the meth epidemic.

The amendment is based on a bipartisan bill I introduced along with Senator SMITH entitled the Native American Methamphetamine and Treatment Act of 2007. It would ensure that Native American communities are able to access essential Federal funding to fight the use of methamphetamines.

Senators DORGAN, CANTWELL, FEINGOLD, SALAZAR, and BAUCUS are also cosponsors of this amendment.

This last March, after hearings were held in the House Judiciary Committee and the Energy and Commerce Committee, the House of Representatives overwhelmingly passed this legislation by a vote of 423 to 0.

We all know that Indian country has been hard hit by the use of meth. Over 70 percent of Indian tribes surveyed by the Bureau of Indian Affairs identified meth abuse as the greatest threat to their communities, and about 40 percent of violent crime cases investigated in Indian country involve meth in some capacity.

According to the Substance Abuse and Mental Health Services, or SAMHSA, American Indians, Alaskan natives, and native Hawaiians have the highest rate of meth abuse of any ethnic group in our country. Unfortunately, when Congress passed the Combat Methamphetamine Epidemic Act, tribes were unintentionally left out as eligible applicants under some of the newly authorized grant programs. They were left out of the Department of Justice Hot Spots Program, which helps local law enforcement agencies obtain the tools they need to reduce the production, distribution, and use of meth and to clean up meth labs, support health and environmental agencies, and purchase equipment and support systems. The Combat Meth Act authorized $99 million in new funding under this program.

Tribes were also left out of the Drug Endangered Children Grant Program, which helps children who live in a home in which meth has been used or manufactured or sold. Under this program, law enforcement agencies and prosecutors, child protective services, social services, and health care services work together to ensure that these children get the help they need. The act authorized $20 million for this program.

I can see absolutely no reason Native-American communities that are struggling to contain the meth epidemic should be denied the resources necessary to address the problem, and to this end I hope my colleagues will agree with me and support this important amendment when the time comes for its important consideration.

Mr. President, I yield the floor, and 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.

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.

Ms. MIKULSKI. Mr. President, I wish to say to my colleague from New Mexico that we agree with him on the amendment. Certainly there are challenges facing the West. We see the scourge of meth, and that is one of the largest areas of requests we have for congressionally designated projects. I know my colleague wants them to be eligible for grants and to compete for them, and so we support the intent.

Right now, there is an objection from two Senators, and we also understand that the Senator from Arizona would like to have further conversations with my colleague about the possibility of a modification. If you could have that conversation and see if we can come back, we could either move to a vote or see if it could be accepted.

Mr. BINGAMAN. Mr. President, first, I thank the manager of the bill, my colleague from Maryland, and respond that, yes, I am anxious to deal with any concern any Senator has, and I have spoken to the Senator from Arizona about his concerns and have tried to accommodate them. To date, we have not been able to get his agreement to an accommodation that has been suggested. So I just want to be sure we have reserved the right to have a vote on the amendment if we are still not able to get agreement.

Ms. MIKULSKI. I think the Senator has our word that he will have—Mr. President, what is the parliamentary mechanism to reserving the right to a vote?

The PRESIDING OFFICER. There is no particular order.

Ms. MIKULSKI. I would say to the Senator from New Mexico that he has our word that if he can work it out, we will see whether we can take it, and if not, we will have the vote.

Mr. BINGAMAN. Mr. President, I very much appreciate that assurance. As I say, I hope very much we can get language that is acceptable to the Senator from Arizona. If not, I think we can allow the Senate to work its will, and hopefully the amendment will pass.

Ms. MIKULSKI. I would further like to say to the Senator from New Mexico, in keeping with what my colleague from Alabama said, we would like to finish this bill before the caucuses tomorrow. So I will discuss this with the Senator from Alabama, but it would be our intention to see how much we can get cleared and then have some stacked votes tomorrow morning. So if the Senator from New Mexico could let us know by tomorrow morning—say, 9:30—whether he has been able to reach an accommodation—or this evening—we will be here and would welcome that.

Mr. BINGAMAN. Mr. President, I appreciate that, and I am glad to advise the Senator if we reach an accommodation. I think, for purposes of ensuring a vote, if there is a group of stacked votes scheduled for tomorrow, if this

can be included in that list, and then, of course, if agreement is reached prior to the time of the vote, we could delete it.

Ms. MIKULSKI. The Senator has our word on that.

Mr. BINGAMAN. I thank my colleague, and I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. MIKULSKI. Mr. President, we are working very well, here again on a bipartisan basis. I thank Senator SHELBY and his staff for the way we are working. We have been able to look at a variety of amendments colleagues have offered, and we are ready to accept them.

Mr. President, I ask unanimous consent the pending amendment be laid aside.

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

AMENDMENT NO. 3309

Ms. MIKULSKI. I now call up amendment No. 3309 offered by myself and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI] proposes an amendment numbered 3309.

Ms. MIKULSKI. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide that certain funds be available for the development of educational activities in science, technology, engineering, and mathematics related to the civilian space program)

On page 72, line 14, before the period insert the following: ": *Provided further*, That of the amounts appropriated or otherwise made available under this heading for cross-agency support programs, $10,000,000 shall be made available, and distributed in equal increments, to each of NASA's 10 centers for the development of educational activities in science, technology, engineering, and mathematics related to the civilian space program of the United States".

Ms. MIKULSKI. I ask unanimous consent the amendment be modified with the modification at the desk.

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

The amendment (No. 3309), as modified, is as follows:

On page 72, line 14, before the period insert the following: ": *Provided further*, That of the amounts appropriated or otherwise made available under this heading for cross-agency support programs, $10,000,000 may be made available, and distributed in equal increments, to each of NASA's 10 centers for the development of educational activities in science, technology, engineering, and mathematics related to the civilian space program of the United States".

Ms. MIKULSKI. This amendment has been cleared on both sides of the aisle. I ask for its immediate adoption.

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

The amendment (No. 3309), 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. 3251

Ms. MIKULSKI. Mr. President, I call up amendment No. 3251 offered by Senator LAUTENBERG of New Jersey and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for Mr. LAUTENBERG, proposes an amendment numbered 3251.

Ms. MIKULSKI. I ask unanimous consent the 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 National Research Council study on acidification of the oceans as authorized by the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006)

On page 16, line 11, strike the period at the end and insert ": *Provided further*, That of the funds available for the Ocean Research Priorities Plan Implementation, such sums as may be necessary shall be set aside to initiate the study to be completed within 2 years on acidification of the oceans and how this process affects the United States as authorized by section 701 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109–479; 120 Stat. 3649).".

Ms. MIKULSKI. I ask the amendment be modified with the modification at the desk.

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

The amendment (No. 3251), as modified, is as follows:

On page 16, line 11, strike the period at the end and insert ": *Provided further*, That of the funds available for the Ocean Research Priorities Plan Implementation, such sums as may be necessary may be set aside to initiate the study to be completed within 2 years, on acidification of the oceans and how this process affects the United States as authorized by section 701 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109–479; 120 Stat. 3649).".

Ms. MIKULSKI. This amendment has been cleared on both side of the aisle. I ask for its immediate adoption.

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

The amendment, (No. 3251), 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. 3275

Ms. MIKULSKI. Mr. President, I call up amendment No. 3275 by Senator LEVIN of Michigan and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for Mr. LEVIN, proposes an amendment numbered 3275.

Ms. MIKULSKI. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the FBI to submit an annual report to Congress regarding the length of time taken by the FBI to conduct background checks)

At the appropriate place, insert the following:

**SEC. ____. ANNUAL REPORT ON DELAYED BACKGROUND CHECKS.**

(a) IN GENERAL.—Not later than 60 days after the end of each fiscal year, the Director of the Federal Bureau of Investigation shall submit a report to the congressional committees listed in subsection (b) that contains, with respect to the most recently completed fiscal year—

(1) a statistical analysis of the number of background checks processed and pending, including check requests in process at the time of the report and check requests that have been received but are not yet in process;

(2) the average time taken to complete each type of background check;

(3) a description of the efforts and progress made by the Director in addressing any delays in completing such background checks; and

(4) a description of the progress that has been made in automating files used in the name check process, including investigative files of the Federal Bureau of Investigation.

(b) RECIPIENTS.—The congressional committees listed in this subsection are—

(1) the Committee on the Judiciary of the Senate;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on the Judiciary of the House of Representatives; and

(4) the Committee on Homeland Security of the House of Representatives.

Ms. MIKULSKI. This amendment has been cleared on both sides of the aisle. I ask for its immediate adoption.

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

The amendment (No. 3275) 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. 3247

Ms. MIKULSKI. Mr. President, I call up amendment No. 3247 by Senator MCCASKILL of Missouri and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], FOR MRS. MCCASKILL, proposes an amendment numbered 3247.

Ms. MIKULSKI. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the Departments, agencies, and commissions to establish and maintain on their website homepages a direct link to the websites of their Inspectors General, and for other purposes)

At the appropriate place, insert the following:

SEC. _____. Not later than 30 days after the date of enactment of this Act, the Departments, agencies, and commissions funded under this Act, shall establish and maintain on the homepages of their Internet websites—

(1) a direct link to the Internet websites of their Offices of Inspectors General; and

(2) a mechanism on the Offices of Inspectors General website by which individuals may anonymously report cases of waste, fraud, or abuse with respect to those Departments, agencies, and commissions.

Ms. MIKULSKI. I ask that I be added as a cosponsor of the amendment.

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

Ms. MIKULSKI. This amendment has been cleared on both sides of the aisle, and I ask for its immediate adoption.

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

The amendment (No. 3247) 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. 3234

Ms. MIKULSKI. Mr. President, I call up amendment No. 3234 by Senator OBAMA of Illinois and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for Mr. OBAMA, for himself and Mr. DURBIN, proposes an amendment numbered 3234.

The amendment follows:

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

At the end of title V, add the following:

SEC. 528. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

Ms. MIKULSKI. Mr. President, this amendment has been cleared on both sides of the aisle. I ask for its immediate adoption.

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

The amendment (No. 3234) 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. 3263

Ms. MIKULSKI. Mr. President, I call up amendment No. 3263 by Senator PRYOR of Arkansas and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for Mr. PRYOR, proposes an amendment numbered 3263.

The amendment follows:

(Purpose: To establish a pilot program for digital and wireless networks to advance online higher education opportunities for minority students)

At the appropriate place, insert the following:

**SEC. _____. DIGITAL AND WIRELESS NETWORKS FOR HIGHER EDUCATION PILOT PROGRAM.**

(a) SHORT TITLE.—This section may be cited as the ''ED 1.0 Act''.

(b) APPROPRIATIONS.—Notwithstanding any other provision of this Act, from the amount appropriated under title I under the heading ''Technology Opportunities Program'', $4,500,000 may be available for the pilot program under this section, to remain available until expended.

(c) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the National Telecommunications and Information Administration.

(2) ELIGIBLE EDUCATIONAL INSTITUTION.—The term ''eligible educational institution'' means an institution that is—

(A) a historically Black college or university;

(B) a Hispanic-serving institution as that term is defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5));

(C) a tribally controlled college or university as that term is defined in section 2(a)(4) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(a)(4));

(D) an Alaska Native-serving institution as that term is defined in section 317(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)(2)); or

(E) a Native Hawaiian-serving institution as that term is defined in section 317(b)(4) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)(4)).

(3) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term ''historically Black college or university'' means a part B institution as that term is defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)).

(d) MINORITY ONLINE DEGREE PILOT PROGRAM.—

(1) PILOT PROGRAM ESTABLISHED.—

(A) IN GENERAL.—There is established within the National Telecommunications and Information Administration a pilot program under which the Administrator shall award 9 grants to eligible educational institutions to enable the eligible educational institutions to develop digital and wireless networks for online educational programs of study within the eligible educational institutions. The Administrator shall award not less than 1 grant to each type of eligible educational institution, enumerated under subsection (c)(2).

(B) GRANT NUMBER AND AMOUNT.—

(i) NUMBER.—The Administrator shall award a total of 9 grants under this subsection.

(ii) GRANT PAYMENT AMOUNTS.—The Administrator shall make grant payments under this subsection in the amount of $500,000.

(2) PRIORITY.—

(A) IN GENERAL.—In awarding grants under this subsection the Administrator shall give priority to an eligible educational institution that, according to the most recent data available (including data available from the Bureau of the Census), serves a county, or other appropriate political subdivision where no counties exist—

(i) in which 50 percent of the residents of the county, or other appropriate political subdivision where no counties exist, are members of a racial or ethnic minority;

(ii) in which less than 18 percent of the residents of the county, or other appropriate political subdivision where no counties exist, have obtained a baccalaureate degree or a higher education;

(iii) that has an unemployment rate of 7 percent or greater;

(iv) in which 20 percent or more of the residents of the county, or other appropriate political subdivision where no counties exist, live in poverty;

(v) that has a negative population growth rate; or

(vi) that has a family income of not more than $32,000.

(B) HIGHEST PRIORITY.—In awarding grants under this subsection the Administrator shall give the highest priority to an eligible educational institution that meets the greatest number of requirements described in clauses (i) through (vi) of subparagraph (A).

(3) USE OF FUNDS.—An eligible educational institution receiving a grant under this subsection may use the grant funds—

(A) to acquire equipment, instrumentation, networking capability, hardware, software, digital network technology, wireless technology, or wireless infrastructure;

(B) to develop and provide educational services, including faculty development; or

(C) to develop strategic plans for information technology investments.

(4) MATCHING NOT REQUIRED.—The Administrator shall not require an eligible educational institution to provide matching funds for a grant awarded under this subsection.

(5) CONSULTATIONS; REPORT.—

(A) CONSULTATIONS.—The Administrator shall consult with the Committee on Appropriations and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives, on a quarterly basis regarding the pilot program assisted under this subsection.

(B) REPORT.—Not later than 1 year after the date of enactment of this section, the Administrator shall submit to the committees described in subparagraph (A) a report evaluating the progress of the pilot program assisted under this subsection.

(6) LIMITATION ON USE OF OTHER FUNDS.—The Administrator shall carry out this subsection only with amounts appropriated in advance specifically to carry out this subsection.

Ms. MIKULSKI. This amendment has been cleared on both sides of the aisle. I ask for its immediate adoption.

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

The amendment (No. 3263) 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. 3271

Ms. MIKULSKI. Mr. President, I call up amendment No. 3271 by Senator SHELBY of Alabama and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for Mr. SHELBY, proposes an amendment numbered 3271.

The amendment follows:

On page 30 line 4 strike the ''.'' and insert '': Provided, That within 200 days of enactment of this act, the Inspector General shall conduct an audit and issue a report to the Committees on Appropriations of all expenses of the legislative and public affairs offices at each location of the Justice Department, its bureaus and agencies, including but not limited to every field office and headquarters component; the audit shall include any and all expenses related to these activities.''

Ms. MIKULSKI. This amendment has been cleared on both sides of the aisle. I ask for its immediate adoption.

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

The amendment (No. 3271) 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. 3272

Ms. MIKULSKI. Mr. President, I call up another amendment by Senator SHELBY, No. 3272, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for Mr. SHELBY, proposes an amendment numbered 3272.

The amendment follows:

(Purpose: For the review of IT and 2010 Census related activities at the Bureau of the Census)

On page 18 line 13 strike the ''.'' and insert the following:

'': *Provided*, That of the amounts provided to the Secretary within this account, $10,000,000 shall not become available for obligation until the Secretary certifies to the Committees on Appropriations that the Bureau of the Census has followed, and met all best practices, and all Office of Management and Budget guidelines related to information technology projects: *Provided further*, That the Secretary, within 120 days of enactment of this Act, shall provide a report to the Committees on Appropriations that audits and evaluates all decision documents and expenditures by the Bureau of the Census as they relate to the 2010 Census: *Provided further*, That the Secretary, within 120 days of the enactment of this Act, shall provide a report to Congress that is publicly available on the Bureau's website on the steps that the Census Bureau will take to allow citizens the opportunity to complete the decennial census and the American Community Survey over the Internet.''

Ms. MIKULSKI. This amendment has been cleared on both sides of the aisle. I ask for its immediate adoption.

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

The amendment (No. 3272) 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. 3273

Ms. MIKULSKI. Mr. President, I now call up amendment No. 3273 by Senator SHELBY and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for Mr. SHELBY, proposes an amendment numbered 3273.

The amendment follows:

On page 69 line 13 after the second ''.'' strike all through page 70 line 10 and insert:

''Of the funds appropriated in this Act for the Federal Bureau of Investigation's Sentinel program, $25,000,000 shall not be available for obligation until 60 days after the Committees on Appropriations receive from the Federal Bureau of Investigation a report on the results of a completed integrated baseline review for that program: *Provided*, That the report shall be submitted simultaneously to the Government Accountability Office: *Provided further*, That the Government Accountability Office shall review the Bureau's performance measurement baseline for the Sentinel program and shall submit its findings to the Committee on Appropriations of the Senate and House of Representatives within 60 days of its receipt of the report.

SEC. 216. None of the funds appropriated in this or any other Act shall be obligated for the initiation of a future phase or increment of the Federal Bureau of Investigation's Sentinel program until the Attorney General certifies to the Committees on Appropriations that existing phases or increments currently under contract for development or fielding have completed 70 percent of the work for that phase or increment under the performance measurement baseline validated by the integrated baseline review referred to in SEC. 215 of this Act: *Provided*, That this restriction does not apply to planning and design activities for future phases or increments: *Provided further*, That the Bureau will notify the Committees of any significant changes to the baseline.''

Ms. MIKULSKI. This amendment has been cleared on both sides of the aisle. I ask for its immediate adoption.

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

The amendment (No. 3273) 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. 3288

Ms. MIKULSKI. Mr. President, I call up amendment No. 3288 by Senator SHELBY and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for Mr. SHELBY, proposes an amendment numbered 3288.

The amendment follows:

(Purpose: To provide transparency and accountability in funding for conferences and meetings of the National Aeronautics and Space Administration)

After the period on page 97 line 9, insert the following:

SEC. xx. (a) The Administrator of the National Aeronautics and Space Administration shall submit quarterly reports to the Inspector General of the National Aeronautics and Space Administration regarding the costs and contracting procedures relating to each conference or meeting, held by the National Aeronautics and Space Administration during fiscal year 2008, and each year thereafter, for which the cost to the Government was more than $20,000.

(b) Each report submitted under subsection (a) shall include, for each conference described in that subsection held during the applicable quarter—

(1) a description of the number of and purpose of participants attending that conference or meeting;

(2) a detailed statement of the costs to the Government relating to that conference or meeting, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services;

(C) the cost of all related travel; and

(D) a discussion of the methodology used to determine which costs relate to that conference or meeting; and

(3) a description of the contracting procedures relating to that conference or meeting, including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the National Aeronautics and Space Administration in evaluating potential contractors for any conference or meeting.

Ms. MIKULSKI. This amendment also has been cleared on both sides of the aisle. I ask for its immediate adoption.

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

The amendment (No. 3288) 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. 3318

Ms. MIKULSKI. Mr. President, I call up amendment No. 3318 by Senator COBURN of Oklahoma and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for Mr. COBURN, proposes an amendment numbered 3318.

The amendment follows:

(Purpose: To provide additional transparency and accountability in funding for conferences and meetings of the National Aeronautics and Space Administration)

At the appropriate place, insert the following:

**SECTION ___. LIMITATION AND REPORTS ON TRAVEL EXPENSES TO CONFERENCES**

(a) In this section, the term conference means a meeting that—

(1) is held for consultation, education, awareness, or discussion;

(2) includes participants who are not all employees of the same agency;

(3) is not held entirely at an agency facility;

(4) involves costs associated with travel and lodging for some participants; and

(5) is sponsored by 1 or more agencies, 1 or more organizations that are not agencies, or a combination of such agencies or organizations.

(b) The Administrator of NASA shall, not later than September 30, 2008, submit to the appropriate committees of Congress and post on the public Internet website of the agency in a searchable, electronic format, a report on each conference for which the agency paid travel expenses during Fiscal Year 2008 that includes—

(1) the itemized expenses paid by the agency, including travel expenses and any agency expenditure to otherwise support the conference;

(2) the primary sponsor of the conference;

(3) the location of the conference;

(4) in the case of a conference for which the agency was the primary sponsor, a statement that—

(A) justifies the location selected;

(B) demonstrates the cost efficiency of the location;

(C) the date of the conference;

(D) a brief explanation how the conference advanced the mission of the agency; and

(E) the total number of individuals who travel or attendance at the conference was paid for in part or full by the agency.

Ms. MIKULSKI. This amendment has been cleared on both sides of the aisle. I ask for its immediate adoption.

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

The amendment (No. 3318) 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.

Ms. MIKULSKI. Mr. President, we have now cleared 28 amendments. As we continue to move toward a vote that we will be having at 5:45 on the Brown amendment dealing with international trade, we hope if colleagues do have amendments on which they wish to have a vote they will please come now and offer the amendment and let's have a debate on it. We would like very much to debate as many amendments as we could to have stacked votes tomorrow, and even to come to final passage before the 12:30 caucus.

Colleagues out there on both sides of the aisle, Senator SHELBY and I are here. We are open for business. We are ready to hear your ideas and ready to debate them and follow through on our regular process. Either that, or if you do not wish to offer it, come see us and withdraw it and perhaps offer it at another time.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. STABENOW). Without objection, it is so ordered.

Mr. SALAZAR. Madam President, I rise this afternoon to raise my voice in strong support of H.R. 3093, the Commerce, Justice, Science Appropriations Act of 2007. I wish to thank and congratulate Chairwoman MIKULSKI and Ranking Member SHELBY, Chairman BYRD and Ranking Member COCHRAN for their strong leadership on this bill.

As a former attorney general for Colorado, I am particularly proud of the investment that this bill will make in the local, State, and Federal law enforcement agencies across our country, the more than 800,000 officers who patrol America's streets and put their lives on the line every day to help make our communities safe and secure. They are truly the frontlines of America's homeland security.

In my 6 years as attorney general of Colorado, and in the last 2½ years as a Senator, I have traveled thousands of miles through my State to visit with county sheriffs, police chiefs, and law enforcement officers working in our small towns, rural counties, and big cities. They are public servants through and through. They know that security is the foundation of a free society. They know that to enjoy our liberties and a prosperous economy, Americans must live in a society governed by the rule of law, free from the threat of violence and secure in their place of residence.

It is the voices of these men and women in uniform across our country, America's peace officers, that should help guide our law enforcement efforts in this country. They should help us make sure we are prepared to meet the emergency we will confront and that will help us address the domestic security priorities we face in the Nation. We should therefore take notice when sheriffs and police officers tell us they do not have the resources they need to combat the scourge of meth that is devastating so many communities across our Nation.

Meth is tearing families apart and financing an underground economy in abandoned farm buildings, fire traps, and houses that are shrouded with plastic. When police go to raid a lab, they never know what they are going to find; whether it is going to be a drug armed to the teeth, whether it is going to be chemicals that are ready to burn and to explode or drug users who are in desperate need of medical attention.

In my State, on a raid on a meth lab in Aurora, CO, this past summer, police found a 2-year-old boy lying in the basement next to a highly toxic cocktail of chemicals. The police rescued him. But what his parents were doing or thinking one can only imagine. Stories such as this story have been too common across our country.

We should also take notice when people such as the U.S. attorney in Colorado, Troy Eid, tell us we do not have enough Federal law enforcement officers to serve Native American communities in southwestern Colorado. Last year, we had a total of five Bureau of Indian Affairs officers policing 600,000 acres in one corner of my State. This is astonishing—five Bureau of Indian Affairs officers policing 600,000 acres.

Criminals, in fact, were calling in false crime reports on one side of the reservation, drawing police away from their target they were aiming to hit on the other side of the reservation.

With this shortage of law enforcement, the murder rate on the Ute Mountain Ute and Southern Ute reservations in Southwestern Colorado has climbed to almost 20 percent of the national average. We need to take notice when people such as recently retired Sheriff Liggett, of Mineral County, CO, tell us our communications equipment in rural communities is woefully inadequate.

I have known Sheriff Liggett for many years. On snowy nights, Sheriff Liggett would call ahead and make sure that I and other travelers made it safely over Slumgullion Pass or Wolf Creek Pass on our way to our destinations.

That is the way things are done in rural Colorado. Sheriff Liggett knows very well the boundaries of his department's communications coverage and the risks that the limitations of that coverage pose to residents and travelers.

The Mineral County Sheriff's Department, similar to so many rural sheriffs' departments, need broader communications coverage and a better ability to talk across agencies and jurisdictions in case an emergency arises.

In late 1990, we made some progress in helping bring safety and security to American's communities. The Federal Government, seeing the homicide rate on the rise, responded to the public's

call for a crackdown on crime by making smarter investment in law enforcement and crime prevention. These investments paid off, with violent crime in the United States dropping by nearly 40 percent from the record highs of the early 1990s.

Unfortunately, these investments have lagged in recent years, and the administration has tried to cut key programs at the very moment, at the very moment that our law enforcement officers are facing a set of growing challenges from homeland security and emergency preparedness to combating meth, to all of the other issues that the 800,000 men and women who keep the security in our country face every day.

I know this administration has been focused on Iraq and that this has consumed a massive proportion of Federal spending; almost $750 billion in the last 4½ years. But this focus on Iraq and our security objectives abroad should not come at the expense of American security right here at home in our United States.

Too many Americans live with fear of drug-related violence in their communities. Too many Americans have seen meth destroy the lives of a family member or of a neighbor. Too many Americans worry that when a disaster strikes, the way it did with Katrina, help will come but help will not come quickly enough.

This bill, which the chairperson from Maryland and Ranking Member SHELBY have put together, resets our priorities to where they should be, on the safety and security of America's families. For that I thank and applaud the leadership of Senator MIKULSKI.

The Appropriations Committee has reported a bill that restores critical investments on law enforcement that this President had proposed to cut. I wish to briefly talk about a few of those provisions that will benefit the peace officers of my State of Colorado.

First, I am pleased the bill we are considering today includes $1.4 billion for State and Local Law Enforcement Assistance, including $660 million for the Byrne Memorial Justice Assistance Grants and $190 million for Byrne discretionary grants.

This program, which the President had—beyond my understanding—proposed to eliminate, provides grants to State and local governments for law enforcement, for prosecution and court programs, for prevention and community education programs, drug treatment, and community corrections programs. These are the kinds of programs that the men and women in law enforcement in this country know do, in fact, work to make our communities safe.

Secondly, this bill includes $550 million for the Community Oriented Policing Services, known as COPS. These funds go to tribal, State, and local law enforcement agencies for community policing initiatives which put law enforcement professionals on the streets with a beat so they can build relationships with the people they serve and they protect.

By earning the trust of the members of their communities and making these individuals stakeholders in their own safety, community policing makes law enforcement safer and more efficient. Some of the COPS Program funds that are set forth in this bill will go directly to the drug task forces that have been operational and effective in my State of Colorado. They include: The San Luis Valley Drug Task Force, my native valley; they include the 22nd Judicial District Drug Task Force, the North Metro Task Force, the Delta/Montrose Drug Task Force, the Eagle County Drug Task Force, the Greater Routt and Moffatt Narcotics Enforcement Team, the Weld County Drug Task Force.

Rest assured that from my point of view as a former attorney general of the State of Colorado, I know these task forces are at the point of the spear in combating the scourge of drugs in my State of Colorado, and these important funds will allow us to keep up that fight.

Finally, I am pleased this bill provides $5.6 billion for the Bureau of Prisons to help curb the staff shortages, construction needs and operations budgets for the Federal prison system.

The correctional officers who handle some of the most dangerous criminals in America will tell you the funding levels over the past few years have been inadequate.

At the Supermax Prison in Florence, CO, which houses inmates such as Ted Kaczynski, al-Qaida terrorist Zacarias Moussaoui, and the shoe bomber, Richard Reid, at that Supermax facility, where we house the most dangerous of the most dangerous of America's enemies, funding cuts have left them short staffed and short on beds.

At the prison that houses terrorists, gang leaders and the most violent members of society, this is a dangerous game that we cannot afford, and this legislation moves forward in a way to address those shortfalls.

I am not going to take time to go through all the other good that is included in this bill, but I would mention very briefly the $340 million this bill provides to the juvenile justice program and the investment this bill makes in all our Federal law enforcement agencies such as the DEA, the FBI, and the ATF.

When you look at these investments, you begin to understand how important this bill is to our Nation's law enforcement authority. Anyone who has worked or who works in law enforcement today and who takes the time to look at this bill, will understand this is a strong statement of support for peace officers and for protecting our public across the country. That is why I am perplexed that there is a veto threat by the President on this bill.

There should not be that veto threat because this is a bill that takes a strong position to secure Americans here in the homeland. I hope that as this bill makes it through the Congressional process and to the President's desk, President Bush will decide he is going to stand up for the Nation's law enforcement and for the security here in the homeland and will, in fact, sign this bill.

I end where I began. This is a very good bipartisan product that Senator MIKULSKI and Ranking Member SHELBY have put together for the consideration of this Chamber. I am proud to be a supporter of this bill. I urge my colleagues to support it.

Ms. MIKULSKI. Will the Senator from Colorado yield for a question?

Mr. SALAZAR. I will.

Ms. MIKULSKI. I thank the Senator for his comments about our bill that were so complimentary and for speaking out. As a former attorney general of the State of Colorado, who is essentially the top cop in Colorado, knows one of the hallmarks of good law enforcement is strong law enforcement opportunities, along with prevention in terms of intervening with our young people. But is the Senator aware why this bill is under a veto threat?

Mr. SALAZAR. I have understood that the President has said he doesn't like the funding levels in this bill which I interpret to mean that he doesn't support funding of these very important programs.

Ms. MIKULSKI. The Senator is exactly right. We face a veto threat not because we have done bad legislation but because we have done good funding.

Is the Senator aware that the legislation called for the elimination of the COPS Program?

Mr. SALAZAR. Madam President, I am aware that the President has called for elimination of the COPS Program. I am also aware that when I speak to the law enforcement community throughout the country and throughout my State, sheriffs and chiefs of police across the board say the COPS Program is, in fact, working, and when we see what happened with the dip in violent crime in the 1990s, it occurred precisely because we had programs such as the COPS Program which were very effective.

Ms. MIKULSKI. So then it is the belief of the Senator that our addition of over $500 million to guard the streets and neighborhoods and communities of America will be well spent?

Mr. SALAZAR. I can think of no more important priority for all of us. As we deal with issues of crime and violence and the rule of law in places far away such as Iraq and Afghanistan, it ought to be an important priority, a high priority for us to make sure we are enforcing the rule of law and providing security for Americans at home; that we take care of the homeland first.

I strongly agree with the Senator from Maryland that, in fact, this bill moves us in that direction.

Ms. MIKULSKI. I thank the Senator from Colorado. I appreciate his comments and support.

Madam President, by way of information for our colleagues, when we talk about the COPS Program, one might recall, as the Senator from Colorado said, violent crime really skyrocketed in the mid-1990s. President Clinton, working then with our colleague who continues to be in the Senate, Senator JOE BIDEN, a leader on the Judiciary Committee, came up with the COPS Program. During the Clinton administration, from 1993 to 1998, they put 118,000 extra police officers on the streets of America. They were in 13,000 communities, and violent crime dropped 10 percent. Cops do make a difference. We are concerned that by eliminating the COPS Program, the thin blue line that protects us in our communities is even getting smaller. So working on a bipartisan basis within the Senate, we have added over $500 million to restore that COPS Program; not that we micromanage from the national level, but we empower the local communities to apply for these grants and deploy where they know best to protect their citizens.

We think we have a great bill. We want to move it along. We thank the Senator for the kind words. Now our colleagues can help us not only with words but with deeds, which is, if they have an amendment, offer it or send their staff to either see if we can modify it or have it withdrawn.

AMENDMENT NO. 2360

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of amendment No. 2360 offered by the Senator from Ohio, Mr. BROWN. There will be 30 minutes of debate equally divided between the Senator from Ohio and the Senator from Maryland, Ms. MIKULSKI, or their designees, prior to a vote in relation to the amendment.

The Senator from Ohio.

Mr. BROWN. Madam President, I begin my thanking Senator MIKULSKI and Senator SHELBY, as well as Senators BAUCUS and GRASSLEY, for their support of this amendment. The amendment is cosponsored by Senators STABENOW, BYRD, ROCKEFELLER, and LEVIN. I should note that the Finance Committee chair has drafted a bill to boost trade enforcement. I look forward to working on that very important piece of legislation.

This amendment will help America's manufacturers compete on even terms with foreign manufacturers. For generations American manufacturing has been a tremendous source of pride and work for our whole country. Especially for working families, it has been a ladder to the middle class. 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 every day our manufacturing sector. In the State of Michigan, in Ohio, across the Midwest, throughout the country, it would be and is dangerous to ignore that.

Over the last several years, U.S. manufacturing has faltered. Millions of good jobs have been lost. In my State of Ohio, from Toledo to Gallipolis, from Ashtabula to Middletown, well over 200,000 manufacturing jobs have disappeared in the last 6 years.

American industry, we know, 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. Unfortunately, some of our trading partners have repeatedly found ways to circumvent these laws to gain an unfair advantage against our workers and our companies. This has led to record-breaking trade deficits—some $800 billion in 2006—which threaten the long-term health of our economy and massive job losses which have wreaked havoc on the middle class. Foreign governments 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 ample evidence that something is very wrong—when I first ran for Congress in 1992, the U.S. multilateral trade deficit was $38 billion. Last year it was literally more than 20 times that, and we can look at job loss figures, the trade deficit, outsourcing figures, offshoring figures—the Bush administration needs to aggressively enforce American trade law.

Recent WTO decisions threaten to create enormous loopholes in trade law enforcement. This affects industries and local economies throughout the country. We know about steel. We know about paper. But it affects all American manufacturing. That is why we need to be more aggressive in enforcement of the trade laws. If the WTO continues to target U.S. trade remedy laws, we in this Chamber need to fight back. This amendment is a modest reminder to the administration that we need to vigorously enforce our trade laws.

I thank the chairman and ranking member of the subcommittee for their support. I ask my colleagues for their support.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Ms. MIKULSKI. 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.

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

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

Ms. MIKULSKI. Madam President, I stand here with my colleague from Alabama to tell all of our colleagues on both sides of the aisle it is the intention of Senator SHELBY and myself to finish this bill tomorrow. We have some amendments that have been filed, and yet we do not know what the intent is of the Senators who have filed such amendments. We are going to be voting very shortly—in a matter of minutes—and we would like every Senator who has filed an amendment to come and tell us what their intent is. Do they intend to offer it? When do they intend to offer it? Or do they wish to seek another accommodation?

We would like to present to the leaders on both sides of the aisle—the majority leader and the Republican leader—a finite list tonight before Senator SHELBY and I go home so we can have the finite list for tomorrow and assiduously, earnestly, thoroughly work through these amendments. But we must know the intent of the Senators.

I believe there is an old-fashioned saying: It is now time to fish or cut bait. We would prefer Senators actually cut their bait. But being an old Maryland fisherwoman myself, we want to talk to our colleagues. Talk to us during this vote. Senator SHELBY is at his desk. I will be at mine. Let's talk things over and see how we can move this bill and make America proud of us. Too often when all is said and done, too much gets said and nothing gets done.

I yield the floor.

Mr. SHELBY. Madam President, I join with Senator MIKULSKI. She is telling our colleagues—and I join with her—that we have accepted and are working through a lot of amendments on both sides of the aisle. There are a number of amendments that have been filed. We, as she pointed out, need to know if people are going to insist on amendments or if there is some way we can accommodate Senators, if they would come to the floor and meet with us, because in a few minutes we are going to vote. The leaders will be on the floor and they are going to want a report from us as to what is pending, because tomorrow we want to move this bill. This is a very important bill, as the Presiding Officer knows. We need to move on with it and not delay it more. We are back now in a new week and I think we can make some progress. If my colleagues on both sides of the aisle will meet with us and tell us if they want a vote, we will debate it and vote. If they want to see if we can work out something with them, we will do that. But it is our intention again to move this bill tomorrow.

Thank you, Madam President.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 3260, as modified, offered by the Senator from Ohio, Mr. BROWN.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Delaware (Mr. BIDEN),

the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Washington (Mrs. MURRAY), the Senator from Nebraska (Mr. NELSON), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

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

Mr. MCCONNELL. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from Mississippi (Mr. LOTT), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Tennessee (Mr. ALEXANDER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea.''

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

The result was announced—yeas 85, nays 3, as follows:

[Rollcall Vote No. 364 Leg.]

YEAS—85

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

NAYS—3

| | | |
|---|---|---|
| Allard | Hagel | Lugar |

NOT VOTING—12

| | | |
|---|---|---|
| Alexander | Clinton | Murkowski |
| Bayh | Dodd | Murray |
| Biden | Kennedy | Nelson (NE) |
| Brownback | Lott | Obama |

The amendment (No. 3260), as modified, was agreed to.

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

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3277

Mr. VITTER. Mr. President, I ask unanimous consent to lay aside any pending amendment or business so that the Vitter amendment, No. 3277, may be called up.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER], for himself, Mr. SESSIONS and Mr. DEMINT, proposes amendment numbered 3277.

Mr. VITTER. Mr. President, I ask unanimous consent to dispense with the reading of the amendment.

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

The amendment is as follows:

(Purpose: To prohibit funds from being used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996)

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

SEC. 217. None of the amounts made available in this title under the heading ''COMMUNITY ORIENTED POLICING SERVICES'' may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

Mr. VITTER. Mr. President, this is amendment No. 3277, and it is very simple and straightforward and, I believe, very needed. The amendment would simply prohibit COPS funding, which is governed under this bill, from going to so-called sanctuary cities. In doing so, it would do nothing more than to enforce current Federal law.

Mr. President, as you know, in 1996, Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act. In that 1996 legislation, which is current law, there is a very clear section on sanctuary city policy. It is section 642(a), and it states in clear unmistakable terms:

Federal, State or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

Mr. President, the idea behind that policy is very simple. Law enforcement around the country should be free to cooperate with Federal authorities regarding immigration, regarding immigration enforcement, and no State or local government should be able to contradict Federal law by establishing a State or local law which bars this sort of commonsense cooperation. Unfortunately, that is exactly what several local jurisdictions and at least two States on a statewide basis have done. They have established, by State law, by local law, by local ordinance, so-called sanctuary policies absolutely prohibiting law enforcement and other public personnel in their jurisdiction from working with or cooperating with Federal authorities with regard to immigration enforcement.

This is by no means the majority policy of jurisdictions around the country. Far from it, Mr. President, because I think a clear overwhelming majority of the American people and their State and local elected officials support commonsense cooperation with the Federal Government in enforcing our laws. But it is a very significant trend, a very significant happening around the country. Many local jurisdictions and at least two States have adopted this very conscious and very boldly proclaimed policy, calling themselves sanctuary cities, or sanctuary jurisdictions.

My amendment would simply prohibit COPS funding from going to these jurisdictions. It would say this is our Federal law, and that States, that localities must cooperate with Federal immigration officials. And if they are not going to do that, if they are going to pass laws clearly in contravention, 180 degrees opposed to Federal law, then they will not get COPS funding under this bill.

Again, Mr. President, it couldn't be simpler. It couldn't be more straightforward—COPS money, COPS funds, will not go to sanctuary cities, so-called sanctuary jurisdictions, if my amendment passes. And, again, this is doing nothing more than enforcing present Federal law, a policy or law that has been on the books for over 10 years. So why shouldn't we put some meaningful teeth in that Federal law and prevent these local and State jurisdictions from simply flaunting Federal law and not abiding by Federal law?

I would note that the House of Representatives has already acted on this issue in the companion bill to this CJS appropriations bill. In the House bill, a similar amendment to mine passed by voice vote. Having said that, I would hope that a huge majority of the Senate similarly votes to pass this Vitter amendment, to adopt it, and to put it on the CJS appropriations bill.

This is common sense. It does nothing more than enforce current Federal policy and Federal law. It is clearly the sort of commonsense, straightforward legislation that a huge majority of the American people support. I know there will be a vote on this sometime tomorrow, Mr. President, so I urge all my colleagues, Republican and Democrat, to join with the huge majority of the American people behind this reasonable and commonsense policy.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to speak against the Vitter amendment. I don't believe it is common sense, I don't believe it is reasonable, and I want to lay out the reasons.

This body has, during the immigration debate, actually acted on a very similar amendment and defeated it. And the reason this body was wise enough to defeat it was because they understood that some of the toughest law enforcement officials in our country, from sheriffs to prosecutors, and a whole host of law enforcement officials in between, understand that the cooperation of a community is essential

for police and law enforcement entities to do their job.

Under Senator VITTER's amendment, denying money to municipalities across the landscape of the country—and this would deny monies to about 126 cities in a whole host of States represented by people on both sides of the aisle—would set up a series of circumstances under which a crime could be committed and the witness to that crime happens to be someone who is undocumented in some fashion. Do we want the witness to be able to come forward and provide essential, crucial eyewitness testimony about the crime or do we want them to hide in the darkness and not talk to the police because they are afraid of their immigration status?

I want to solve the crime, Mr. President. I want to get the perpetrator. I want to convict that person and put them in jail. I don't want the opportunity to do that to go wasted because of some political statement that has nothing to do with the core issue of security in our communities.

I want to make sure a witness comes forth and testifies against a perpetrator and has no fear to do so.

Senator VITTER's amendment would undermine that ability. Senator VITTER's amendment would undermine the ability of someone who is a victim of a crime and who happens to be in an undocumented capacity to come forward because they might very well be concerned that their status is such that it might create a problem for them. So victims of a crime would not come forward, which not only is inhuman as it relates to the victim of that crime—and that crime could be of all types and manner that was committed against the individual—but the unwillingness of that person to come forward because of fear—fear—may lead to another crime committed against someone else by that same individual in that same community; perhaps to a child who might be molested, to a person who might be assaulted, to a family who might get robbed.

So instead of catching the perpetrator, the criminal element, and being able to prosecute them either through the witness or through the victim, no, we prefer to deny monies to that community because they have a view that in their own interest—and I hear so many times in debates that States and municipalities know best, but when it comes to this, they know nothing. They know nothing about how best to secure their communities. They have made decisions across the landscape of the country—urban, suburban, and rural—to say we care more about prosecuting the crime and having witnesses come forward to tell us about the crime than we care about the person's status, and we are not going to put a chilling effect across the landscape of our community to being able to achieve those goals.

That is what tough law enforcement will tell you—sheriffs will tell you, prosecutors will tell you, and police chiefs will tell you. They will tell you that they want the community to participate.

Now, when Secretary Chertoff was before the committee recently testifying in a House hearing, he responded to a question about this issue. He said: I am not aware of any city that actually interferes with our ability to enforce the law.

So let's not mix apples and oranges. The suggestion is that these cities interfere with the Department of Homeland Security and ICE's ability to go ahead and pursue someone to be deported. That is not the case. But that is the argument that is trying to be made in pursuit of an amendment that is all about immigration and nothing about security. We need to be about security in our communities. We need to be able to have witnesses come forward and be able to have victims come forward.

Now, local governments have taken the initiative to reassure these communities in order to deliver services vital to the public health and safety. And these may be immigrant families who also, in fact, have perfect status in this country. But the message being sent out is: Don't talk to the local police.

We have had incidents where people who, in fact, have total legal status, and who, because they came forward as witnesses to a crime, ended up feeling more like a criminal themselves than the person they were trying to testify against. That sends a chilling effect across immigrant communities which says: Do not participate.

It would not be in the interest of security in our communities to have that be the message. If immigrant families are afraid to access the opportunities for local law enforcement to have their participation as the eyes and ears of what is happening, it would have a negative effect and be a ripple effect of what would happen. If that is the message, then if you are a perpetrator of a crime and you want to do breaking and entering, robbing in a community, God forbid you want to do rapes, you say: This community will not go to the police. Let's do it in that sector. Then the crime continues and the perpetrator continues to be free and the process gets worse and worse.

It seems to me all Americans are at higher risk of preventable crimes when the population fears coming forward to give information.

This is also about telling municipalities that they cannot figure out for themselves what is the best way to combat crime in their communities. Our whole effort under the fantastic bill that Senator MIKULSKI has put together is to ensure communities have the wherewithal to combat the rise in crime we have seen over the past 2 years, according to recent reports. The way to do that is to have citizens come forward and participants in communities come forward and tell the police about what is happening. It is not to put a chilling effect on it.

The Senate has in the past already largely rejected these amendments—in good judgment. Let's listen to the cops, let's listen to the prosecutors, let's listen to the sheriffs, let's listen to the tough law enforcement people, let's listen to the communities that have elected officials who are in the midst of these communities and who say: When it comes to identifying crime and victims of crime, we want them to come forward. That is in the public interest.

Nothing in these cities is used in a way, as Secretary Chertoff said, to impede the opportunity for ICE to do what they want to do should they want to deport somebody.

For all those reasons, I urge my colleagues to reject the Vitter amendment when it comes up for a vote and preserve the security of our communities.

I yield the floor.

Ms. MIKULSKI. Mr. President, I, too, rise to oppose the Vitter amendment. For the benefit of our colleagues, they should know a similar amendment was defeated on the immigration bill this year. I opposed the amendment then and I oppose it now. I oppose it on substantive grounds, and I oppose it also on the grounds related to States rights and home rule.

To refresh everyone, what the Vitter amendment would do is ban local governments from receiving Federal law enforcement funds if a city or a locality has passed a law prohibiting police from asking an immigration status.

Why is this bad? First of all, local law enforcement officers all across America are opposed to this amendment. Their opposition has been very well articulated by our colleague from New Jersey. What has been articulated by local law enforcement communities is they believe they should not be held responsible for enforcing Federal immigration laws; that Federal laws on immigration should be enforced by Federal immigration authorities.

This amendment would also make it harder for local police to enforce laws and stop crime. One of the things that would happen, if police are forced to do this, it would foster great mistrust in our immigrant communities—meaning immigrants who are here legally. You know, there are many immigrants who are here legally. Because you might have a last name such as Sanchez doesn't mean you are an illegal immigrant. You might be the owner of an IT business in Silver Spring, MD.

One of the things we are concerned about is that immigrants, then, will not report crimes or will not give information to those who could go after serious crimes—such as the gang effort.

We are also concerned when people will not come forward particularly related to domestic violence. If there is domestic violence, a battered spouse might not call the police because it could trigger some type of raid in their own community.

This is not a good way to go. Let's go to the consequences of local communities deciding what they want to do.

What we are talking about is a situation where a city or a locality has passed a law prohibiting police from asking an immigration status. That is their right. That is their right, to say what they want to do in their own community. Then to deny Federal funds for law enforcement, funds for all the other things they might be applying for funds for, I think is outrageous. What happens if they are applying for interoperable communication equipment so they can fight violent crime? Oh, no, they can't have it.

What happens when they have applied for funds for the Violence Against Women Act, to deal with battered spouses or abused children? Oh, no, they would not be able to get their Federal funds.

What happens, then, in the issue of sexual predators? We have a robust effort to go after sexual predators in our communities. If they have applied for grants to be able to protect our children, they will not be able to get them under the Vitter amendment. So the Vitter amendment is not targeted at illegal aliens or illegal immigrants. What the Vitter amendment does is target law enforcement. If the Vitter amendment is agreed to, in many of these communities it will stifle, shackle, and impede local law enforcement from applying for Federal funds to which they would otherwise be entitled.

I think this is misguided. I think it is misdirected. For those of us who are very concerned about the issues of protecting our borders, we understand we need to protect our borders, but we also need to protect our communities. One of the ways we protect our communities is to let law enforcement apply for Federal funds for a variety of things, from cops on the beat, which they wouldn't be able to get; Byrne grant money for technology or bulletproof vests, they wouldn't be able to get it; violence against women funds, they wouldn't be able to get that. I think the Vitter amendment is misguided and misdirected. We should defeat it.

I 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. 3256, AS MODIFIED

Ms. MIKULSKI. Mr. President, we are making great progress. We have some amendments we wish to clear.

I call up amendment No. 3256, as modified, and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment is pending and will be so modified.

The amendment (No. 3256), as modified, is as follows:

AMENDMENT NO. 3256, AS MODIFIED

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: *Provided*, That within 30 days after the date of enactment of this section the Attorney General shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the amount of each recission made pursuant to this section.

Ms. MIKULSKI. This amendment has been cleared on both sides of the aisle. I ask for its immediate adoption.

The PRESIDING OFFICER. Is there further debate?

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

The amendment (No. 3256), 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. 3310

Ms. MIKULSKI. Mr. President, I call up amendment 3310 for myself and Senator COLLINS.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for herself and Ms. COLLINS, proposes an amendment numbered 3310.

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

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

The amendment is as follows:

(Purpose: To provide for certain public-private competition requirements)

At the end of title V, add the following:

SEC. 528. None of the funds appropriated or otherwise made available by this Act may be made available for a public-private competition conducted under Office of Management and Budget Circular A–76 or to convert a function performed by Federal employees to private sector performance without such a competition unless a representative designated by a majority of the employees engaged in the performance of the activity or function for which the public-private competition is conducted or which is to be converted without such a competition is treated as an interested party with respect to such competition or decision to convert to private sector performance for purposes of subchapter V of chapter 35 of title 31, United States Code.

Ms. MIKULSKI. This amendment has been cleared on both sides of the aisle. I ask for its immediate adoption.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 3310) 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. 3239

Ms. MIKULSKI. Mr. President, I call up amendment No. 3239 by Senator KENNEDY and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for Mr. KENNEDY, proposes an amendment numbered 3239.

The amendment is as follows:

(Purpose: To clarify that student loan repayment assistance does not violate section 209 of title 18, United States Code relating to Federal salary)

On page 70, after line 10, insert the following:

SEC. ____. Notwithstanding any other provision of law, a public or private institution of higher education may offer or provide an officer or employee of any branch of the United States Government or of the District of Columbia, who is a current or former student of such institution, financial assistance for the purpose of repaying a student loan or forbearance of student loan repayment, and an officer or employee of any branch of the United States Government or of the District of Columbia may seek or receive such assistance or forbearance.

Ms. MIKULSKI. This amendment has been cleared on both sides of the aisle. I ask for its immediate adoption.

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

The amendment (No. 3239) 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.

Ms. MIKULSKI. Mr. President, we are making great progress. Our staffs are going to be working through the night. We have about 36 amendments pending; 10 on the Democratic side, about 26 on the Republican side. We know the staffs are working well after 7. This is a good time to come over and work with us. We hope tomorrow morning we will be able to have some votes and also further progress. It is the intention of the majority leader and the Republican leader to finish this bill tomorrow, even if we have to work through the night. The best way not to work through the night tomorrow night is to work through the night tonight. So come over, help clear up some of these amendments. It would be a great help.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## SUPPORTING THE WORK OF FIREFIGHTERS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 345.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 345) supporting the work of firefighters to educate and protect the Nation's communities, and the goals and ideals of Fire Prevention Week, October 7–13, 2007, as designated by the National Fire Protection Association.

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

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

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

The resolution (S. Res. 345) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 345

Whereas firefighters have maintained their dedication to the health and safety of the American public since the first American fire departments were organized in the colonial era;

Whereas today's firefighters provide a multitude of services, including emergency medical services, special rescue response, hazardous material and terrorism response, and public safety education;

Whereas more than 1,130,000 firefighters protect the United States through their heroic service;

Whereas the Nation's fire departments respond to emergency calls nearly once per second and dispatch to fire emergencies every 20 seconds;

Whereas approximately 1,600,000 fires are reported annually;

Whereas firefighters respond with courage to all disasters, whether they be acts of terrorism, natural disasters, or other emergencies;

Whereas 343 firefighters sacrificed their lives responding heroically to the events of September 11, 2001;

Whereas firefighters from across the Nation responded with remarkable selflessness throughout the areas affected by Hurricane Katrina;

Whereas 89 firefighters lost their lives in 2006, and over 80,000 were injured in the line of duty;

Whereas we have honored firefighters for educating the American public since President Harding declared the first Fire Prevention Week in 1922;

Whereas the National Fire Protection Association has designated the week of October 7–13, 2007 as Fire Prevention Week; and

Whereas educating Americans on methods of fire prevention and escape planning continues to be a priority for all firefighters: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the work of firefighters to educate and protect the Nation's communities; and

(2) supports the goals and ideals of Fire Prevention Week, October 7–13, 2007, as designated by the National Fire Protection Association.

## NATIONAL TEEN DRIVER SAFETY WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. Con. Res. 36, and the Senate then proceed to its immediate consideration.

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

The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 36) supporting the goals and ideals of National Teen Driver Safety Week.

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

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, and that any statements be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 36) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

Whereas motor vehicle crashes are the leading cause of death for adolescents and young adults in the United States, and many of these deaths are preventable;

Whereas almost 7,500 drivers between the ages of 15 and 20 years were involved in fatal crashes in 2005 throughout the United States;

Whereas the fatality rate in the United States for drivers between the ages of 16 and 19 years, based on miles driven, is 4 times the fatality rate for drivers between the ages of 25 and 69 years;

Whereas the majority of teen driver crashes in the United States are due to driver error and speeding, and 15 percent of the crashes are due to drunk driving;

Whereas roughly two-thirds of the teenagers killed in motor vehicle accidents in the United States each year do not use seatbelts;

Whereas approximately 63 percent of teen passenger deaths in the United States occur while other teenagers are driving;

Whereas it is necessary to explore effective ways to reduce the crash risk for young drivers by focusing research and outreach efforts on areas of teen driving that show the most promise for improving safety;

Whereas the National Teen Driver Survey, developed with input from teenagers and administered by The Children's Hospital of Philadelphia, demonstrates a national need to increase overall awareness about the safe use of electronic handheld devices, the risk of nighttime and fatigued driving, the importance of consistent seatbelt use, and the practice of gradually increasing driver privileges over time as a young driver gains more experience under supervised conditions;

Whereas in 2005, 1,553 crash fatalities involving a teen driver occurred in the fall, when teenagers are in the first months of the school year and faced with many decisions involving driving, including whether to drive with peer passengers and other distractions; and

Whereas designating the third week of October as National Teen Driver Safety Week is expected to increase awareness of these important issues among teenagers and adults in communities throughout the United States, as additional research is conducted to develop and test effective interventions that will help teenagers become safe drivers: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That Congress—

(1) supports the goals and ideals of National Teen Driver Safety Week; and

(2) encourages the people of the United States to observe the week with appropriate activities that promote the practice of safe driving among the Nation's licensed teenage drivers.

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

Mr. REID. Mr. President, we have on this bill that is now before the Senate—the Commerce-Justice appropriations bill—about eight amendments that Democrats have pending or wish to offer, and we have 26 Republican amendments. Everyone should understand we are going to finish this bill tomorrow. It does not matter what events are going on around town, we are going to work and finish this bill. If it takes until 8 o'clock tomorrow night, fine; there will be no windows. We are going to work right through this. If people try to hold this up, we will have a bunch of votes. We will have the Sergeant at Arms instructed. We are going to move through this.

I am told we want to finish appropriations bills. This is our second week on this bill. We are going to finish this bill tomorrow or sometime early Wednesday morning. We are going to continue working on this until it is completed or until we find there is such intransigence by the Republicans that they do not want us to finish this bill. I hope that is not the case.

We have had on our appropriations bills some decent cooperation from the Republicans, for which I am appreciative, but we have other bills we have to do. If we finish this legislation, we will still have seven appropriations bills to do.

I am aware we have had to file cloture 49 different times this year to defeat Republican filibusters or to turn them around, and if it is necessary to file the 50th, we will do that. I think that would be a shame to have to do that.

We have a finite number of amendments now, and we need to try to work through them. What we could do, of course, here—there are more Democrats than Republicans—we could move to table all the Republican amendments. It would take a lot of time to do that. I hope we do not have to do that. I hope we can work through these amendments and some of them will be accepted and some will be voted upon.

I want to be as reasonable as possible, but I have the Nation's business to be concerned about. We have to